

CITY OF NORTHVILLE
Planning Commission
July 17, 2018
Northville City Hall – Council Chambers

1. CALL TO ORDER:

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

2. ROLL CALL:

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

Absent: Mark Russell (excused)

Also present: Ken Roth, Mayor
Sally Elmiger, Planning Consultant
Brent Strong, Building Official

3. APPROVAL OF AGENDA:

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

Motion carried unanimously.

4. MINUTES OF PREVIOUS MEETING: June 19, 2018

Motion by Mielock, support by Maise, to approve the June 19, 2018 minutes as published.

Motion carried unanimously.

5. CITIZEN COMMENTS: None.

6. REPORTS:

A. CITY ADMINISTRATION: None.

B. PLANNING COMMISSION: None.

C. OTHER COMMUNITY/GOVERNMENTAL LIAISONS:

Commissioner Maise reported from the DDA Economic Development Subcommittee the following:

- As previously discussed, the Subcommittee was requesting that the Planning Commission look at creating a Sub Area Plan for East Main Street between Griswold and Hutton.
- Regarding the Master Plan, the Downtown Core reference was to the 2006 Strategic Plan, but the Strategic Plan had been recently updated.

Chair Kirk welcomed Commissioner Krenz to the Commission.

7. SITE PLAN REVIEW: 528 Randolph/Randolph Street Site Condominium – Site Plan Extension.

Planning Consultant Elmiger gave the background to this request for a one-year extension for the approved site plan at 528 Randolph/Randolph Street Site condominium.

At the August 1, 2017 Planning Commission meeting, the Commission moved to approve the Site Condominium and associated Final Site Plan, dated July 25, 2017, for a two-unit condominium development at 528 Randolph Street. As explained by the applicant, it took several months to finalize the Condominium Documents and to record them with the County. Other issues had arisen to push the project back even further. Final site plans were valid for a period of one year only, but the Commission could grant an extension on final site plan approval for up to one year.

Given the small size of this project, Planning Consultant Elmiger recommended that the Planning Commission grant the request to extend the final site plan approval for one year.

David Marino, 528 Randolph Street, was present on behalf of this application. He gave some background to the overall development request, pointing out that in 2002 they had been granted a lot split for this property. However, in 2015 it was discovered that the lot split violated the Land Division Act, so they had come back to the Commission in August 2017 in order to present an alternative – a site condominium request. Tonight he was asking not only for an extension, but also an amendment. Condition #4 of the approving motion was: *Cyclone fence to be removed unless a variance is obtained from the BZA for it to remain.* However, the cyclone fence on Unit 2 was a conforming structure, and he did not think the fence on that unit should be part of the condition for approval. Therefore he was asking that the motion be clarified that the condition only related to Unit 1. They did plan on removing the fence and replacing it by a wall at the end of the construction project.

Planning Consultant Elmiger said the Commission could issue a clarification of the original motion this evening.

Mr. Marino showed a map of the site to the Commission.

In response to a question from Commission Maise, Planning Consultant Elmiger said that Unit 2 was the new unit that abutted Randolph Street. Unit 1 was the unit with the existing house. Unit 2 was larger than 2 acres and was longer than 200 feet, so Unit 2 was large enough to have a fence in front of the face of the building. Unit 1 was not large enough to have a fence in front of the building.

Mr. Marino reiterated that this property had been approved for a lot split in 2002, and now they were correcting a mistake that the City had made.

MOTION by Tinberg, support by Maise, that the Planning Commission approve the one-year extension as requested by the applicant for the Final Site Condominium plan for 528 Randolph Street, dated July 25, 2017, with the clarification that the cyclone fence on Unit 2 will be removed at the completion of construction and will be replaced with a wall.

Commissioner Snyder disclosed that he had a business association with Mr. Marino. After discussion, it was the consensus of the Commission that since Commissioner Snyder was not

associated with this particular application, nor would he benefit from it financially, he did not have to be recused.

Chair Kirk asked for a role call vote:

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

Therefore the motion passed unanimously.

Mr. Marino was concerned that the motion did not address Unit 1, which had a fence that was intended to be removed. If something happened and they didn't have construction the fence would still be there.

