



CITY OF PLYMOUTH
201 S. Main
Plymouth, MI 48170
www.ci.plymouth.mi.us
PLANNING COMMISSION - REGULAR MEETING MINUTES
Wednesday, July 13, 2016

The regular meeting was called to order at 7:05 P.M. by Chairperson Mulhern.

1. ROLL CALL

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

MEMBERS ABSENT: Jennifer Frey & Scott Silvers

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. Myslinski, to approve the meeting minutes from the June 8, 2016, as presented.

MOTION CARRIED UNANIMOUSLY.

4. APPROVAL OF AGENDA:

A motion was made by Comm. Schewe supported by Comm. Kehoe, to approve the agenda, as presented, but have a set ending time of 10:30pm.

MOTION CARRIED UNANIMOUSLY.

5. PUBLIC HEARINGS:

None.

6. NEW BUSINESS:

Fuyao Acknowledgment of Proposed Use Consistency

John Buzuvis, CDD, explained the acknowledgment of Fuyao Automotive North America (FANA), for a proposed Use consistency. Mr. Buzuvis explained the applicant is interested in the purchase of the 909 Sheldon property for an industrial use which is the current zoning of this property. An outline of their intended use was submitted, from the Company (Fuyao) that is consistent and an allowed use with the current I-1, Industrial zoning of this property. Mr. Buzuvis stated that the site plan, landscaping, surveying and other items needed for site plan approval will be received at a later date. This is an evaluation of the consistency of use and Mr. Buzuvis has provided the board with a sample resolution, acknowledging consistence of the proposed use with allowable uses in I-1, Industrial zoning and will then be forwarded to the City Commission for their approval, with a letter of support given to the applicant, as well.

Mr. Vince Procaccini, President of the operation with Fuyao North America made a presentation. Mr. Procaccini explained the rapid growth of the Company and the need for this facility for the projected growth expected in the next ten years. This facility will have some research and development along with the primary function of finish manufacturing. The product will typically be encapsulated window glass, with an injection molding process and machines that will prime and prep the glass for the molding operation, then into a hydraulic press that forms the molding around the glass. The shipments will be primarily by truck during the day and may have a few shipments in the early morning for the supplies needed for the day shift also.

The Planning Commissioners had discussion regarding the following subjects:

Comm. Myslinski asked about the manufacturing and assembling process and Mr. Procaccini explained the raw glass project operation that will run 24 hour shifts, without creating any emissions.

Sally Elmiger, Planner, explained when the site plan is considered by the Planning Commission, the first question asked is "Is this a permitted use", in this instance we are simply separating the site plan from the allowable use confirmation that typically takes place at the same time as site plan review.

There was discussion on the zoning and permitted use of this property.

The resolution was moved to approve by Comm. Frisbie and seconded by Comm. Phillips.
MOTION CARRIED UNANIMOUSLY.

7. OLD BUSINESS:

1. Fence Ordinance Amendment
2. Accessory Structure Amendment
3. Grading/Drainage Ordinance Amendment
4. Roof pitch review & Discussion
5. Residential Design Guidelines Discussion
6. Percentage of Lot Coverage Discussion
7. Street Trees Discussion
8. Overall Height Discussion

1. Fence Ordinance Amendment / Fencing Diagrams

Sally Elmiger, Planner, explained the changes made to the Fence Ordinance Language and graphics portion of the ordinance, per her Memo dated, June 17th

The revisions made were:

1. The definition was revised to add the definition of a solid fence.
2. Language added: "dividing new fences on property lines where an existing fence does not exist (or will be removed completely), and new fences on property lines where an existing fence exists".
3. Revising Figure two, showing a fence in a side yard of a corner lot to the property line.
4. Adding back in a prohibition against solid fences.

The Planning Commissioners had discussion regarding the following subjects:

Comm. Myslinski would like the definition of solid fence changed to: any fence which presents a solid surface which does not allow the flow of air and light. There was discussion on solid fences and Ms. Elmiger suggested adding the language: a solid fence that has less than 25% openings/gaps between the slats. Ms. Elmiger will look into the 25% to see if this percentage seems to be a reasonable opening percentage and make the changes as discussed.

2. Accessory Structure Amendment

Sally Elmiger, Planner, explained the new language made to the Accessory Structure portion of the Ordinance, adding the language: to minimize the length of an accessory building as a percent of the rear building line, but no more than 30 feet long if it abuts a side yard, applied only to corner lots, per her Memo dated, June 17th

The Planning Commissioners had discussion regarding the following subjects:

Comm. Schewe asked about Sec.78-260. (7), why was the word "setback" added and Ms. Elmiger answered the word "setback" was added for consistency throughout the Ordinance. There was discussion on the wording and Ms. Elmiger suggested adding the required area created by the required rear yard setback, to make it clearer. Mr. Buzuvis, CDD, explained that the City Attorney will also review the Ordinance changes for clarity.

