

CITY OF NORTHVILLE
Planning Commission
February 20, 2018
Northville City Hall – Council Chambers

1. CALL TO ORDER:

Vice Chair Kirk called the meeting to order at 7:00 p.m.

2. ROLL CALL:

Present: Steve Kirk
Carol Maise
Christopher Miller
Dave Mielock
Mark Russell
Ann Smith
Jeff Snyder
Donna Tinberg

Absent: Jay Wendt (excused)

Also present: Pat Sullivan, City Manager
Ken Roth, Mayor
Sally Elmiger, Planning Consultant
Lori Ward, Director, Downtown Development Authority

3. APPROVAL OF AGENDA:

MOTION by Russell, support by Maise, to approve the agenda as published.

Motion carried unanimously.

4. MINUTES OF PREVIOUS MEETING: February 6, 2018

Vice Chair Kirk noted the following corrections:

- Page 2, 5th bullet from the bottom, 2nd line: requirement of *maximum* 20 dwelling units . . .
- Page 4, 6th bullet from the top: Acknowledgement that this ~~was~~ *is* an entryway into the City.
- Page 6, 6th paragraph, 3rd line: He would like to see a visual . . .

Motion by Tinberg, support by Russell, to approve the January 16, 2018 minutes as amended.

Motion carried unanimously.

5. AUDIENCE COMMENTS: None.

6. REPORTS:

- A. CITY ADMINISTRATION:** None.
- B. CITY COUNCIL:** None.
- C. PLANNING COMMISSION:**

Commissioner Tinberg said that she had noticed several lighted signs that did not conform to ordinance in terms of flashing, scrolling, etc. City Manager Sullivan asked Commissioner Tinberg to give him the addresses to pass on to the Building Official.

- D. OTHER COMMUNITY/GOVERNMENTAL LIAISONS:** None.

7. PUBLIC HEARINGS: None.

8. SITE PLAN REVIEW: 135 N. CENTER – CENTER STREET GRILL

Because the applicant was not present, Commissioner Russell offered the following motion:

MOTION by Russell, support by Mielock, to hear Item 9: 129 N. Wing Street, before Item 8: 135 N. Center – Center Street Grill.

Motion carried unanimously.

9. PROPOSED RE-ZONING: 129 N. WING STREET

Referring to her review letter of February 13, 2018, Planning Consultant Elmiger gave the background for this request that the property at 129 N. Wing Street be rezoned from General Commercial District (GCD) to First Density Residential District (R-1B). The applicants were requesting a conditional rezoning.

Previously the Planning Commission granted a special land use for this property to this applicant, so that the existing structure could be restored to a single-family residence. That change was not implemented. However, a potential buyer was proposing a smaller-scaled restoration of the house, but the GCD would not permit a restoration that included a detached garage or setbacks consistent with other homes on the street.

Therefore the applicant was requesting a conditional rezoning from GCD to R-1B. In this case, the conditional rezoning meant the applicant was volunteering conditions that limited the uses on the site to single-family residential and family day-care and foster care homes. This request also specifically identified the proposed changes to the site, and drawings were included in the packets.

Planning Consultant Elmiger said she had analyzed the request using the criteria in the ordinance for rezoning. She supported the request for the following reasons:

The rezoning was consistent with several Master Plan goals for maintaining and enhancing existing residential areas, by:

1. Restoring a historic home in a prominent location next to the downtown.
2. Moving the front door to reorient the focus of the building to the residential character of Dunlap Street.
3. Discouraging infringement of commercial land uses and parking on residential neighborhoods.
4. Improving housing stock and values in the surrounding neighborhood.

Planning Consultant Elmiger also thought the R-1B zoning was more appropriate for the subject site than GCD because GCD was the most intense commercial district in the City, accommodating more regional-scale vehicle-oriented type businesses. However, it was her opinion that this area of the City should have a more local and pedestrian focus.

Planning Consultant Elmiger suggested that the applicant might want to add *accessory structures subject to Sec. 18.04* to their list of permitted uses, in order to allow the proposed detached garage.

Greg Presley, Presley Architecture LLC, 108 N. Center, Suite 205, Northville, MI was present on behalf of this re-zoning request. Janie Hickman, owner, 206 West Dunlap, was also present.

Mr. Presley explained that their intent had always been to protect the neighborhood. The house had been vacant for a long time, and past attempts/approvals to redevelop it had not been implemented. While the applicants had received approval in the past to remodel the home under the requirements of both the GCD and R-1B Districts, meeting those requirements had yielded a top-heavy structure, and no back yard. They were back to request a conditional rezoning, which would allow them to use R-1B setbacks, which in turn would allow them to construct a detached garage, and also to provide a rear yard. Following Planning Consultant Elmiger's suggestion, they would like to add *accessory structures subject to Sec. 18.04* to their list of permitted uses.

