

CITY OF NORTHVILLE
Planning Commission
March 4, 2014
Northville City Hall – City Council Chambers

1. CALL TO ORDER:

Chair Wendt called the meeting to order at 7:30 p.m.

2. ROLL CALL:

Commissioners: Present: Chair Wendt
Chris Gazlay
Steve Kirk
Dave Mielock
Anne Smith
Jeff Snyder
Carol Maise

Absent: Mark Russell (excused)

Also Present: Mayor Pro Tem Allen
City Manager Sullivan
Don Wortman – Planning Consultant

3. MINUTES:

Chair noted that the January minutes were not received by the Planning Commission.

4. AUDIENCE COMMENTS:

The following residents expressed comments and concerns to the Planning Commission:

Carrie Mowers, 131 Rayson Street
Katrycia Skillman, 135 Rayson Street
Laurie Coppock, 200 Rayson Street
Lori Rogala, 465 Grace Street
Joanne Bandoni-Menhart, 483 Grace Street

The above residents' concerns included the following: the desire for the City to be proactive; issues related to people parking their cars on the residential streets at all hours, with a negative affect for the neighborhood; the desire for the on-going issues to be addressed now with the new building being built on Rayson and Center Streets, including the restaurant proposal; the parking issue creating a hazard for the school children walking and having difficulty crossing the street; bumper to bumper parking on Lake Street; residents' visitors have to park a block away; a new business coming in will exacerbate the situation; they favored the idea of having a "right turn" instead of left into residential areas; they opposed a brewery coming in to the neighborhood; damage to a fence; traffic driving 35 mph on residential roads; the employees of the local medical office parking on Lake Street; and the feeling that a new bar or brewery will only exacerbate the problem.

Discussion took place regarding the concerns expressed, the number of parking spaces allotted for the new building, and how the project owner can “change the idea.”

Chair Wendt said the project has been approved because it meets all of the Ordinance criteria; when it was approved, the Planning Commission did not know what was going in and assumed from the representation of the owner that the project would be office and retail use, and based upon that, the parking was approved. He said that following receipt of the new information regarding the potential amount of tenants, it changes the parking issue. He said the Planning Commission would relook at the parking situation.

Chair Wendt suggested that the project owners, the tenants, and the concerned residents should all attend a meeting at City Hall to overcome the concerns and help facilitate the situation. He said the project was allowed in this zoning district, per the Ordinance; including a liquor license if all the qualifications were met. He said the Planning Commission and the City have to follow the Zoning Ordinance and they are looking at several options.

Discussion took place regarding the granting of occupancy permits; required parking spaces for office and retail use—but a different parking requirement for restaurants and bars; the need for all parties involved to meet for a discussion; the notification process; and that the project has not had the Public Hearing yet for the liquor license, but the residents will be notified of same.

5. REPORTS:

A. CITY ADMINISTRATION:

City Manager Sullivan said at last night’s City Council meeting, discussion was held regarding the purchase of a 58 foot wide lot south of the Cady Street parking deck. The purchaser expressed interest in trading or purchasing the paved parking lot to facilitate a mixed use office/residential on the south side of Cady Street. He said the City Council reached a consensus that they were interested in the project and thought it was consistent with the Master Plan. He spoke about the need for a public RFP (request for proposal) process, and emphasized the importance of not dealing with only one entity; and to put it together for development of either a portion of the site, or the entire subject site.

Discussion took place regarding the exact location; that they want to purchase and combine two lots; the RFP would be for the potential of selling the entire space or a part of these two parcels; the entire paved lot is owned by the City; the petitioner has the green lot; and the entire paved lot is for parking.

B. CITY COUNCIL: None

C. PLANNING COMMISSION: None

D. OTHER COMMUNITY/GOVERNMENTAL LIAISONS: None

6. INFORMATION

Memo from Carlisle/Wortman Dated 1/17/14, re: Board of Zoning Appeals Comments

Planning Consultant Wortman referred to his memo dated January 17, 2014, and noted the following:

At the January, 2014 BZA meeting, the Board of Zoning appeals discussed two topics that may be of interest to the Planning Commission:

- a. **Two Front-Yard Setbacks on Corner Lots:** Over the years, the Board of Zoning Appeals has received a number of variance requests to encroach on the front-yard setback along the secondary frontage of a corner lot. The BZA thought that the Planning Commission may want to evaluate the “double front-yard setback” requirement on corner lots, and possibly allow for side yards on the boundary that is parallel to the side of the house & back yard. The front yard setback would only apply to the front façade of the house (or address side).
- b. **Difference in Interpretation of Expansion of a Non-Conforming Structure.** Some members of the BZA do not consider an addition to a house is an expansion of a non-conformity if it continues the existing building line of the house, even if that building line is in the required setback. For example, if a house is 5’ off of the side property line, and an addition on the back of the house continues this 5’ setback, in their opinion, it is not an expansion of the non-conformity. However, the Zoning Ordinance specifically states (and illustrates) that such an addition is considered an expansion of a non-conformity, and requires a variance.

