

CITY OF NORTHVILLE
Planning Commission
July 19, 2016
Northville City Hall – Council Chambers

1. CALL TO ORDER:

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

2. ROLL CALL:

Present: Steve Kirk
Carol Maise
Dave Mielock
Christopher Miller
Matthew Mowers
Mark Russell
Jeff Snyder
Jay Wendt

Absent: Anne Smith (excused)

Also present: Patrick Sullivan, City Manager
James Gallogly, Public Works Director
Sally Elmiger, Planning Consultant
11 residents

3. APPROVAL OF AGENDA:

**Motion by Russell, support Mielock, to approve the agenda as published.
Motion carried unanimously.**

4. MINUTES OF PREVIOUS MEETING: June 21, 2016

Motion by Kirk, support Snyder, to approve the June 21, 2016 minutes as published. Motion carried unanimously.

5. AUDIENCE COMMENTS:

Michelle Kelly, 423 Beal, Northville, MI, spoke to the powers of the Planning Commission as given by the City Council. She was concerned that personal agendas were being put forward on the Commission, and that ordinance changes were made based on the complaints of a few. She noted that there were 3 official complaints regarding driveways, yet tonight changes were being considered regarding driveways. Last, in her opinion, Commissioner Mowers should have been recused during certain meetings.

Chair Wendt responded that the Planning Commission operated under City Council direction, and she should take her concerns to that body.

6. REPORTS:

A. CITY ADMINISTRATION:

City Manager Sullivan reported that the North Center Brewing Company had applied for a liquor license change to allow for a small winemaker’s license so that they could make wine as well as beer. They were also requesting outdoor seating on the sidewalk on the Center Street side of the brewery. City Manager Sullivan had asked Planning Consultant Elmiger to review the minutes for the meetings regarding site plan approval, shared parking agreements, etc., to see a) if any commitments had been made regarding outdoor seating and b) if there were any conditions in any approvals for the shared parking agreement prohibiting outdoor seating. The only thing recorded in the minutes was a statement by the North Center Brewing Company that they did not have plans to have anything outdoors “at the present time.” There was a comment from a resident that if there were ever anything outdoors it should be on the Center Street side of the building. No conditions were attached to the approving motions that would prohibit outdoor seating.

The current application was going to the Liquor Control Commission and to the City Council. Residents within the immediate area would receive notice of a public hearing, to be held probably in August. If the outdoor café was on a public sidewalk, it was covered by the outdoor seating ordinance that was in the municipal code, and the City could issue a permit based on the regulations there. If it were on private property, then a decision would need to be made as to whether this would be a minor site plan amendment or need to come back to the Commission for approval.

In response to questions from Commissioners, City Manager Sullivan said that outdoor seating was not counted in the parking space requirement. At this time it was uncertain whether the change would fall under the outdoor seating ordinance or – if it was on private property – a site plan change. Outdoor seating did have to be removed in the winter.

B. CITY COUNCIL: None.

C. PLANNING COMMISSION:

Commissioner Russell spoke about two active construction sites: one on Grace Street and one on the corner of Grace and Lake Streets. The sites had not yet been landscaped, resulting in weeds and erosion over public sidewalks, though both had been built and one was occupied. He understood that the requirement for occupancy was only a finished grade, but he wondered why it was taking so long to landscape the properties. Perhaps it would be appropriate to require silt fencing. He asked that the Building Inspector take a look at the properties and report back to the Commission.

Chair Wendt said he had a disc regarding the City of Novi Master Plan. The disc was available to anyone who would like to see it; the information was also likely to be on the City of Novi’s website. The City of Northville had 63 days to review major changes in a neighboring city’s master plan, and 42 days to review a minor amendment. Planning Consultant Elmiger said she would review the disc also.