Mr. Presley pointed out that the subject site was unique in that it was contiguous with R-1B zoning on the front and side yards. Also, because the site had never been a commercial use and therefore was not grandfathered, it could not accommodate GCD parking requirements. GCD zoning for this property was also inconsistent with the Master Plan. Last, the home was in the Historic District, and the application presented this evening would save this historic resource.

Commissioner Tinberg asked about the demolition portion of this request. Mr. Presley said that they would only demolish the one-car garage that was already falling down. That demolition had been approved twice, but because approvals only had a 6-month window, it had to be requested and approved again.

In response to a question from Commissioner Russell, Planning Consultant Elmiger said that if the property were rezoned to R-1B, setbacks would be calculated according to the formula for averages, and would be in compliance with zoning district requirements.

Commissioner Russell asked if approving the rezoning request would result in spot zoning. The Master Plan showed the property as office use. While the site might not accommodate the parking for a single office use, someone could purchase several properties including this one, and develop an office use on the combined properties.

Planning Consultant Elmiger said she did not consider the R-1B zoning classification spot zoning, since it was contiguous on 2 sides with other R-1B zoning, as explained.

Vice Chair Kirk supported the property reverting to its original use, which was residential housing.

Commissioner Mielock supported the request for conditional rezoning. The request was consistent with the general nature of the surrounding neighborhood. His only concern was if property were rezoned and then sold, what guarantees did the Commission have that it would be developed as presented this evening?

Planning Consultant Elmiger said it was her understanding that the property was being sold. However, the conditional rezoning guaranteed that the property could only be used as a single-family home, and that the property could only be developed with the site plan presented. The new owner would have to implement that plan. The agreement would be recorded, and the property would be noted as a conditional rezoning on the zoning map.

Commissioner Maise suggesting allowing some flexibility that would allow minor modifications in the plan.

Further details of the proposed plan were discussed, including the orientation toward Dunlap and the garage location 10 feet off the property line so as not to be more than 25% in the required rear yard.

Commissioner Mielock said he felt approval of this residential restoration would respect the historic nature of the City and of this particular property.

Vice Chair Kirk felt that the property's long vacancy showed its inability to be a viable commercial use.

Commissioner Russell suggested the Commission look at a possible rezoning of the 4 lots on Wing Street to the south of this one.

Vice Chair Kirk indicated he was ready for a motion. Mr. Presley said he would not be available in March.

Motion by Mielock, support by Maise, to set the rezoning request for 129 N. Wing Street for public hearing in April.

Vice Chair Kirk asked for a roll call vote.

Maise	yes
Miller	yes
Russell	yes
Mielock	yes
Smith	yes
Snyder	yes
Tinberg	yes
Kirk	yes

Motion carried unanimously.

Because the applicant for Item 8: 135 N. Center was still not present, Commissioner Maise offered the following motion:

MOTION by Maise, support by Russell, to hear Item 10: Discussion - Electronic Signs, before Item 8: 135 N. Center – Center Street Grill.

Motion carried unanimously.

10. DISCUSSION

ELECTRONIC MESSAGE SIGNS

Referring to her memorandum dated February 13, 2018, and to the draft ordinance language entitled *Electronic Message Signs* revised February 13, 2018, Planning Consultant Elmiger gave the background to this discussion item. She had researched where other communities permitted changeable electronic signs, and had provided a table showing where the signs were permitted in various communities.

The most popular location where changeable electronic signs were permitted was general business district, which was the most intense commercial use that allowed the most vehicular types of businesses. The next most popular district was local commercial, a less intense, more pedestrian-friendly type of commercial district. Other less popular districts were office service, light industrial, and heavy industrial districts.

Planning Consultant Elmiger referred the Commission to the proposed ordinance language regarding electronic message signs. Currently there was no limitation on the location of these signs, except that they were prohibited in the Historic District. The proposed language further limited their location to the Professional and Business Office, Office/Research, Local Commercial, General Commercial, and Racetrack Districts. Those districts were already grouped together under the existing sign ordinance.

The draft language also required that messages be displayed at least 3 hours before changing from static sign to static sign.

A zoning map had been provided showing the possible locations where signs would be permitted.

Discussion followed:

- Commissioner Russell suggested that electronic message signs be prohibited altogether.
- Some other communities prohibited electronic message signs.
- A corridor-specific area that allowed electronic message signs would create the appearance of a commercial strip – a look inconsistent with the historic nature of Northville.
- Existing signs would be grandfathered.
- If the signs were prohibited, a business could seek a variance in order to have one, though that might be difficult – but not impossible – to justify
- Could existing electronic message signs be required to conform to the new time requirement of a minimum 3-hour display?
- Schools were exempt from local sign ordinances.
- 8 Mile Road had the Methodist Church, which already had an electronic message sign, and the Mobile station, which had electronic price signs.
- Electronic changeable signs should be defined in the ordinance, so as to define what was prohibited or regulated. Internally illuminated signs were already defined.
- Section 3e *Permitted Freestanding Signs* should include a reference to the 3-hour limitation.

