CITY OF PLYMOUTH

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PLANNING COMMISSION - REGULAR MEETING MINUTES

Wednesday, April 13, 2016

The regular meeting was called to order at 7:00 P.M. by Chairperson Mulhern.

1. ROLL CALL

MEMBERS PRESENT: Jennifer Frey, Jennifer Kehoe, Charles Myslinski, Joseph Philips, Conrad Schewe, Scott Silvers, Karen Sisolak and Jim Mulhern

MEMBERS ABSENT: Jim Frisbie; excused

OTHERS PRESENT: John Buzuvis, Community Development Director
Sally Elmiger, City of Plymouth Planner

2. CITIZEN COMMENTS:
None.

3. APPROVAL OF MINUTES
A motion was made by Comm. Philips supported by Comm. Schewe, to approve the meeting minutes from the March 9, 2016, as amended.
MOTION CARRIED UNANIMOUSLY.

4. APPROVAL OF AGENDA:
A motion was made by Comm. Schewe supported by Comm. Frey, to approved the agenda as presented.
MOTION CARRIED UNANIMOUSLY.

5. PUBLIC HEARINGS:
None.

6. NEW BUSINESS:

1. SITE PLAN REVIEW FOR:

SP16-02 Sal's Pizzeria
584 Starkweather
Zoned: MU-Mixed Use
Applicant: DJ Maltese Construction Company

Sally Elmiger, Planner, explained the applicant proposes to operate a deli and café, with a pizza oven, on the first floor of an existing building with two small proposed additions and two apartments located on the second floor. The setbacks are existing except for one modification on the south side for the proposed addition to be used for the pizza oven. The amended plans will show one change at the rear or east side of the building for another proposed addition where the cooler will be relocated, which will require a variance for that setback. The previous parking plan shows the parking was deficient and shows the parking being shared with an adjacent property owner, and this change of use requires additional off-street parking. Ms. Elmiger said there isn't an actual survey provided to show the property lines and the applicant will need a loading and unloading space that may take away a number of parking spaces from the area around the building. The applicant shows seven parking spaces located on site. The applicant plans to obtain additional parking with the Church, to the east located within 300 feet. The applicant will need to provide documentation of this required agreement also written information stating that these spaces are in excess of those required for the adjacent owner's use or that the operating times do not overlap will also need to be provided. Ms. Elmiger said the applicant needs to address the following:

A. Variance required for cooler addition.
B. 1. Confirm maximum occupancy with Building Official.
   2. Planning Commission to determine required number of parking spaces.
   3. Agreement with Church permitting use of excess parking spaces.
   4. Written information indicating that excess spaces are not required for adjacent property owner's use, or operating times don't overlap.
C. 1. Light fixture at new pedestrian door on north elevation.
   2. Description of how refuse will be handled.

Dominic Maltese, Builder and Joe Ventura, Owner, explained the business started out being a delicatessen with dry goods and now has progressed into a pizzeria with carry-outs. The sitting area consists of 900 sq. ft. along with the previous fish market area with storage. The outside awning will be lighted to appear as an old Italian market. Mr. Ventura explained the entrance walkway layout for the apartments being separate from the business entrance. Mr. Maltese explained the two 2nd story apartments currently have one tenant each with only one person that drives.

The Planning Commissioners had discussion regarding the following subjects:
Comm. Myslinski asked about a survey for this property and what the dashed lines represent on the plans. He felt the property line for the Starkweather Avenue side may be in error as the 66 foot R-O-W width of the street does not match up with the plans.
Mr. Maltese answered that the site is currently being surveyed by a land surveyor. Ms. Elmiger commented that the Planning Commission may want to condition their motion on the applicant providing a survey and also that the parking spaces shown are on their property.
Comm. Myslinski had concerns with the site plan exactly and factually representing the site.
Ms. Elmiger stated that outdoor dining portion, shown on the plans, is on private property and should not require an outdoor dining permit.
Comm. Frey spoke about maintaining passage on the sidewalk with a possible sidewalk café tables and chairs going on them. John Buzuvis explained that if the private sidewalk café