While no expectations were expressed that the Planning Commission will either consider or change the Zoning Ordinance provisions described above, they thought it helpful to communicate these thoughts to the Planning Commission for their information.

Mr. Wortman said the Chair of the Board of Zoning Appeals asked that this information be communicated to see if this could lead to a possible text amendment. He spoke about the issue of the two front yard setbacks on corner lots that has caused some concerns and frequent variance requests. He said, as suggested by Mr. Penn, one option would be to have the address side be considered the front, and the other side would be considered the side; but the side would be relative to the house behind it for a more contextual presence. He said his office was assembling data to indicate the frequency of this going before the Board of Zoning Appeals for relief.

It was stated that relative to this, it can be an issue related to fencing and structures.

Mr. Wortman spoke about the second item, the Difference in Interpretation of Expansion of a Non-Conforming Structure. He said in the past, this led to text amendments, along with illustrations and drawings to help clarify the idea of what is an expansion of a non-conforming structure. He said there has been a disagreement by the Board of Zoning Appeals Chair regarding the recent graphics or illustrations currently in the Zoning Ordinance. He gave an example of in this situation, where the Applicant wants to extend the line, some Board of Zoning Appeals members feel that is not an expansion of a non-conformity. He said the graphics indicate that it is an expansion, and it would thus require a variance to continue, in that example.

Joanne Bandoni-Menhart, 483 Grace Street, said she was the Applicant at the recent Board of Zoning Appeals meeting. She explained her situation, and noted that the one block on Grace Street was the only block in that area that at one time contained a multiple family duplex; but now it was residential. She said they wanted to create a front porch.

Commissioner Gazlay recalled this type of issue when he sat on the Board of Zoning Appeals. He said it was 'buyer beware.' He said as a Planning Commissioner, he did not want to revisit either topic; the Zoning Ordinance was clear; and that the Board of Zoning Appeals was created to address extenuating circumstances.

Commissioner Maise said regarding the non-conformity issue, both City Attorneys agreed it was an expansion of the non-conformity and can have an impact on the surrounding properties. She said the Ordinance was clear, and when it is silent, the non-conformity was expanded. She concurred with Commissioner Gazlay; and said it should be on a case by case basis.

Commissioner Smith concurred and said this must be taken into consideration when crafting an Ordinance. She said there were many corner lots, if it went the other way, it would result in many objections; it would invite problems; it should be on a case by case basis; and it should not blanket the whole city.

The Planning Commission reached a consensus that they did not want to revisit either topic.

7. DISCUSSION

Master Plan

Commissioner Mielock disclosed that he may be working on projects that may be involved.

Commissioner Snyder disclosed that he was a property owner in the subject area.

Commissioner Gazlay said disclosure was important, but noted he noted that most Board members and Commissioners are property owners, or they wouldn't be here. He said they all have an interest in the city.

Chair Wendt noted he had no problem, and thanked Commissioners Mielock and Snyder for their disclosures.

Planning Consultant Wortman said to initiate the update of the City's Master Plan effort, they were including the following documents: the 2000 Master Plan (parts remain applicable); the 2008 Sub-Area Plan; and the Joint Committee Report. He suggested all three documents be reviewed and combined into one updated version.

Mr. Wortman provided a proposed work plan and schedule for the update; to be assisted by City Staff and will include updated background studies, public input process, updated goals/objectives/strategies, updated land use plan, proposed zoning plan and development of the final plan. He said attached was a proposed schedule which indicates a 9 month process for completion.

Mr. Wortman said he also attached a copy of Chapter 3 from the 2000 Master Plan which contains goals, objectives and strategies. He suggested the Planning Commission review this chapter and provide comments or suggestions for revisions.

Mr. Wortman referred to the following:

I. Background Studies (Assisted by City Staff)

- 1.1 Population Characteristics
- 1.2 Population Projections
- 1.3 Housing Characteristics (rental units, structures, etc.)
- 1.4 Streets
- 1.5 Police & Fire (capacity, call times, etc.)
- 1.6 Utilities (water, sanitary sewer, storm sewer) (especially in light of future development;
Mr. Gallogly to provide information)

II. Public Input (Assisted by City Staff)

- 2.1 Dedicated page on City's website (and when Master Plan is on the agenda)
- 2.2 Postings of agenda and opportunities for public comment
- 2.3 Periodic press releases for Northville Record
- 2.4 Poster display in City Hall lobby (for public information)

III. Update Goals, Objectives & Strategies

- 3.1 Review current goals, objectives and strategies by the Planning Commission

Mr. Wortman recalled the visioning effort back in 2000; and in addition, they reviewed other city plans, specifically the 1996 Street Improvement Plan; the 1998 City Traffic Study; the City's Master Recreation Plan; the City's Historic District Standards, and the commercial planning study 1997 Gibbs Green report. He said the goals, objectives and strategies were developed from all these efforts. He said he proposes the Planning Commission look at the existing goals, and update them; as well as the City current Recreation Plan, incorporate the City's non-motorized plan; the 2006 Strategic Plan for downtown; and continue with the Historic District Standards.