D. OTHER COMMUNITY/GOVERNMENTAL LIAISONS: None.

7. PUBLIC HEARING

RESIDENTIAL DRIVEWAYS

Planning Consultant Elmiger gave the background for this item, referring to the draft document: *An Ordinance to Amend the Zoning Ordinance of the City of Northville to define driveways and common driveways, to provide size and location standards for driveways in the required front yard of a residential parcel, and prohibit parking on the lawn in the front yard of a residential parcel or across a public sidewalk.*

Planning Consultant Elmiger explained that the ordinance language had changed since the last time it was before the Commission, and the new language, which was shown in blue on the draft document, clarified that *Driveways existing upon the effective date of this ordinance may remain, be repaved/resurfaced and reconstructed as is, as long as any non-conformities with the driveway placement, size, configuration or other features that do not comply with this section are not expanded.*

Other changes previously discussed included:

- Driveways be paved, be a maximum of 18-feet wide, and located in front of the garage.
- All pavement in the required front yard be limited to 35%.
- Parking on a lawn or across a public sidewalk was prohibited.

Chair Russell suggested:

- Under Section 17.01.10.2, add language so that it would read: *Parked vehicles shall not block or encroach into a public sidewalk.*
- Under Section 19.05, add paragraph (c) to clarify that landscaping had to meet clearance visibility requirements, and refer to the specific ordinance section that regulated this.

Discussion was had as to whether these changes were substantive enough to require another public hearing. The consensus of the Commission was that the changes were not substantive.

Chair Wendt opened the public hearing at 7:46 p.m.

Michelle Kelly, 423 Beal, distributed photographs of some driveways in the City. In many cases there were reasons that residents had nonconforming driveways. She was against this change in the Zoning Ordinance. Parking was difficult in the City, and residents could not park on many streets. Many homes were set back to be consistent with the neighborhoods, resulting in not enough room between the garage and the sidewalk to park anything but small vehicles. Therefore people put parking areas next to their garages. Situations not addressed by the proposed ordinance included 3-car garages, side entrance garages, and duplexes. Circular driveways on Hutton Street, for instance, were necessary because the driveways were the only place for visitor parking. People needed to step onto a hard surface as they exited their car; this was a safety issue. The 18-foot width did not accommodate 2 large cars. There were a variety of family types that needed parking availability for their cars, including boomerang families, extended families, roommates, and families with two working parents. There was no mass transit in Northville. She did not think it an appropriate solution to force property owners to seek variances from the Board of Zoning Appeals.

City Manager Sullivan asked if the proposed language limited parcels to one driveway. Commissioner Russell said this was addressed by limiting front yard pavement to 35%. Planning Consultant Elmiger noted that corner lots were addressed in Section 18.18.3.b: *On corner lots where two front yards exist, only the front yard where the driveway is to be located shall be used in the pavement calculation.* For all lots, the 35% limitation would most likely limit the property to a single driveway.

Commissioner Miller clarified that the 35% limitation was up to the setback; beyond that the owner had more latitude regarding pavement installation. Planning Consultant Elmiger agreed, noting that the limitation was only for the required front yard, which was the first 25 feet between the sidewalk and the setback line. Within unrequired yards and even in the required side yards there was no limitation on pavement.

City Manager Sullivan asked about duplex driveways. Planning Consultant Elmiger noted that Section 18.18.3 referenced *one (1) single- or two-family residential parcel* . . . Language could be added here that allowed driveways to divide into two 10-foot wide driveways; there would probably be room for that and still maintain the 35% limitation.

Chair Wendt closed the public hearing at 7:57 p.m.

In response to a question from Commissioner Russell, Planning Consultant Elmiger said the language in Section 19.05.c.4 referred to driveways other than residential driveways.

Commissioner Mielock asked if the 20-foot minimum for driveways other than residential driveways matched the standards in the *City of Northville Manual of Uniform Criteria and Design Standards for Construction*; he had always thought the standard was 24 feet. Public Works Director Gallogly explained that the *Manual* was policy, and not ordinance.

Chair Wendt spoke to his concerns that that Commission was basically wasting its time on this ordinance. The City had many older homes, homes on small lots, and streets that could not handle parking. This draft ordinance had come about because of people parking vehicles on the grass or paving front yards on Baseline Road, but in general he did not see a reason for it. To adopt an ordinance for perhaps 2 places in town seemed to be excessive.

Commissioner Kirk concurred. Northville was a unique city, and this ordinance represented too many constraints on its residents.