infringes upon the public sidewalk area the outdoor dining policy guidelines states*: the applicant must show a minimum of six feet of sidewalk width for pedestrian traffic in* sidewalk café areas. Mr. Maltese explained they will have a designated walking area between the tables and parking spaces for pedestrians.
Comm. Myslinski asked about the four parking spaces (located between the cooler and the pizza oven) if the applicant does not own lot 27, without the owner permission to use the approach feeding Crawford's parking lot, how will the applicant have access to these four parking spaces? Ms. Elmiger responded that she had scaled this area and found them just to be about twenty feet with a small portion of those parking spaces being located on the adjacent lot and stated the applicant will need an access agreement from the adjacent property owner. Mr. Ventura responded that the access agreement for the shared approach has been in place for decades, but the adjacent property owner told him she does not want to share the parking. Ms. Elmiger said she would like this access agreement also provided.
Comm. Frey asked about the five parking spaces located on east side of the building, and needed to see what was located on the next lot, showing the drive aisle access for these five parking spaces. Mr. Maltese explained the layout and will provide the details on the next drawings.
Mr. Maltese stated if needed, the walk-in cooler can be moved to the north side of the building with the brick surround, to accommodate more parking.
Comm. Philips asked the applicant to provide drawings that show if the parking and access areas are not completely on your property, the adjacent areas will need to be delineated indicating how they are accessed along with their agreements and also the drawing or survey should show the sidewalks along with the street R-O-W's, along with the required barrier free parking spaces shown, to allow this board to make an informed decision.
Comm. Kehoe discussed reducing the parking for this site she felt for the following reasons:
1. The site is not currently overrun with excessive parking,
2. parking can be found also on the street,
3. The area is a walkable neighborhood
4. By allowing the minimum parking, it will not promote large parking lots that goes against walkability and other items the Planning Commission is currently promoting.

Comm. Sisolak asked about deliveries with one parking spot reserved for the driver.
Comm. Schewe would like confirmation on Spring Street, adjacent to this property, if it is publically or privately owned
Comm. Myslinski would like to see the real representation of all the property lines.
Comm. Frey suggested moving some of the parking to the north.
Chair Mulhern asked about the dumpster & signage and Mr. Maltese explained the dumpster will be located on the southeast corner of the lot and the signage will be revised with possibly some name signage also, on the windows.
Ms. Elmiger stated that each apartment is required to have two parking spaces, per the Ordinance.
Comm. Philips spoke about the applicant providing the required information for parking reduction that will occur with the two small additions.

Chair Mulhern would like the applicant to provide the following information:

- Access Agreement (south)
- Cooler location confirmation
- Sally's summary conditions on her review:
  A.) Variance required for cooler addition.
  B.) 1. Confirm maximum occupancy with Building Official. 2. Planning Commission to determine required number of parking spaces. 3. Agreement with Church permitting use of excess parking spaces. 4. Written information indicating that excess spaces are not required for adjacent property owner's use, or operating times don't overlap.
  C.) 1. Light fixture at new pedestrian door on north elevation. 2. Description of how refuse will be handled.
- Site Survey
- Driveway on east to parking- (connection)
- Amount of parking spaces and rationale for the reduced parking

A motion was made by Comm. Kehoe, supported by Comm. Philips to table SP16-02, 584 Starkweather, Site plan review, until the required information (listed above) has been received.

YES FREY, KEHOE, MYSLINSKI, PHILIPS, SCHEWE, SILVERS, SISOLAK AND MULHERN.

NO NONE.

MOTION CARRIED UNANIMOUSLY.

2. Training Discussion – Planning Commissioners roles and responsibilities

Ms. Elmiger spoke about the proposed training for the Planning Commissioners, John Buzuvis, CDD, will send out an email on some possible dates and would like if any other information is requested to please let Mr. Buzuvis know.

3. Open Meetings Act information

Mr. Buzuvis spoke about a recent training session with the City Attorney.