Planning Consultant Elmiger said that the fence on Unit 1 was not a legal fence. The Planning Commission had no control over that; the applicant would need to get a variance for the fence to remain.

8. DISCUSSION

NORTHVILLE/PLYMOUTH RESIDENTIAL MASSING COMPARISON

Planning Consultant Elmiger said she had been asked to give a simple comparison between how the size of a residential home was calculated in Northville and Plymouth. She had provided an explanatory memo and a table showing the Single Family Residential Regulations in both communities.

This request had been made due to the concern of some residents regarding the size of new homes in Northville and how they compared to existing homes. Some new homes seemed much larger than existing homes and therefore out of character in the neighborhoods. The City of Plymouth had recently modified their ordinance in order to limit the mass of new homes, and the question was whether what Plymouth was doing was actually working to reduce the size of new homes to better fit in with existing structures.

The main difference between Northville and Plymouth was that Plymouth had a Floor Area Ratio (FAR) requirement.

Regarding definitions of floor area, Northville excluded attached garages as part of residential floor area; Plymouth did not. Plymouth wanted to encourage detached garages, so their ordinance included attached garages in the floor area of the home. Plymouth also included enclosed porches and enclosed breezeways; Northville did not.

Other regulations, while stated differently, were similar in terms of lot area, lot width, maximum height, setbacks, minimum floor area, and maximum lot coverage.

Northville's 30% lot coverage requirement was the limiting factor in terms of building envelope unless a lot was less than 7200 square feet, when the lot coverage requirement was 35%. In

Plymouth, regardless of what size the lot was, the lot coverage requirement was 35%. Therefore if lot coverage were the only limiting factor in Plymouth, a bigger house could be constructed in Plymouth than in Northville. However, the main factor now in Plymouth was the Floor Area Ratio for a residential lot, so that on a 7,200 square foot lot a maximum 2,880 square foot home could be constructed. While the first floor was limited by the 35% lot coverage requirement, or 2,160 square feet, because of the Floor Area Ratio the second floor of that size home could only be a maximum of 720 square feet. Without the FAR requirement, a home in Plymouth on a 7,200 square foot lot could be up to 5,040 square feet in size.

In Northville, because the lot coverage requirement was the limiting factor, a new home could have 2,160 square feet on each floor, or a building that was 4,320 square feet. Additionally, if a home was 2-1/2 stories, a new home could have approximately 800-900 square feet on that 1/2 story, which was in effect a 3rd floor. With a house that large, the side yard setbacks would need to increase to a minimum of 14 feet, but the house could still be the size as stated.

Building Official Strong, who was also the Building Official in Plymouth, said the new Plymouth ordinance language had been successful in bringing down the size and massing of new construction, from 3,200 square foot homes being constructed on a 50-foot wide lot, to approximately 2,400 square feet homes, with detached garages.

Planning Consultant Elmiger further explained that prior to the ordinance change, Plymouth had conducted an online survey regarding home massing; it became apparent from the response that residents felt that new homes were too large.

In Plymouth the detached garages still counted as part of lot coverage, but not as part of the Floor Area Ratio. Driveways and hard surfaces were not counted toward lot coverage. Not counting driveways as part of lot coverage was important when a community wanted to encourage detached garages, which needed driveways.

Commissioner Miller said if there was a desire to address massing in Northville on small lots, and to address structures being torn down to make way for new construction, the kind of provisions described this evening could be effective. Property owners would still have flexibility in configuring their new construction, while at the same time massing would be reduced, especially on upper floors. He liked the idea of counting enclosed areas as part of the lot coverage, as all enclosed areas were part of the mass involved.

Commissioner Smith said she agreed with Commissioner Miller. She had received complaints regarding this issue. The question was whether such regulations lowered the value of lots that were available for new construction.

Building Official Strong said that since Plymouth's new ordinance had taken affect, properties were still being sold, several homes were being built, some had been completed, and residents seemed happy with the regulation.

Mayor Roth said that his understanding of the situation in Plymouth was that the new homes were smaller than those built before the new ordinance, but the homes were still bigger than existing homes. The new regulation was not perfect, but it was helping. It seemed a good compromise, in that larger homes were permitted, but not such huge homes that seemed out of character with the existing neighborhoods.