Commissioner Russell said that he would still like to mandate the 35% limitation. People moved into the community for its beauty and open space, and for the greenery that they saw. To have lots – small or otherwise – be completely paved for their owner's benefit was not a positive. In some instances lot coverage was being pushed to the maximum for the houses, breezeways, and other structures. Northville had never counted hardscape as being part of lot coverage and now this was becoming an issue. The more driveways were allowed to expand, and the more encroachments were allowed onto sidewalk areas, the more a few residents benefited from the lack of an ordinance in this area. He did not like this, had never liked it, and he had always been an advocate for hardscape being factored into lot coverage. Hardscape changed a pervious surface to impervious material, thereby increasing the surface water discharge into the public water system, taxing it more than it was before. The City did not ask individual homeowners to come up with a storm water management plan, but in fact hardscape was increasing the runoff into the system, including oil, grease, mud, etc. Commissioner Russell felt that people needed to take responsibility in managing their property and managing their own use of resources. If people needed or wanted 3-4 cars, if they couldn't park on the street, there were ways to seek remedy via the Police Chief and/or City Council. Parking requirements could be changed. A resident could call the Police Chief and give their license plate number to be permitted street parking. There were ways to remedy parking that were more environmentally friendly than what was seen in the recent past.

Commissioner Maise said that while she agreed with Commissioner Russell, she was also concerned about sending too many cases to the BZA, especially regarding driveway width. She was also concerned about requirements for duplexes, though most of those had driveways that split in the rear. She did like the lot coverage limitation, the prohibition against parking on the lawn or unpaved area in the front yard, and the prohibition against blocking or encroaching on a public sidewalk.

Commissioner Snyder asked resident Kelly if she was opposed to the entire draft ordinance, or only parts of it. Ms. Kelly said she was opposed to the entire ordinance. She felt there were already regulations against parking across the sidewalk; the Police could ticket for that. The Planning Commission was not an enforcement agency. She felt the Commission was trying to regulate something that did not need to be regulated. Change of this nature should begin with City Council.

Commissioner Snyder said that the new regulation would almost exclusively apply to new construction. Everything else would be grandfathered. In terms of the Commission's role, the Commission would fail the community if fundamental improvements were not made when these were needed.

After further discussion regarding the role of the Commission, Commissioner Russell made the following motion:

MOTION by Russell, support by Snyder that the Planning Commission table for further discussion the zoning amendment changes for the residential driveways.

Chair Wendt asked about process in this case. Planning Consultant Elmiger said the public meeting had been held. Another public hearing might be necessary, depending upon the changes made. However, it seemed like the discussion was not yet complete. Commissioner Maise said that tabling the discussion gave the Commission the ability to continue the discussion at a later meeting.

Chair Wendt asked for a roll call vote.

Russell	yes
Snyder	yes
Miller	yes
Kirk	yes
Mielock	no
Maise	yes
Mowers	no
Wendt	no

Motion carried 5-3.

8. LOT SPLIT

DUBUAR STREET

Referring to the Carlisle/Wortman review letter dated July 13, 2016, Planning Consultant Elmiger gave the background for this request, which was to split portions of lot 376 and 377 into three parcels (parcel 1A, parcel 2A, and parcel 3A). The parcels would have access from an extended Dubuar Road and would connect with Caldwell Road in Northville Township.

On February 5, 2002, the Planning Commission approved with conditions this lot split for Mr. Bauss, the previous owner. While updated engineering plans were approved by the City, construction was not initiated and the permits expired. The Wayne County Engineer had also confirmed that the permit as originally issued was no longer valid, and new plans would need to be submitted. The three approved lot splits from 2002 were never recorded with Wayne County.

A new submittal to the City of Northville Planning Commission for the lot splits was therefore required.

Outstanding issues included:

1. Add zoning classification of the Township property to the west.
2. Provide copy of the recent tax bill.
3. Continue coordination of stormwater management and utility connections with the City DPW Director.
4. Provide cross section and details of the retaining wall proposed on the north side.
5. Comply with the City of Northville Tree Preservation Ordinance.
6. Coordinate with the Building Official regarding building sites on unconsolidated fill material.

The sidewalk was originally proposed on the north side of the road. The Fire Chief had some concerns regarding the width of the road, even though it was the same width as Dubuar to the east. Therefore the applicant had proposed a mountable curb and a 6" depth sidewalk on the south side.