4. Discussion – Summary vision of appropriate home building envelopes

- Floor area ratio
- Roof angle/pitch
- Lot coverage percentage, concrete/impervious surfaces
- Maximum height & calculation
- Design guidelines

Chair Mulhern described Phase II of home massing- to provide a clear vision within the Master Plan and Ordinance language related to desirability and walkability characteristics within the neighborhoods.

A meeting is scheduled next week, along with Sally Elmiger, Planner, for moving forward with the scope of work and review of the Master Plan. There was discussion regarding design standards – desired characteristics

Comm. Philips described height and calculation as it relates to walkability without legislating Design, other communities have a roof restriction of 3/12 with an outcome that restricts the design. Comm. Philips said he would like to modify with something that's easy to understand.
Ms. Elmiger stated the Master Plan is the basis for all zoning.
Comm. Silvers spoke about form based codes that may, potentially, run parallel with the City codes/ordinances

Public Comments
Jason Konopka, 345 Parkview, spoke about the Master Plan and asked if we model ours after another Community. Comm. Kehoe answered no, they do not, but they do have the City's Planner to help with the Master Plan for any changes to be made to make it more usable.
Michael Vaz, 1075 Roosevelt, questioned what is the gap between the master plan and the Ordinances now. Comm. Kehoe responded that the gap exists, in places, and the current Master Plan is well written but the Ordinances do not support the vision. Chair Mulhern stated they would like more clarity on what a desirable walkable residential community is, so that it is not overbuilt and is respectful to the character of the neighborhood and when new residents come into the neighborhood that they build a home that fits and that's where the Master Plan needs to be more declarative and prescriptive about residential home building so that the Ordinances can catch up. Comm. Silvers spoke about a possible three years it may take to implement potential ordinance amendments based on the revised Master Plan.

7. OLD BUSINESS:

1. Zoning Ordinance Amendments 78-43 and 78-53, Front Porches in front setback (new and existing homes)

2. Ordinance Revision- Adjacent Driveways

3. Ordinance Revision- Porte Cocheres

4. Zoning Ordinance Amendments 78-21-Definitions, 78-191- Notes to Schedule, 78-205-Residential Entranceway, 78-208- Residential Fences, 78-260- Regulations, 78-270-Off –Street Parking Requirements, and 78-291, Automobile Car Wash.
(Required Yard and Non-Required Yard modified to setback)

5. Potential Ordinance Amendment - Double fences on property lines

6. Potential Ordinance Amendment - Finished grade must match the original grade

Sally Elmiger, Planner, explained the changes made to the first three ordinances, listed above, per her Memo dated, April 5th. There was discussion and one image with the two-foot setback for residential (listed below the image) was decided.
Comm. Kehoe is not in favor of this ordinance and stated it goes against what we are working for with the Master Plan.
Comm. Philips would like change the following:
Page 2 (10), eliminating the word "façade" adding "exterior wall", and striking the words "the living area for the residential dwelling".
Change "home, unit, or building" to like terms ex: dwelling.
Page 3, 3, ii, Use not more than, but eliminate not less than. Add "the elevation of first finished floor".
Page 3, 4, ii, remove "outside", adding -the "front" edge and adding the "average" front yard setback.
There was discussion regarding existing houses that build garages in the rear yard, would get a front yard setback incentive. The incentive would allow the applicant to put a front covered porch into the front yard setback by up to six feet. It was decided to place a condition in writing that the garage must be built to receive the front yard setback incentive.
Page 4, (12), change existing "home" to "dwelling".
Page 5, g., All porte cocheres must be entirely open and changing modest columns to " maximum 18 inches square". (*only for those that are infringing into the setback)*
Page 5, d. ii, adding to the columns porte cochere "nine foot six (9.6)" with a foot for the column and changing (13) above, from "twelve (12) feet from the front property line" to "thirteen (13) feet from the side property line".
There was discussion on the width of the Porte Cochere columns and it was not decided on whether to change the dimensions (listed above) on Page 5.
Page 6, Sec. 78-53, Change Single Family to "Two Family" dwelling unit standards. Ms. Elmiger to look into the correct title for this.
Page 7, (10) changing living area to "front wall".
Page 7 (11), Remove "and Two Family", in both places.
Ms. Elmiger explained the Two-Family section of the Ordinance allows single-family dwellings, so the single family standards should be in the two-family section of the Ordinance. Ms. Elmiger said if a RT zoned property wants to build a single-family home the setback requirements for RT would apply to this property.
Brent Strong, Building Inspector, suggested using the incentive porch by restricting the lot coverage instead of the four feet into the front yard setback (*for ex: 50% of the porch will not count towards lot coverage*).
Comm. Philips suggested averaging, (on what currently exists), 90% of the setback to the main body of the house, except for covered porches. Ms. Elmiger continued saying- and the covered porch could be four feet from that average
Comm. Kehoe spoke about homes with similar setbacks, the difference between a house with a porch and a home without a porch would be quite a bit. Brent Strong said people who are putting on additions will add on a front porch, if there isn't one existing.
Page 11, Roof Area: add "Porte Cochere" to Cornices, eaves, overhangs brackets, & soffits. Under Mechanical equipment, to change not permitted to "Permitted and also add (under into side yard setback) two feet from property line and adding generators are not allowed in the side yard setback.