Originally Plymouth had received feedback that claimed the new ordinance would adversely affect the housing market, but that had not happened.

Mayor Roth said that he received significant negative feedback regarding new home construction size in Northville, especially in neighborhoods south of 8 Mile Road.

Commissioner Mielock commented that downtown Plymouth was a little different than downtown Northville; in his opinion the Northville ordinance that allowed 2-1/2 stories was appropriate from an architectural standpoint and also appropriate with new construction attempting to blend in with the fabric of Northville's residential neighborhoods. The one thing that stood out to him regarding massing was the proliferation of attached garages with living spaces above them. The massing of those structures was substantially different than newer structures with detached garages. Attaching a 600 square foot garage with living space above resulted in an additional 1200 square feet attached to a 4,000-5,000 square foot house. In the Historic District new construction should always have detached garages. He also felt attached garages should be part of the area calculation of a building, along with enclosed porches, etc. Under Northville's current ordinance, new construction had resulted that was out of proportion with the surrounding neighborhood.

Commissioner Tinberg noted that the definition of *attached* should also be tightened.

Planning Consultant Elmiger explained that in Northville, space above a detached garage could be used for storage only, and only ½ story was allowed.

Building Official Strong reiterated that Northville did not allow any habitable space above detached garages. In Plymouth, an office, game room, bathroom, etc., could be constructed above a detached garage; no sleeping quarters could be included. Plymouth allowed a height of 15 feet for detached garages; Northville's limit was 14 feet.

The Plymouth ordinance went into effect February 2017. Planning Consultant Elmiger said other communities used similar regulations, including Birmingham and Douglas.

Building Official Strong said that Plymouth also had more restrictions on attached front-facing garages, making it difficult to have a front facing attached garage.

Planning Consultant Elmiger further explained that Plymouth was trying to encourage detached garages, in order to control massing and also because Plymouth felt that detached garages created a more friendly relationship with the sidewalk and the street, something that was important for community building in terms of people sitting on their front porch talking to neighbors who were using the sidewalk. A front facing garage often resulted in driveways that were wider, resulting in sidewalks that were not as pedestrian-friendly. Often an attached garage was a large walk-in closet; people could not get cars in their garages because everything else was stored in there. So cars had to be parked on the driveway and the cars started inching back toward the sidewalk. Also, people who used front facing garages often drove in, closed the garage doors, and didn't come out and talk to their neighbors. Therefore Plymouth's ordinance was based not just on aesthetics, but was also grounded in community building.

Commissioner Kirk asked if Plymouth encouraged front porches. Planning Consultant Elmiger said Plymouth allowed unenclosed front porches to be built into the front yard setback without counting that space toward lot coverage. Covered unenclosed front porches were not included in the Floor Area Ratio; it was basically free space.

Commissioner Maise expressed support for the community-building ideas just outlined.

Mayor Roth said the biggest negative feedback he had received was that after Plymouth had passed the new ordinance, they had a 60-day window before it went into effect and during that time Plymouth was deluged with new building permits.

Commissioner Krenz said anecdotally whenever they had out-of-town visitors, the visitors were stunned by how many nice, well-preserved, well-designed front porches there were in Northville. The City should definitely be supporting front porches.

Commissioner Mielock asked if duplexes should be included in this review. He had heard of people asking to rezone property in order to allow duplexes, in order to maximize their investment. Duplexes could have two front-facing garages.

Commissioner Tinberg asked the response rate on Plymouth's community survey; was the survey a good cost effective strategy or would a public hearing accomplish the same thing?

Planning Consultant Elmiger said the survey was online, with minimal cost. The community survey was not a scientifically developed survey, but rather was a series of questions developed by herself and Plymouth's Planning Commission. Survey Monkey was used, and 90 pages of comments resulted. Over 1,000 surveys were turned in; Plymouth had 9,000 residents.

Commissioner Mielock asked if a public hearing was part of the process. Planning Consultant Elmiger said Plymouth did have a public hearing; most residents who attended came to thank the Commission for listening to them.

Commissioner Tinberg said that since she had been on the Planning Commission, the question most often brought to her was regarding this issue.