Planning Consultant Elmiger noted that the motion needed to include:

- A bond for the public road and utilities needed to be submitted to ensure the lots were accessible.
- Any future owners needed to understand that there was a requirement that the public road and utilities be constructed.

Chair Wendt asked if the City owned lot 374, located south of these lots. Department of Public Works Director Gallogly said the lot was owned by the City, and it was basically landlocked. There was access from an unconstructed portion of Dunlap Street, which would connect with Caldwell Street.

Uldis G. Vitins, Vitins Engineering, 44275 Brandywine, Canton MI, was present on behalf of this application. He reiterated that the proposal was to split the parcels into 3 sites. A public road would be constructed. Drawings had been submitted to Wayne County and also to Northville Township. Regarding the Planning Consultant's comments, owner Dr. Prose would have a geo-tech engineer design the retaining wall; that would be a separate submittal. Also, Dr. Prose was agreeable to either posting a bond or putting money in escrow for the road and utilities.

Chair Wendt recognized audience member Terry Heaton, 20060 Caldwell, Northville Township. Mr. Heaton wondered if this application was formally noticed to surrounding neighbors. Chair Wendt said that public notice was not required for a lot split. Agendas were posted on the City's website.

Mr. Heaton said that when the original lot split was approved there were two issues: 1) Would there be room for emergency equipment to turn around? and 2) Did this development have the potential to make Dubuar and Caldwell a through street? Caldwell was not currently paved.

City Manager Sullivan said the proposal was for Dubuar to extend through to Caldwell Street.

Chair Wendt recognized audience member Robert Grant, 515 Dubuar, Northville, MI. Mr. Grant pointed out that Dubuar did not have a uniform width. If you were standing on Rogers looking west on Dubuar

the road shrank from its widest dimension to a very narrow road to the west. Immediately north of Dubuar was a very large multi-tiered retaining structure. It was unclear how the design of the road could accommodate ordinances and Fire Department regulations. Caldwell was an unpaved road in the Township, and received only incidental traffic. The engineering of the proposed road and then the right-of-way to accommodate utilities presented many challenges. The area was very steep; Dr. Prose had been filling it in with a substantial amount of material, thereby creating an opportunity for erosion that would go on the City lot, which was directly on a downhill profile from the subject parcel. Due diligence needed to be exercised. Last, this was one of the last pristine areas in the City.

Chair Wendt asked how much of Dubuar would be paved. Public Works Director Gallogly said that it would be paved from Dr. Prose's driveway and then to the west.

In response to questions from Commissioner Maise, Public Works Director Gallogly said that the existing right of way was actually half a right-of-way, as the City had given away the other half decades ago. The applicant was providing some additional right-of-way, in order to meet Wayne County requirements.

Mr. Vitons explained that in order to get the lot split they had to extend utilities over to the new properties. They would repair the road as part of the sewer excavation. The watermain would also need to be extended. Wayne County had approved the project with conditions when it was first submitted. The County wanted some additional road easement so that the applicants could connect directly with the corner on Caldwell, so they angled the right-of-way to match Wayne County's right-of-way. The only change from this submittal and the previous submittal was the addition of a sidewalk on the south side of the road with a mountable curb. Wayne County was in the process of reviewing the current submission.

Commissioner Maise mentioned the "unconsolidated fill material" brought in at the end of Caldwell mentioned in the Carlisle/Wortman review letter. Public Works Director Gallogly confirmed that previous tree dumping, etc., was on these lots.

Mr. Vitons said that one of the items that might have been addressed by the "unconsolidated fill material" reference was an old foundation that was shown on a previous topographic survey. That was removed; perhaps when they backfilled in that area they did not compact the fill. This would be addressed at the building permit stage.

Commissioner Maise asked if the City had any concern about this. Public Works Director Gallogly said that was why the Building Inspector wanted to make sure an engineer was involved for the 3 new homes.

Commissioner Russell asked what the intent was in the cross section of the current road between station 2.23.66 and Rogers. Mr. Vitons said that would be a repair. There had previously been notes on the drawings to coordinate between a City project and this project. What had previously been built was an 18-foot road with straight back curbs. As shown on sheet C-5, the applicants were proposing a straight back curb on the north side with a mountable curb on the south side. Part of the reason for a mountable curb was to give flexibility in terms of driveway design, and result in a more even sidewalk; additionally in an emergency situation someone could drive on the sidewalk if they needed to in order to access the area.

