

**City of Northville**  
**CITY COUNCIL SPECIAL MEETING MINUTES**  
**July 25, 2011**

Mayor Johnson called the meeting to order at 7:00 p.m. in the City of Northville Municipal Building, City Council Chambers, 215 W. Main Street, Northville, Michigan, 48167.

**Roll Call**

**Present:** Mayor Christopher Johnson, Mayor Pro Tem James Allen, Councilmembers Douglas Bingham, Nancy Darga and Michele Fecht

**Absent:** None

**Also Present:** City Manager Patrick Sullivan, City Clerk Dianne Massa, representatives from NRG Holdings, Planning Commissioner Carol Maise, reporter from Patch.com, and 17 citizens

**Citizens Comments**

None

**Approval of Agenda**

**Motion Allen, seconded by Fecht to approve the agenda as presented. Motion carried unanimously.**

**Purchase of Parking Credits for the Garage Restaurant, 202 W. Main Street**

Section 17.03 of the City Zoning Ordinance allows for the purchase of credits in lieu of actual, on site, parking spaces in the Central Business District. The Ordinance states that a determination of the number of spaces normally required shall be based on Section 17.02 "Required Off Street Parking Spaces."

A parking analysis, prepared by Planning Consultant Don Wortman, and reviewed by the Planning Commission, indicates that the Garage Restaurant at 202 W. Main Street, requires one space per 150 square feet of gross floor area. If the CBD parking rate is used, the gross floor area of 5,626 requires 38 total spaces. As 15 spaces exist on site, the purchase of 23 parking credits would be required. The cost of each parking credit has been established at \$3,915 for expansions and/or changes of use of less than 50% for an existing building, or \$5,440 per space for new buildings and expansions in excess of 50%.

In accordance with the Parking Space Credit Policy, the City Council considers each request for purchase on its own merit and determines whether to agree to sell parking credits using the following criteria:

1. The contribution that the project makes to the commercial vitality of the community and the tax base for the Central Business District (CBD).

2. The ability of the City to provide the spaces, by the credits, within the pool of public parking within the CBD, in a manner which effectively meets the parking needs of the project without adversely affecting the parking needs of existing developments.
3. The ability of the City to provide the spaces required by the credits for new construction without adversely affecting the City's ability to provide parking spaces in the future for anticipated changes of use in existing structures in the CBD.

Currently, the Old Church Square parking lot has 155 spaces. Parking counts in recent months indicate that peak hour parking ranges from 71% to 81% full. The Northville Square Parking lot has 226 spaces. Parking counts in recent months indicate that peak hour parking ranges from 42% to 47% full. In addition, there are several nearby on-street parking spaces.

City Administration recommended that the City Council:

1. Determine that the need for parking space credits at 202 W. Main Street meets the criteria for sale of the credits under established City policy.
2. Allow sale of 23 parking credits at an established price of \$ 3,915 per space, for a total of \$90,045.
3. Authorize City Staff to execute the attached special assessment agreement to allow the payment of parking space credits over a ten-year period with an interest rate of 6% to be applied against the unpaid balance.

The following persons addressed Council regarding this project:

Bill Evasic from NRG Holdings appealed to City Council, seeking financial credit for the purchase of three to five parking credits. On-site parking was reduced by five parking spaces in order to accommodate the pocket park requested by the Planning Commission and the adjacent neighborhood residents. Evasic stated that comments from the Planning Commission did suggest that some relief on parking credits would be appropriate and should be considered by Council.

Joe Boelter, city resident, believed that the number of parking spaces calculated for this project is too low. Interviews with restaurants in similar areas require at least 100 parking spaces and, as such, the 48 spaces calculated for this project is too low. Boelter also voiced his belief that Old Church parking lot is more than 81% full at peak times. In addition, people will not park in the Northville Square parking lot and walk to the restaurant. The result will be increased use of on-street parking in the neighborhood. Boelter also voiced concern with soil contamination at this site and that a restaurant is the wrong project for this facility. This area is a transition zone from the neighborhood to the downtown and a high intensity restaurant in a transition zone is inappropriate and should not be considered.

