

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

1. CALL TO ORDER:

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

2. ROLL CALL:

Present: Steve Kirk
Carol Maise
Mark Russell
Ann Smith
Jeff Snyder
Donna Tinberg
Jay Wendt

Absent: Dave Mielock (excused)
Christopher Miller (excused)

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

3. APPROVAL OF AGENDA:

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

Motion carried unanimously.

4. MINUTES OF PREVIOUS MEETING: March 6, 2018

Motion by Kirk, support by Snyder, to approve the March 6, 2018 minutes as published.

Motion carried unanimously.

5. AUDIENCE COMMENTS: None.

6. REPORTS:

A. CITY ADMINISTRATION: None.

B. PLANNING COMMISSION:

In response to a comment from Commissioner Russell, Planning Consultant Elmiger said the Building Official was working with a property on Dunlap regarding getting rooftop HVAC equipment screened.

Chair Wendt also asked to have follow-up directed toward a property where solar panels were not correctly placed.

C. OTHER COMMUNITY/GOVERNMENTAL LIAISONS: None.

7. MASTER PLAN REVISION: Cady Town Sub Area Plan

Planning Consultant Elmiger said that as requested she was presenting a revision of the Cady Street/Cady Town Master Plan sheet to reflect the changes discussed at the last meeting, including:

- Eliminating the density maximums for parcels that abut Cady Street
- Adding language to explain that density on those sites is regulated through dimensional requirements
- Adding a zoning requirement for a certain percentage of commercial uses at key areas

The Planning Commission had requested that the changes be shared with the Downtown Development Authority (DDA) Economic Development Committee and City Council, which she had done yesterday. She referred the Commission to her summary memo that listed the comments received from those bodies.

Both the DDA and City Council agreed that more flexibility was good in this area, but supported only mixed use in the Creative Mixed Use area. They didn't support single-use residential on this site. A project might have multiple buildings where a single use occupied one of the multiple buildings, but they didn't want to see a wholly residential project on this site.

The idea of requiring a certain percentage of a project as commercial use also was not supported. Key locations that required commercial could be identified in the Master Plan as either examples, or shown on the Land Use Map. Also, the amount of required commercial could be determined by using performance standards or features of the site or design that "checked the boxes" for the desired Cady Street environment.

Both groups agreed that removing the maximum density on Cady Street parcels was a good idea, and agreed with the form-based approach to regulating development.

City Council would like to see commercial continuity between Cady Street and downtown. Incentivizing first floor commercial and identifying key commercial locations would assist with that goal.

Council also had additional text changes on other topics that were not part of this amendment; those were listed on page 2 of the provided memo.

The DDA suggested that traffic be studied for any new development; this was already required in the Zoning Ordinance for site plans. The DDA also suggested implementing a Brownfield Development Authority.

Text changes suggested by the DDA and City Council included:

- a. Under opportunities/constraints on the sub-area plan (revised 3-14-18) modify the last bullet as follows: "The City may consider zoning requirements for a certain percentage of first floor commercial in key locations, *such as* . . ."

- b. Under Preferred Land Use: Mixed Use/Planned Development on the Sub-Area Plan (Revised 3-14-18), modify the Creative Mixed Use description as follows: “Creative Mixed Use shall include single-use development or mixture of office, retail, medical, research and development, or creative and industrial arts workspace First floor and upper level residential are acceptable in this area as part of a mixed use project, however, residential-only developments are not desirable. Single-use buildings that are part of a multi-building, mixed use development are also acceptable.”

Discussion included:

- Removing a density maximum on parcels that abutted Cady Street allowed for a more diverse housing stock, including smaller units. This change would affect all the parcels on Cady Street in the Cady Street Overlay District.
- Going to a form-based code would necessitate changes in the Zoning Ordinance. Height requirements would remain. Some things that possibly could be added included: setback requirements, floor area ratio, lot coverage requirement, minimum landscape requirement, etc.

A discussion of height standards and height bonuses followed. Because the Zoning Ordinance allowed an extra story as a bonus for meeting certain architectural standards, areas that allowed 5 stories could have 6 stories, areas that had 4 stories could have 5, and areas that had 3 stories could have 4. This did not appear to be the original intent of the Commission when they developed the Cady Street Overlay District, but did apply everywhere in the CSO area, including the Foundry Flask area.