Commissioner Russell asked if the intent was to repair the current asphalt or to widen the road. Mr. Vitons said the road would be slightly wider. Commissioner Russell asked if it could be wide enough to align itself to the station point mentioned above and then to the west.

Mr. Vitons said the issue was the property just to the east of Dr. Prose's site. He noted that there was an existing 25-foot right-of-way. They had an 18-foot road from face of curb to face of curb, so with the 6" curb – it was actually an 8" curb – they were just over 19 feet with the road width; they could not make it wider than that. He further explained that this part of the road was designed by Dietrich Bailey, and was previously reviewed by the City.

Director of Public Works Gallogly explained that the road standard for this project was not the normal 24 feet. The road needed to connect with what was there now. The City constructed an 18-foot road in 2003. The road section of Dr. Prose's driveway going west would be improved to an 18 to 19-foot road. They had a 20-foot width with a sidewalk.

Commissioner Maise noted that density was being added as a result of this lot split. The road should be as wide as a fire lane, which was 20 feet. Director of Public Works Gallogly explained that the road would match existing conditions. This was not a problem with the Fire Department. The City has asked for thick sidewalks in order to accommodate Fire apparatus outriggers.

Commissioner Maise continued to be concerned about the existing noncompliant roadway, which was now going to have to accept added intensity. Typically a developer would be asked to improve the road the entire distance.

Commissioner Russell asked what the road couldn't be as wide as that shown from the east parcel line to the 3 subject parcels. Director of Public Works Gallogly said the applicant was only proposing one width; he was not changing the width of the road. Commissioner Russell said it looked like the road was wider in front of the 3 subject parcels.

Mr. Vitons said the road started out at the hatching and then got slightly wider, from 18 to 20 feet. Commissioner Russell asked why the entire road couldn't be 20 feet.

Mr. Vitons said Dr. Prose was going to be dedicating additional right of way. They could not get additional right of way for the property to the east, which was not owned by Dr. Prose. He had offered to purchase but received no response.

Commissioner Russell asked that the plans be corrected to show a 6" rather than a 4" sidewalk. Mr. Vitons said the correct figure was on the main drawing. He would correct the detail on C-5.

Commissioner Mielock asked if the lot split were granted this evening, at what point would the applicant be required to make the road improvements. What triggered that?

Mr. Vitons said the owner's intent was to build the road technically similar to a subdivision. Homes could not be built and sold without the road and the utilities being installed. If the development stalled the City was liable for the road and utility improvements. That was the purpose of the request to have a bond or escrow account, the details of which would have to be worked out. He had spoken with Don Wortman today, and Mr. Wortman had suggested Mr. Vitons provide a cost estimate for the road improvements and the utility improvements. After City review, an amount for an escrow account or bond would be set up to do that.

Commissioner Mielock wanted to make sure that any engagements proposed as part of an approval were part of any future ownership transfer.

Mr. Vitons said the Assessing Department would not approve the lot splits without having either the bond or the escrow amount put into an account. Then if the property were sold the City would have the escrow amount to ensure the road was constructed.

Planning Consultant Elmiger confirmed that the lot split ordinance did state that lot splits would not be finalized until escrow money was deposited with the City.

Commissioner Mielock asked about tree removal issues that had been part of this property some years ago. Public Works Director Gallogly explained that this had been resolved through a court settlement.

City Manager Sullivan pointed out that the sample motion provided to the Commissioners included a condition that the road be constructed before any building permits be issued, and that this requirement be recorded on the deeds.

Commissioner Mielock confirmed that the proposed road would fall under the jurisdiction of the City, and not Wayne County. Caldwell was a Wayne County Road and connecting with it required a Wayne County permit.

Commissioner Maise asked if the Fire Chief had any comments. Public Works Director Gallogly said that the Fire Chief had seen the application and his only concern was the width of the road; this concern was satisfied with the engineer's design of the sidewalk.