Giles Bryer, city resident, voiced concern with the inevitability of restaurant patrons parking on High Street that will greatly reduce street parking for family and friends. He was pleased with the work the Planning Commission and the neighborhood had done to improve this project. However, a parking solution is needed.

Charles Keys, city resident, referenced his July 25, 2011 email which offered viable solutions to address parking at this location by posting parking signs that limit or control commercial vehicles and restaurant parking on the historic district residential streets. He believed that the number of parking spaces calculated for this project is too low. Keys voiced support for growth in the community and a healthy business district with businesses that respect its residential neighbor. He questioned which streets will be used for deliveries as he believed the historic homes were not built to withstand the vibration from commercial vehicles along with constant restaurant traffic.

David Cole, city resident and business owner, voiced concern with the increased traffic volumes that will occur as a result of this project and the negative impact that a high intensity restaurant will have on the historic homes and neighborhood. Cole noted that he would be willing to sit on any committee that will be

working on solutions to address parking and traffic issues resulting from this project. The Planning Commission did not make a recommendation or offer guidelines to Council for addressing parking. It was requested that a suitable plan be put in place to address this issue.

*Council Comments and Discussion:*

- Council questioned if the removal of the pocket park, which would regain three to five on-site parking spaces and relieve the developer of purchasing those parking credits, was a viable solution. In place of the pocket park, some type of landscape buffer could be installed. The Developer noted that the cost to revise the site plans to include a pocket park was costly and the cost to redo the plans would cost more than the purchase of three to five parking credits. A separate comment from Council noted that the pocket park is an added buffer that was included at the request of the Planning Commission and the neighborhood residents in order to reduce the restaurant's impact to the residential area.
- It was noted that the DDA Parking Committee (a subcommittee of the DDA) meets monthly to address parking matters in the downtown. The Parking Committee has discussed this project and parking concerns. While the project is not in the DDA, it does border the DDA boundaries and will have an impact on the downtown and parking. The Parking Committee will continue to discuss this project's impact to downtown parking and make recommendations for Council consideration.
- Comments from Council agreed that the PUD Agreement should not include parking regulations. If the wrong parking plan is included in the PUD Agreement, the City and developer do not have any flexibility to make changes. A parking solution cannot be found until the City knows the exact parking problem. From there, the City Council can make adjustments to address the issues that might arise. City Council is aware that any solution will affect the neighborhood. It is appropriate for the Parking Committee to review parking and offer recommendations for Council consideration.
- Comments from Council voiced consensus that the developer's request to seek financial relief from the purchase of three to five parking credits would not be supported. The pocket park is an overall public benefit. In addition, parking credit purchases go into the Parking Fund, which is the funding mechanism for parking improvements. A reduction in the number of parking credits purchased would reduce the City's flexibility to fund parking improvements.
- A comment from Council voiced concern with the number of parking credits proposed for purchase. This project will be a restaurant all day and will not change use throughout the day. The project request is for PUD zoning. While Central Business District (CBD) zoning allows the purchase of parking credits, the General Commercial District (GCD) zoning parking standards of one space per one hundred square feet of gross floor area are more appropriate and should have been used in determining the number of parking spaces needed for this project. If the Institute of Transportation Engineering (ITE) standards were applied when considering the amount of parking needed, 56 on-site parking spaces would have been the suggested number. This project is not equal under the ordinance and is not paying its equitable share for parking credits.
- A final comment from Council voiced appreciation to the neighborhood for the reports and research gathered for this project.

**Motion Bingham, seconded by Fecht** to approve the sale of 23 parking credits to the owner of 202 West Main Street and to authorize staff to execute the special assessment agreement. **Voice Vote.**  
**Yes: Bingham, Darga, Fecht, Johnson. No: Allen. Motion carried.**

**Garage Final PUD / Site Plan Approval (202 W. Main Street) and Zoning Map Amendment**

In fall 2010, NRG Holdings of Plymouth Township submitted an application for a Planned Unit Development (PUD) in order to renovate the existing building at 202 West Main (the former Gardenviews location) to establish a restaurant, bar and banquet room. The development, with the working title of “The Garage,” has a gross floor area of 6,403 square feet. The applicant proposes to have a dining room and bar area that seats 124, a banquet room that seats 72, and outdoor seating for 48 people. The establishment would have a total seating capacity of 244. The property is presently zoned GCD – General Commercial District.