The Master Plan showed a limit of 5 stories where an additional story was granted as a bonus to 5 stories, but did not show the bonused height anywhere else.

Section 10.04.p of the Zoning Ordinance read:

It is the intent of the Cady Street Overlay District to provide high quality building materials and complimentary building architecture. Architectural design shall include the following:

The last bullet point under this Section read:

The City may consider extending bonus floor height adjustments for other areas of the CSO district subject to the above criteria and Section 10.06.f.

Again, this appeared to apply to any area in the CSO District. Therefore the height limits shown in the Cady Street/Cady Town Sub-area plan were inconsistent with Zoning Allowances.

Mayor Roth emphasized that the height allowance needed clarification. City Manager Sullivan thought the original discussion intended bonused allowances (to 5 stories) in one area only. In any event, the Foundry Flask was limited in the Master Plan to 3 stories and 25 units per acre. This could be a real obstacle to development, and make a PUD impossible to navigate. In the Master Plan, changes could add flexibility for height if a development was part of a Planned Unit Development, as well as remove density requirements.

Chair Wendt questioned the advisability of having greater height, perhaps to 5 stories, by the river. City Manager Sullivan said the right PUD development would respect the river. For instance, a development that had taller buildings along Cady, shorter buildings along the river, and a parking deck in the center

might be approvable. With all the problems on the Foundry Flask site, there should be some flexibility regarding density and height in order to bring in an attractive development.

In response to a question from Mayor Roth, Planning Consultant Elmiger said that form-based zoning included massing, height, and setback restrictions. Those things developed the footprint, location, and orientation of buildings toward the street.

Downtown Development Authority Director Ward read from the zoning ordinance:

Bonus stories shall be stepped back from the top story allowed by right in order to reduce the appearance of excessive height.

Did this language apply to the Creative Area? Planning Consultant Elmiger said the language currently applied to the entire CSO District.

DDA Director Ward asked if a structure could have a double bonus – one for first floor commercial and one for architectural elements. The consensus of the Commission was that a double bonus was not the intent, and Planning Consultant Elmiger said a double bonus was not described in the ordinance.

Commissioner Russell disliked the word *bonus* and wondered if it could be dropped.

Mayor Roth said that tonight's discussion was focused on the Master Plan. They were trying to create flexibility in the Master Plan, to give room for PUD proposals that could be fleshed out using the zoning ordinance. Planning Consultant Elmiger agreed, saying that the Master Plan should address goals and vision, not dimensions.

Commissioner Russell said he was opposed to any single-use development in the Foundry Flask area. He believed all development in the area should be mixed-use.

During the following discussion, there appeared to be consensus to prohibit single-use projects. However, as already mentioned, a project could have multiple buildings, with some of the buildings single-use, and could still be a mixed-use project.

Commissioner Russell thought that medical and research uses should not be included for this area.

Planning Consultant Elmiger asked the Commission what they thought about adding retail and commercial uses to the Master Plan language. The consensus of the Commission was to add those uses.

Discussion followed about referencing compatibility to New Victorian and Belanger buildings under Form Based Policies. The consensus of the Commission was to avoid making those buildings the standard, and therefore to eliminate those references and replace the language with *surrounding existing buildings*. Also, should the language reference both similarity and compatibility? The Commission liked the reference to height, scale and mass.

A discussion was had regarding ownership of the various parcels in the CSO District. Some parcels were quite small – should they be allowed a single use development? The consensus of the Commission was in terms of new development, the entire area should be mixed-use. For a smaller parcel, if someone proposed a use by right without redeveloping the parcel, they could have a single use.

Planning Consultant Elmiger summarized the discussion thus far. A PUD proposal had to be consistent with the Master Plan; it was better for the Master Plan not to have specific dimensional requirements. The point of a PUD was to allow deviations from the zoning ordinance in exchange for a public benefit, but if dimensional requirements were in the Master Plan, this was not possible.

Height limits shown in the Cady Street/Cady Town Sub-area plan were inconsistent with Zoning Allowances. This needed to be corrected, and the area where 5 stories were allowed should be clearly defined. The institutional memory of the Commission was that a height bonus was only relevant for the area of East Cady Street that was called out in the Master Plan as showing 5 stories. However, height flexibility could be added as part of a PUD proposal.