Commissioner Mielock asked how the road improvement would impact the driveways just east of the proposed lot split. Mr. Vitons said the only property affected was the property referred to as the Holleman property, which was the first property to the east. The property did have a driveway and access would be maintained. This would be shown on the final engineering documents. Also, Mr. Vitons' understanding was that Dr. Prose had been trying to purchase the property for over 10 years. The house had not been occupied for that time. Dr. Prose would like to have a building official look at the property for blight and maintenance issues.

Commissioner Maise asked who would review the final engineering plans. Public Works Director Gallogly said he would be reviewing the plans.

From the audience, Mr. Heaton asked if the lot split were approved, would there be a through road from Rogers to Main Street? Chair Wendt said it would be a through road. Mr. Heaton expressed surprise, as during the previous approval process at least 8 homeowners signed a petition to keep Caldwell private, with no through connecting street.

Commissioner Snyder asked who determined the costs of the street and utilities installation. Public Works Director Gallogly said the applicant's engineer would provide a cost estimate. This would be reviewed by the City.

Commissioner Mielock asked Public Works Director Gallogly if there had been any discussion with the Township regarding the road connection. Public Works Director Gallogly said there had not been recent discussion. However, the road had been approved by Northville Township 10 years ago with basically the same configuration.

Chair Wendt wondered what happened to the petition mentioned by Mr. Heaton. Mr. Heaton said that at the time the petition was signed, the senator from Livonia had been part of the discussion.

Commissioner Kirk wondered how the fire trucks would turn around, especially if a berm were added. Mr. Heaton said fire truck access had been an issue previously.

Commissioner Russell confirmed that the lot split had been previously approved in 2003. The City could not prohibit the developer from connecting to Caldwell, if the land were improved with a road.

Commissioner Maise said that there were different personnel at the Township than those who were there in 2003. She was concerned about not hearing from the Township. She was also concerned about not having anything in writing from the Fire Chief.

In response to questions from Commissioner Russell, Mr. Vitons explained that the Township was reviewing the plans. However, the approval would come from Wayne County. The same Wayne County engineer who had reviewed the plans in 2003 was reviewing them again. The previous approval had been subject to one condition, to have the road easement meet the corner of the subdivision road, which condition had been met.

Commissioner Miller said the current application should depend on current codes and standards, and not on any particular individual who was reviewing the plans.

In response to Commissioner Maise, Mr. Vitons said he had sent the Township a copy of the drawings about 3 weeks ago via email. He had spoken with the Township today. They acknowledged they had received the drawings. He had sent this information to the Township as a courtesy; the jurisdiction was Wayne County.

Commissioner Russell said it was up to the applicant to receive permits from the governing bodies. He was ready to offer the following motion:

MOTION by Russell, support by Miller, that based on the information received from the applicant, and reflected in the minutes of this meeting, the Planning Commission finds that the proposed lot split for parcel 376 and parcel 377 on Dubuar Street, illustrated on the submitted site plans dated June 27, 2016, meets the required standards and findings for Lot Splits pursuant to Section 78-167 of the Zoning Ordinance, and approves the lot splits conditioned upon the following:

- 1. Concerns and conditions noted in the City Planners review letter dated July 13, 2016 be resolved.**
- 2. A financial guarantee for construction of the proposed road and other improvements shown on the site plan is submitted to the city prior to assignment of tax parcel identification numbers, as described in paragraph (h) of Section 78-167 of the Zoning Ordinance.**
- 3. The road, as shown on the submitted site plan, is constructed in accordance with city engineering standards prior to issuance of any building permits to provide the required access to each lot. This condition shall be recorded on the title for each lot in a form acceptable to the City Attorney.**
- 4. The lot split is recorded and approved by Wayne County Register of Deeds and such recording and documentation is submitted to the City for their records.**
- 5. Wayne County Road Commission and City of Northville Engineering Department and Fire Department approvals.**

Chair Wendt asked for a roll call vote.

Russell	yes
Snyder	yes
Miller	yes
Kirk	yes
Mielock	yes
Maise	no
Mowers	yes
Wendt	yes

Motion carried 7-1 (Maise opposed).

9. SITE PLAN REVIEW

528 RANDOLPH – SITE CONDOS

Commissioner Russell asked to be recused as he had professional involvement with this case.

MOTION by Mielock, support by Kirk that Commissioner Russell be recused from discussion of this case. Motion carried unanimously.