Previously, on January 4, 2010, the Northville Planning Commission held a public hearing and granted PUD eligibility. On March 7, 2011, the City Council granted preliminary approval. On June 7, 2011, the Planning Commission recommended final PUD approval. The first reading of the Ordinance to enact the PUD zoning change was held by City Council on July 5, 2011. A public hearing, as required by the City of Northville Zoning Ordinance for Planned Unit Developments, was held by City Council on July 18, 2011.

In accordance with Article 20, Section 20.08, a PUD Agreement has been drafted to accompany the site plan and was provided for City Council review. The Planning Consultant believed the final PUD is in general conformance with the PUD design standards of Section 20.05 of the Zoning Ordinance and the general ordinance requirements for site plan review. In addition, the application is in substantial compliance with the PUD standards.

*Council Comments and Discussion:* Discussion ensued pertaining to a Council member’s concern with the “no right turn” signage and the modification to the parking lot turning radius which will prohibit a right turn onto High Street. Instead, this restriction will funnel traffic onto Main Street near the fire station, Old Village School, and the Senior Community Center and create a traffic hazard and gridlock in an overdeveloped area. It was suggested that the signage be removed and the turning radius remain unchanged from its current position in order to allow traffic to naturally flow from the restaurant in either direction on High Street. Later, if it is found that prohibiting right turns onto High Street is warranted, this can be accomplished with signage. Removing the “no right turn” restriction and modification of the turning radius from the site plan also removes it from the PUD Agreement, allowing the developer and Council some flexibility in addressing future traffic congestion and traffic concerns.

Other comments countered the belief that other than during special events, the “no right turn” restriction on High Street will actually help the neighborhood and alleviate neighborhood impact with additional traffic leaving the restaurant. The Planning Consultant and the developer also noted that the site plan was reviewed by a traffic engineer at the request of the developer. The traffic restrictions were the suggestion of the traffic engineer. In discussions with the neighborhood, the developer and Planning Commission determined that this restriction was important to the neighborhood.

**Motion Bingham, seconded by Fecht** to approve the PUD Agreement and Site Plan for the Garage Restaurant and to waive second reading and adopt the ordinance amending the zoning map of the City of Northville from General Commercial District to Planned Unit Development for the property located at 202 West Main Street. **Voice Vote. Yes: Bingham, Fecht, Johnson. No: Allen, Darga. Motion carried.**

**Amendment to Chapter 58 Planning, Article II Planning Commission / Code of Ordinances Second Reading**

At its regular meeting on July 5, 2011, City Council introduced for first reading proposed amendments to Chapter 58, Article II Planning Commission, in the Code of Ordinances.

The proposed ordinance amendment complies with the Michigan Planning Enabling Act, Act 33 of 2008, which requires that the Planning Commission be re-established by ordinance. The proposed ordinance amendment, as drafted by the City's Planning Consultant and reviewed by the Planning Commission and City Attorney, would repeal Article II, Sections 58-31 through 58-43 of the City of Northville Code of Ordinances which previously established the Planning Commission, confirm the prior creation of the City of Northville Planning Commission pursuant to the Michigan Planning Enabling Act, Act 33 of 2008 and sets forth:

- The number and composition of members of the Planning Commission;
- The Planning Commission duties;
- The procedure for removal of a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in office;
- Providing for compensation for services;
- Defining conflict of interest related to a member of the Planning Commission.

The Planning Commission and the City Attorney have reviewed the proposed ordinance amendment.

**Motion Allen, seconded by Fecht** to waive second reading and repeal Chapter 58, Article II Planning Commission in its entirety and adopt the proposed amendments to Chapter 58 Planning, Article II Planning Commission in the Code of Ordinances as presented. **Motion carried unanimously.**

#### **Mayor and Council Communications**

Allen and Darga will be unable to attend the August 1, 2011 regular Council meeting.

The City Manager noted that he would be out of the office for the remainder of the week.

There being no further business to come before Council, the meeting was adjourned.

**Adjournment: 7:55 p.m.**

Respectfully submitted,

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Dianne Massa, CMC  
City Clerk

Approved as submitted: 8/15/11

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Christopher J. Johnson  
Mayor