Mayor Roth cautioned that doing a survey that was not statistically valid was a bit of a two-edged sword, as the tool could result in bad information. In the past both the DDA and Northville School District had tried to make sure any surveys used were statistically significant. Otherwise it was better to frame the online tool as a request for input from the public, with the information gathered being used in conjunction with a public hearing.

Mayor Roth reiterated that his perception was the same as Commissioner Tinberg's, in that he received complaints regarding new construction being too big for existing neighborhoods.

Chair Kirk asked how the Commission wanted to move forward.

Commissioner Maise thought an online tool asking for public input offered prior to a public hearing communicated to the public that the Commission was seriously tackling this issue.

Commissioner Tinberg thought the benefits of providing such an online tool to residents appeared to far outweigh the costs.

Planning Consultant Elmiger said she could bring the questions used in Plymouth. She further explained that in Plymouth the Assistant to the Community Development Director researched the lot size and the building size of all the properties in Plymouth, and they were able to calculate what the average floor area ratio was of current structures. Using this information, they determined what would be a reasonable number to accommodate rebuilds that wanted to be larger than existing houses, without being out of character. The other information they gathered was the square footage of homes built in the last 2 years in relationship to their lot sizes. With this

information they could figure out the floor area ratio that they thought exceeded what was desired. The information provided allowed for a very specific discussion and analysis.

In Northville this information could be gathered with the help of the Assessor.

Mayor Roth suggested having more than one Floor Area Ratio, depending on the location and aesthetic of the neighborhood. For instance the homes north of 8 Mile Road could have a different Floor Area Ratio than the homes south of 8 Mile Road.

Planning Consultant Elmiger commented that Plymouth was specifically trying to resolve the area issues on small lots. Their Floor Area Ratio allowed bigger houses on larger lots. The thought was that in Plymouth, the .4 Floor Area Ratio would work on the small lots, and anything bigger would take care of itself.

Commissioner Krenz asked if the Plymouth survey asked for any demographic information, such as how long someone had lived in the community, age, family size, etc. Were there any trends based on the demographics represented? Planning Consultant Elmiger said she could find out. She would bring the survey questions to the Commission, as well as a summary of the results, and based on that the Commission could determine if they were interested in doing something like that process in Northville.

Commissioner Tinberg asked about walk out basements/raised basements.

Planning Consultant Elmiger said that Plymouth did not include basements in the Floor Area Ratio, and their definition of basement was the same as Northville's: if a basement was less than half out of the ground it was a basement.

A side conversation was held regarding new construction that built up their basements in order to get more floor area. While ordinance changes had addressed this issue, some new construction seemed to be violating those regulations.

Chair Kirk brought the discussion back to the issue at hand. The consensus of the Commission was for Planning Consultant Elmiger to bring a draft proposal for a revised ordinance instituting a Floor Area Ratio, and a draft request for input from the community, for the Commission to study and decide whether they wanted to move forward.

OUTDOOR STORAGE AMENDMENT

Planning Consultant Elmiger explained that at a previous meeting the Building Official described a situation where a property owner was storing items outdoors on a flat bed trailer covered with a tarp. The Building Official asked that the Planning Commission clarify the ordinance regarding parking of trailers and similar vehicles on a lot and using them for storage.

Planning Consultant Elmiger had provided a memorandum dated July 9, 2018, and draft language included in a July 9, 2018 document *Storage of Materials on Trailers, or in Campers or Similar Vehicles*.

Planning Consultant Elmiger read through Section 18.12 *Outdoor Parking and Storage of Apparatus such as Campers, Travel Trailers, Utility Trailers and Boats*, which listed the types of apparatus that could be stored on residential properties in the City. She had added draft language to Section 18.12 and Section 18.12.1 prohibiting the use of any of the listed apparatus for outdoor

storage, whether enclosed or unenclosed, thus preventing someone from covering materials with a tarp and claiming that was enclosed storage.

Commissioner Tinberg supported the changes, but wondered if the language allowed camping equipment to stay in a camping trailer, and life vests to remain in a boat, etc. Did allowing storage of accessory items need to be spelled out?