Comm. Myslinski asked about Sec. 78-26. (10), why does this Ordinance only apply to corner lots and suggested adding the language: "total combined wall length", but applied to all lots, due to more than one accessory structure may possibly be built along the back property line and an accessory structure could be used instead of a typical fence but with a much higher block of view. There was discussion on the heights of accessory structures.

There was also discussion on wider lots and whether to allow the accessory buildings to be longer than thirty feet, for those larger lots within the City.

Ms. Elmiger suggested revising the wording to say: For accessory buildings or structures in the required rear yard the total combined length of all walls of such buildings or structures that parallel the rear lot line shall be no longer than fifty percent of the length of the rear lot line, if fifty percent results in a building that is less than thirty feet, this will be allowed up to thirty feet, if fifty percent results in a wall greater than thirty feet, than the walls shall be no longer than fifty feet.

Public Comments:

Chad Custer, 449 N. Evergreen, would like to keep what the communities existing intent is, (prior to the new structures), but also felt having an overall maximum seems reasonable to him.

Carmen Metzger, 990 Linden, referenced her letter presented to the Planning Commission tonight, dated 7/6/16, regarding the home currently being built adjacent to theirs. Ms. Metzger was concerned about the adjacent new home's height in relation to the surrounding existing homes and was also concerned about the home's new elevated ground level that may cause flooding onto their property.

Ed Krol, 1108 Beech, was in favor of the new revisions Ms. Elmiger, suggested and felt this will mitigate the builder abuse currently going on.

3. Grading/Drainage Ordinance Amendment

Sally Elmiger, Planner, explained the new language made adding the changes to address grading and drainage around new structures that also takes into consideration the surrounding existing structures. Ms. Elmiger spoke with the Building Inspector, Brent Strong, regarding this language, and as a result have also refined the language to clearly use "average grade plane" when assessing building grades, Mr. Strong currently evaluates building plans using this concept. This change then had a "ripple effect" on the definition of building height, which Ms. Elmiger also amended.

Ms. Elmiger also included language on foundation walls that used the average grade plane as well as the suggested using of the sidewalk to assess the portion of the foundation that is out of the ground. Ms. Elmiger explained to ensure that the elevation measurements were correct prior to construction, it was determined to add the following language under foundation walls: "The elevation measurements of the top of the basement footing shall be presented to the building official by a licensed engineer or surveyor before a backfill inspection can take place, to confirm that the actual elevations meet the submitted plans".

Ms. Elmiger stated, if the building footing elevations are not accurate when constructed, then the building official could have the builder fix the footing height to match the submitted plans, prior to construction of the home.

The Planning Commissioners had discussion regarding the following subjects:

Comm. Frisbie asked if they need the reference line to measure the height, when they do not have a final grade how do they obtain that measurement and Mr. Buzuvis, CDD, explained when the contractor submits his plans they submit an existing grade and a final grade along with elevations of the drawings. Comm. Frisbie felt that if the grade is at a lower level with the new construction, it would resolve the drainage and possible flooding issues. Comm. Frisbie asked about new homes built next to existing homes on slabs and Ms. Elmiger responded the exposed foundation wall between the average of finished grades at the center of all walls of the building and the highest portion of the first floor shall not exceed 36 inches from the average grade plane, and the conditions are rounded.

Comm. Schewe asked about the grades being approved by the Building Official and Ms. Elmiger answered Yes, on page 2, 78-219 (1), the new language states: "Grades around houses or structures shall meet existing grades in the shortest possible distance, as determined by the Building Official".

There was discussion on possible grade changes and slopes created by new homes.

Public Comments:

Ed Krol, 1108 Beech, spoke about a new home on Linden and the concern of water run-off flooding the neighboring properties and asked if the neighboring properties could have priority and Ms. Elmiger answered when someone drains their property, it cannot drain onto another person's property, it must be collected on their own property.

Chad Custer, 449 N. Evergreen, spoke about a newly built home that does drain away from the new home, and does have an impact on the adjoining properties. The garage was built higher to slope the driveway towards the street, which sends the rainwater towards the adjoining property flooding that property. Comm. Kehoe suggested a curb could be put in place along the driveway to direct the storm water down towards the street. Ms. Elmiger explained that the new Ordinance language 78-219 (1), states "the ground areas outside the walls of any building or structure hereafter erected, altered, or moved shall be so designated that surface water shall flow away from the building walls in such a direction and with such a method of collection that inconvenience or damage to adjacent properties will not result".

Ms. Elmiger explained this is a new Ordinance, however, the current Michigan Residential Building Code does not allow a property to drain onto another one's adjacent property.