Referring to the Carlisle/Wortman review letter dated July 6, 2016, Planning Consultant Elmiger gave the background for this proposal, which was a request for preliminary site condominium approval for a two-lot site condominium project located on Randolph Street. Mr. Marino previously received lot split approval for parcels D-1 and D-2. However, the City Assessor noted that those parcels were previously part of a platted lot and exceeded the number of splits allowed under the plat act. Mr. Marino was therefore requesting a two-lot site condominium development in accordance with Section 18.14. The site condominium would eliminate issues regarding the number of splits and would allow for the future development of a home site on parcel D-2.

The following issues were outstanding:

1. The applicant would need to coordinate the driveway access off Randolph Street with the City DPW Director.
2. The applicant would need to provide certification from FEMA/MDEQ regarding the floodplain amendment prior to final site condominium approval.
3. The applicant would need to provide sidewalks along the entire frontage of Randolph Street for Parcels D-1 and D-2 and coordinate sidewalk construction with the DPW Director.
4. The applicant would need to eliminate the proposed stone wall fence along the frontage or seek a variance from the Board of Zoning Appeals.
5. The applicant would need to provide Master Deed documents for City Attorney review prior to submittal of the final site condominium application to the Planning Commission.
6. The location and design of utility connections for sanitary sewer and water line service would need to be coordinated with the City DPW Director.

Planning Consultant Elmiger noted that this was the first of a 2-step process. Site condos came in for a preliminary site plan approval and then, if the preliminary approval were granted, the applicant would return to the Commission with the final plan and the condominium documents.

At this time Commissioner Snyder disclosed that the applicant provided professional IT services for him, and perhaps he also should be recused.

MOTION by Miller, support by Kirk, that Commissioner Snyder be recused from discussion of this case. Motion carried unanimously.

J. Robert Langan, Bagley & Langan P.L.L.C., 128 North Center Street, Northville, MI was present on behalf of this application. Property owner David Marino, 528 Randolph, Northville, MI was also present. This property had been previously split. However, it became known to the City and the applicant that there was language in the plat act that applied to this property as already explained by Planning Consultant Elmiger, and so it was determined that the best recourse was for the applicant to seek site condominium approval for what would otherwise be a straightforward land division.

Chair Wendt asked for information regarding a fence that was previously approved for this property. Mr. Marino said they had received approval from the Historic District Commission for the fence, but the fence was never installed. Any new fence would be part of the final approvals, and any fence in the front yard would be the subject of a Board of Zoning Appeals application.

Mr. Langan asked that any FEMA approvals be a condition of receiving a building permit. The permit application process was almost complete.

In response to a question from Commissioner Maise, Planning Consultant Elmiger said the final application would be very similar to what was presented this evening. However, the Master Deed and Bylaws would be part of the final approval.

Commissioner Kirk pointed out that Randolph Drain was part of this property.

Commissioner Maise said that an 8-foot setback was noted on the plan. Planning Consultant Elmiger said this was an average calculated by the Building Inspector. Farther to the east on Randolph, the homes were practically on the sidewalk. Commissioner Maise pointed out that the plans were showing the homes set back 25 feet. Planning Consultant Elmiger said she would confirm that the homes did not have to be built close to the sidewalk, but rather could be set further back than the minimum.

Mr. Langan affirmed that they would also confirm the location of the homes met City requirements.

Chair Wendt indicated he was ready for a motion.

MOTION by Mielock, support by Maise, to grant preliminary site condominium approval for the project at 528 Randolph Street, Northville, MI subject to items 1-6 listed on page 5 of the July 6, 2016 Carlisle/Wortman review letter.

Chair Wendt asked for a roll call vote.

Miller	yes
Kirk	yes
Mielock	yes
Maise	yes
Mowers	yes
Wendt	yes

Motion carried 6-0 (Russell, Snyder recused).

At this time Commissioners Russell and Snyder rejoined the meeting.

10. DISCUSSION: None.

11. ADJOURN

As there was no further discussion, Chair Wendt asked for a motion to adjourn.

MOTION by Maise, support Mowers, to adjourn the Planning Commission meeting at 9:27 p.m. Motion carried unanimously.

Respectfully submitted,
Cheryl McGuire
Recording Secretary

Approved as published 8/17/2016