The Cady Town (Foundry Flask site) should only allow mixed-use projects. The statement regarding first floor commercial in key locations should be eliminated from the Master Plan and included in the Zoning Ordinance.

References to compatibility and similarity to New Victorian and Belanger buildings should be eliminated, and replaced with *surrounding existing buildings*.

Density would be removed from the Master Plan, as already discussed.

The consensus of the Commission was to accept the other miscellaneous text changes suggested by City Council as listed on page 2 of the *DDA and City Council Comments Summary*.

Chair Wendt asked Planning Consultant Elmiger to return to the Planning Commission with further draft language based on tonight's discussion.

8. DISCUSSION

Electric Message Signs

Planning Consultant Elmiger explained that the last time the Commission discussed this topic they decided that Electronic Changeable Message Signs were inconsistent with the historic character of Northville. Therefore, tonight's draft language defined what was meant by an electronic changeable message sign, and prohibited them.

Planning Consultant Elmiger had also researched whether new regulations including the duration a message must be displayed could be applied to existing signs. New regulations could not apply to existing signs, which were already legally established and would continue as a legal non-conformity under the old rules.

The Building Official had negotiated an agreement with the Methodist Church that their sign would be able to change every 4 minutes. The Commission asked that this agreement be documented.

In response to a question from Commissioner Russell, Planning Consultant Elmiger said that static lit OPEN signs could not be surrounded by moving lights of any kind.

Commissioner Russell asked if the reference that all wiring should comply with City Electrical Codes should instead say National Codes. Planning Consultant Elmiger said she would research that question.

Commissioner Tinberg suggested eliminating the word *combinations* in the definition of Electronic Changeable Copy.

MOTION by Maise, support by Smith, to set the draft ordinance language for Electronic Changeable Copy Signs as discussed this evening for public hearing at the next available meeting.

Chair Wendt asked for a roll call vote:

Russell	yes
Snyder	yes
Kirk	yes
Smith	yes
Maise	yes
Tinberg	yes
Wendt	yes

Motion carried unanimously.

Temporary Use

Planning Consultant Elmiger said that based on previous Planning Commission discussion she had prepared a community comparison of how temporary uses were regulated. Most communities addressed temporary uses by “type” or “use”, but one regulated them by where they were located – on either private or public property – and whether they were accessory to the use.

Currently Northville regulated temporary uses by “use,” and Planning Consultant Elmiger suggested continuing that strategy.

Planning Consultant Elmiger reviewed the chart provided, noting that in most cases temporary emergency residences, portable storage containers, roll-off dumpsters and construction offices were approved by the building official, which made sense since those uses were associated with the building permit process.

Regarding camper/RV boats in residential districts, Northville was the only community that allowed the City Manager to approve a waiver of the number, setbacks and parking requirements of those vehicles in a residential district for up to 30 days in an emergency situation. City Manager Sullivan said he would like to change this. If a waiver were to be allowed, the Building Official should approve it.

Currently the Board of Zoning Appeals regulated seasonal sales. However, informal policy allowed non-profit groups to have seasonal sales without going to BZA, though this was not in the ordinance. In other communities seasonal sales by for-profit groups were handled via a peddler’s license, BZA approval, or administrative approval for a limited amount of time. It made sense to leave the approval for this with the BZA.

High impact temporary uses such as concrete plants were handled by the BZA.

City Council approved special events on city-owned property, similar to other communities. Special events on private property weren’t addressed in the ordinance. Food trucks weren’t addressed in the

ordinance unless they were part of a special event, and then they would be approved as part of the City Council approval process. Some other communities did have specific regulations regarding food trucks.

Planning Consultant Elmiger concluded that she wanted to bring these types of temporary uses to the Commission's attention, and see what they wanted to work on. Specifically, the following four areas could be matters for future discussion:

- Seasonal sales for non-profits and for-profits on private property
- Special events on private property
- Food trucks outside of special events
- Remove City Manager's control of extra RV storage – shift this to the Building Official

The consensus of the Commission was to have Planning Consultant Elmiger return with draft language regarding these 4 items.

9. ADJOURN

MOTION by Kirk, support by Smith, that the meeting be adjourned at 8:33 p.m.

Motion carried unanimously.

Respectfully submitted,
Cheryl McGuire
Recording Secretary

Approved as published 03/18/2018