There was discussion on the grade changes occurring from new homes.

Mary Couillard, 417 N. Evergreen, also lives adjacent to the new home. Ms. Couillard stated she had to install a french drain, the new home's sump pump runs constantly and when it rains it pushes a lot of mud onto her driveway and then she must shovel it all off. Ms. Couillard had to have her basement waterproofed at \$5,000 and then also paint her basement walls with water proof paint, she had minimal leakage before, but now has a lot of leakage with standing water, and it has been quite expensive on her end to remedy the problem. Ms. Couillard stated without this being addressed beforehand, she would like some kind of assurance that this water issue will get remedied before the new owners close on the home tomorrow.

Michael Vaz, 1075 Roosevelt, spoke about various properties flooding: a basement flood on Sutherland, the owner felt it was due to the new home's change of grade and another at a recent ZBA meeting one of the points made by the public was water run-off and they also made reference to a house on McKinley that had recently flooded due to new construction and also a letter recently was sent to the board by a concerned resident regarding her home possibly flooding. Mr. Vaz felt this is a far more important issue with the recent amount of new homes and major additions occurring, and with the issue of water runoff, it will be an increasing concern and felt this is a high priority. Mr. Vaz defined "Sheet flow", which means a horizontal flow of water across the land due to grade change and felt this is the most important term. Mr. Vaz asked about a new home and when is fill imported? Ms. Elmiger responded that it would be done during the plan review stage and then again will be confirmed in the field. Mr. Buzuvis responded that the building inspector has been very successful in resolving most problems using his experienced judgment and if the resident is still not happy with the outcome, they can appeal by applying to the building board of appeals or by way of the legal system. Mr. Vaz would like a section put into the new language for dispute and resolution and suggested adding this. Ms. Elmiger stated that this language would be more of a City policy, than a zoning issue.

Al Metzger, 990 Linden, was concerned about the new elevation and drainage of the new home located next door to his at 671 S. Harvey. Mr. Metzger was also concerned with the heights of all the new homes going in within the City of Plymouth. There was discussion on lot coverage, the lot coverage of this property is 34.4%, with 35% lot coverage being the maximum. Mr. Metzger asked if there was a ratio with the height of the home to the lot's front yard setback and if not, he would like there to be one put into place. Mrs. Metzger also spoke about resolving the drainage and flooding issues before they happen and appreciates all the boards efforts resolving some of these. Mr. & Mrs. Metzger had also submitted a letter to the board with their concerns with new construction.

4. Roof pitch review & Discussion

The Planning Commissioners had discussion regarding the following subjects:

Comm. Philips spoke about a typical new house built on a fifty foot wide lot would be allowed a 2,625 square foot 2- story home (equaling 5,250 sq. ft. with the 2nd story). If considered 30% lot coverage with 5% for decks etc. would take it down to 2,250 (equaling 4,500 sq.ft. with the 2nd story). Comm. Philips distributed an illustration of a typical street lined with home elevations and examples of typical wall sections from years past and up until present. These illustrations show the wall heights progressively going up, showing the pitch significantly going up as well. Comm. Philips suggested lowering the allowable height of the roof pitch and suggested starting at 23 feet, instead of using a sliding scale.

Ms. Elmiger suggested possibly using a sliding scale for the lot size, with research of other communities 30% is a lot or even 25% is not unheard of.

Comm. Myslinski suggested possibly using the language that the gable end facing the street **cannot exceed 2/3 of the front façade**, (to limit the amount of gable without changing the overall roof height), to be applied to 2-story construction. The current Ordinance does not allow a livable third story, and Comm. Myslinski suggested adding "no windows allowed" into the language for third floors as well.

There was discussion on various gables and roof heights.

Public Comments:

Ed Krol, 1108 Beech, was in support of limiting the amount of gable allowed.

A motion was made by Comm. Frisbie, supported by Comm. Myslinski to schedule a Public Hearing at next month's meeting, for the Fence, Accessory Structures & Grading/Drainage Ordinance revisions.

**YES FRISBIE, KEHOE, MYSLINSKI, PHILIPS, SCHEWE, SISOLAK AND MULHERN.
NO NONE.**

MOTION CARRIED UNANIMOUSLY.

8. Commissioner Comments:

Comm. Kehoe spoke about possible meetings twice a month.

Comm. Myslinski, asked about the final results of past Planning Commission applicants and Chair Mulhern explained the administrative approval process and Mr. Buzuvis explained what has happened with some of the past applicants.

Ms. Elmiger, asked about an existing garage that is partially in the rear third of the rear yard, using the incentive front porch. To be discussed at next month's meeting.

9. MOTION TO ADJOURN

A motion was made by Comm. Frisbie and supported by Comm. Myslinski to adjourn.

Meeting adjourned at 10:33 PM.

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