Mr. Wortman requested the Planning Commission share their comments with him regarding the Master Plan update effort. Mr. Wortman referred to the following:

- 3.2 Incorporate revisions and updates

IV. Update 2000 Land Use Plan

- 4.1 Joint Committee Recommendations
- 4.2 2008 Sub-Areas
 - Cider Mill
 - North Center
 - Seven Mile/South Main
- 4.3 Remaining portions of City

V. Zoning Plan

- 5.1 Cady Street Overlay (concept zoning)
- 5.2 Other zoning adjustments

VI. Final Plan

- 6.1 Development of Draft
- 6.2 City Council Review
- 6.3 Distribution to surrounding communities
- 6.4 Public Hearing/Adoption

Mr. Wortman noted the five sub-areas. He said with the Joint Committee Report, two of the five sub-areas would go away; leaving the Cider Mill, North Center, and Seven Mile/South Main. He suggested the Planning Commission review the sub areas, update each of them, and decide if they are still viable, or should be adjusted; their boundaries should be shown, and each one could be a separate section of the final Master Plan.

Mr. Wortman suggested that in addition, a separate section on the Joint Committee area be included, of the southeast portion of the city; with each referenced; and have one land use plan to show future land use determinations for the entire city.

Regarding the process or framework for the development of the Master Plan update, the Planning Commission noted the following:

- The Master Plan does not have to be submitted to the State
- A Public Hearing is required
- A draft is required to be distributed to surrounding communities
- Before that it goes to City Council for consideration of the approval of the distribution of the draft
- It is a 63-day review process, and a nine-month process, with two to three months being public review
- The school area is part of the Joint Committee Master Plan report

Chair Wendt suggested the Planning Commission take the input from the report from the Joint Committee, and the Planning Commission provide any comments, as it reflects significant community desires.

Discussion took place regarding the Joint Committee; it was open to the public; there was no Public Hearing; not many members of the public attended; the Committee reflects all parts of the community; there were two different proposals that they came up with; similarities and differences were noted; it was presented to the Planning Commission, and comments should be in the minutes; a public review process would be required and desired; the desire to look at the periphery areas also; three Planning Commissioners were on the Joint Committee; they had a limited scope, and a relook of the Cider Mill area and other areas in town may be desired; the area by the McDonald Ford site should be reviewed; this was an excerpt from the 2000 Master Plan; the sub areas can be identified in the ultimate land use plan, as well as sub areas, and the Joint Committee Area; and could be shown with a boundary with further description, and land use depicted.

Discussion took place regarding the goal and focus of the subject discussion topic. The non-motorized plan will be on the City's website, and hard copies were available for the Planning Commissioners. In 2008, the Planning Commission adopted the sub areas in the Master Plan addendum, following Public Hearings.

Discussion ensued regarding how to proceed. Resident Matt Mower was told that all this information was available for public review and input was encouraged.

Commissioner Gazlay said he wanted to look city-wide, not just at sub-areas.

Mr. Wortman concurred, and noted that the sub areas are already developed, and he said time needs to be spent with the Joint Committee recommendations.

City Manager Sullivan said there would be a section available on the City website that explains the process of the update, with links to the plans and reports.

Greg Presley noted an increasing interest in the Cady Street corridor.

Discussion took place regarding when Cady Street may be considered. Discussion ensued regarding the process of matters being placed on an agenda going before a Board or Commission. Discussion was held regarding meeting dates.

Mr. Wortman said if the Planning Commission wanted to focus on the Cady Street area, or review the Joint Committee report, it could be scheduled as a priority area; also provide time to review the goals and objectives; and consider the sub areas.

Commissioner Gazlay encouraged a proactive approach, not a reactive approach; and that this be pursued at the Planning Commission pace.

Mr. Wortman said the Planning Commission could devote time on April 18th, and submit the input regarding goals and objectives to him, as well as comments on the sub areas.

8. ADJOURNMENT

Motion by Gazlay, supported by Maise, to adjourn the meeting at 8:46 p.m.

Voice Vote: Yeas: All. Nays: None. Motion Unanimously Carried.

Respectfully submitted, Cindy Gray, Recording Secretary