A motion was made by Comm. Philips, supported by Comm. Silvers to schedule a Public Hearing at next month's meeting, for the Ordinance revisions.
YES FREY, KEHOE, MYSLINSKI, PHILIPS, SCHEWE, SILVERS, SISOLAK AND MULHERN.
NO NONE.
MOTION CARRIED UNANIMOUSLY.

Residential Fences & Accessory Building Graphics
Sally Elmiger, Planner, explained the changes made to the graphics on residential fences.
Comm. Myslinski asked if the fence to the street would need to be revised on Street 3. Ms. Elmiger answered that the sidewalk could be added to the graphics to show a better delineation of the property lines.
Comm. Philips asked for the accessory building to line up the same as in the fence graphics and asked if the houses could be shortened in the graphic(s) so that they appear more like ten foot away and also the front porches should not appear to be located within the front yard setbacks.

Double Fences on Property Lines
Ms. Elmiger spoke about speaking with the City of Dearborn and they do have an Ordinance that allows double fences but, if you cannot decide between neighbors, the building Official will decide. They have a form for the neighbor to sign if they have no problems with the fence, If the neighbor does not want to sign the document, then the building official decides.
Craig Strong, Building Official, spoke about another Community that when neighbors disagree, they allow the fence to be put in one inch inside the property line.
There was discussion on fences.

Ms. Elmiger suggested changing the Ordinance to not allow double fences and to allow fences that allow air flow.
John spoke about the revisions to the Ordinance

Finished grade must match the original grade
Brent Strong, Building Inspector, spoke about new home grades and the consequences of new homes with their water drainage/run-off having an impact on the neighbors property. Mr. Strong explained to prevent that, the builder must now submit a Grade Certificate Survey that certifies the water drainage does not negatively impact neighboring properties, per the surveyor.
Ms. Elmiger spoke about requiring the new homes first floor finished height to be consistent with the adjacent homes height. Ms. Elmiger said this will allow the first floor basement to be three feet above the existing grade, they would establish the grade consistent with the homes adjacent to them, requiring the averaged grade information to be provided to determine the building height. Ms. Elmiger further explained the maximum height is also based upon the size of the lot and therefore the larger the lot the taller the home and with smaller lots these homes would not be as tall. There was discussion on various scenarios of grade elevations on lots.

8. Reports and Correspondence:

Master Plan Review Update

To be covered at the next meeting.

9. Commissioner Comments:
None.

10. MOTION TO ADJOURN
A motion was made by Comm. Schewe and supported by Comm. Kehoe to adjourn.

Meeting adjourned at 10:56 PM.

Respectfully Submitted,
Marleta S. Barr,
Community Development Department,
Office Manager