Discussion followed. Could construction equipment – accessory to the use of a flatbed trailer – then be stored in a flatbed trailer? This was not the intent of the ordinance. Building Official Strong said he was comfortable with the draft language, which allowed the enforcement officer to make a common sense decision.

Chair Kirk wondered if the section on construction trailers should be referenced in this section. Planning Consultant Elmiger noted that a construction trailer on an active construction site was not defined as *apparatus*.

The consensus of the Commission was that the draft language as presented was acceptable.

Mayor Roth pointed out that Section 18.12.1 *Storage of Apparatus* stated that the apparatus could be *no closer than three (3) feet to any side or rear lot line*. Accessory structures had to be at least 5 feet from a side lot line. Should the storage of apparatus be required to be at least as far away as an accessory structure? The current ordinance encouraged people to push apparatus as far away from their own house and as close to their neighbor's house as possible.

Commissioner Maise noted that some ordinances required storage of similar apparatus to be behind the building.

Commissioner Mielock noted that the minimum side yard setback for the main building was 7 feet. He supported using that setback for the side and rear setback for apparatus storage.

Commissioner Snyder asked if the setback for apparatus had been an issue. Building Official Strong said he had not received many complaints. Many residents had a hard time getting into their rear yards to store any apparatus. Most issues he dealt with involved apparatus parked on the side of the house, such as a boat or a pop-up camper, because the residents couldn't get the equipment in the rear.

Commissioner Maise said as long as they were amending the ordinance, the Commission might as well clean up the language regarding where apparatus could be parked.

Chair Kirk asked if the 7-foot rule would apply to temporary apparatus storage. Planning Consultant Elmiger said an apparatus could be stored anywhere for 72 hours. She had deleted the following phrase in Section 18.12.2: ~~except the time limit shall not apply to rear yard area~~. because that was where the original issue that brought this to the Building Official's attention was – the apparatus was in the rear yard but there was so much of it that it became a problem. Chair Kirk wondered if changing the setback would create an issue on small lots. Commissioner Tinberg thought some lots, such as her own, were so small property owners would not attempt to store such equipment there.

Commissioner Maise noted that a homeowner could have up to 4 different kinds of apparatus stored at any one time. The new 7-foot setback requirement would at least encourage people to store their apparatus behind their house.

Planning Consultant Elmiger commented that City Manager Sullivan would like the Building Official to issue a special permit as noted in Section 18.12.9. The section read: . . . *the City Manager or his assigns may issue a special permit to waive the requirements of Section 18.12.1, Section 18.12.2 and Section 18.12.3 for a period of thirty (30) days.* It was pointed out that the City Manager could assign the Building Official this responsibility, without any need to change the wording, and it was the consensus of the Commission to leave the language in Section 18.12.9 unchanged.

Planning Consultant Elmiger asked the Commission if they thought the maximum of four (4) apparatus was appropriate. Section 18.12.1 read: *Not more than one of each of the above enumerated apparatus, with a maximum of four (4) of the same may be parked or stored on a lot of record which is zoned and used for residential purposes . . .*

Commissioner Maise asked if there were properties in the City that had 4 apparatuses stored on them. Building Official Strong said he had not had an issue with this regulation.

The consensus of the Commission was to set the draft language for public hearing, with the additional change to Section 18.12.1 as discussed:

Not more than one of each of the above enumerated apparatus, with a maximum of four (4) of the same may be parked or stored on a lot of record which is zoned and used for residential purposes; no closer than ~~three (3)~~ seven (7) feet to any side or rear lot line; . . .

MOTION by Maise, support by Tinberg, that the proposed language for *Outdoor Storage – Text Amendment* be set for public hearing at the next available and convenient Planning Commission meeting as determined by the Administration, with the addition of the change to the required distance of storage apparatus from the side and rear lot line from ~~three (3)~~ to seven (7) feet in Section 18.12.1.

Chair Kirk asked for a roll call vote.

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

Therefore the motion passed unanimously.

9. ADJOURN

Seeing that there was no further discussion, Chair Kirk asked for a motion to adjourn.

MOTION by Maise, support by Tinberg, to adjourn the meeting at 8:31 p.m.

Motion carried unanimously.

Respectfully submitted,

Cheryl McGuire
Recording Secretary

Approved as published 08/21/2018