Chuck Latham, 18412 Blue Heron, was present on behalf of the Presbyterian Church. He was hoping that the church could use some color in its sign, specifically the color red for blood drives. Planning Consultant Elmiger explained that the church had been granted a variance for that sign, and the Historic District Commission had put further conditions on it, including the condition of black and white lettering only. The Planning Commission had no further authority over the sign.

Discussion continued regarding prohibiting the electronic message signs entirely. If the signs were prohibited, should the stipulation of a minimum 3-hour display still be in the ordinance, to regulate existing signs?

Planning Consultant Elmiger said that the ordinance could be written in such a way as to apply that stipulation to existing signs. In terms of the Presbyterian Church, the Historic District Commission conditions would have precedence.

It came out in discussion that the Building Official had possibly worked out an agreement with how often the sign at the Methodist Church on 8 Mile could change. If so, the Commission should have an understanding of what that agreement was, and perhaps that should be referenced in the ordinance also.

Commissioner Miller said with the signs already prohibited in the Commercial Business and Historic Districts, there really weren't too many places that would be affected by any new regulation. He supported a general prohibition.

Commissioner Snyder asked about the business locations at 7 Mile and Northville Road, where there was a potential for 15-20 properties. Commissioner Maise said a general prohibition would set a definite policy, and a definite tone as people came into the City.

Commissioner Tinberg said she supported a prohibition also.

Planning Consultant Elmiger said she would come back with language prohibiting electronic changeable signs in the City, as well as language addressing the few signs that already existed, including the Methodist church.

Vice Chair Kirk closed the discussion on this item.

Planning Consultant Elmiger said she had heard from the applicant from Item 8: 135 N. Center. The applicant was sick and would not be here this evening.

The consensus of the Commission was to have general discussion regarding this item, and Planning Consultant Elmiger communicated with the applicant via text that the discussion would be going forward.

8. SITE PLAN REVIEW: 135 N. CENTER – CENTER STREET GRILL

Referring to her review letter dated January 26, 2018, Planning Consultant Elmiger gave the background for this agenda item. The Center Street Grill, the lessee at 135 N. Center, wanted to install an outdoor cooler behind the building. The location for the cooler was currently housing 4 parking spaces. The applicant also wanted to re-work the back deck and install an interior ramp at the front door.

Outstanding issues included:

- What was the proposed distance between the cooler and the building to the north?
- The City Council would need to approve construction of a barrier-free ramp on City-owned property.
- Sheet 3 showed “secure storage” under the existing stairway, but no further information was given as to how that would be accomplished. Was this part of the proposal?
- Loading/unloading should be shown on the plan.
- The proposed fence was shown as vinyl; the ordinance required it be constructed of wood.

- This proposal included 2 lots with 2 different property identification numbers. While this could be considered one zoning lot under its current configuration, what would happen if the lot with the proposed cooler was sold separately, thus creating an ordinance violation? Perhaps the property owner should be asked to combine the two lots.

Discussion included:

- Even though the cooler would use one parking space, the business would still have enough parking because of the additional space allocated to them by the rules governing the CBD District.
- The applicants had submitted a sheet entitled *Existing Parking Area with Illegal Parking Spaces*. Why did the applicant call the spaces illegal?
- If this request were granted, would other nearby building owners want to do the same thing and occupy existing parking spots, thus creating a parking space shortage?
- The cooler would expand the building's footprint, but would not expand the parking requirement.
- Currently the parking formula said a floor could be added to a building without requiring additional parking. Perhaps this should be revisited.
- Again, if the applicant were allowed to put the ramp on public property, would other property owners want to do the same?
- Was another solution available that would not require the use of public property, or the loss of a parking space?
- Was the reason for the request simple convenience? Or was the request a solution to a real business problem?
- The Historic District Commission would have authority over the canopy and the appearance of the cooler, roof, and fencing.

The consensus of the Commission was that the applicant needed to explore other options, especially because of concerns regarding precedence for occupying public space for a private need, and the use of a parking space for a cooler.

Vice Chair Kirk closed the discussion on this item.

10. DISCUSSION (revisited)

Planning Consultant Elmiger noted that she was continuing to work on the amendment to the Master Plan as discussed at the last meeting.

Commissioner Mielock suggested that the Commission should look at the requirement that fences be wood. Was this an antiquated requirement? There were other possible products available that might be allowed and that would not require so much maintenance.

Mayor Roth suggested the City's ordinance should be consistent with Historic District options and guidelines regarding fencing.

11. ADJOURN

MOTION by Russell, support by Mielock, that the meeting be adjourned at 8:27 p.m.

Motion carried unanimously.

Respectfully submitted,
Cheryl McGuire
Recording Secretary

Approved as published 03/06/2018