



# City of Plymouth

## Planning Commission Meeting Minutes

Wednesday, February 13, 2019 - 7:00 P.M.  
City Hall Commission Chambers

City of Plymouth  
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Plymouth, Michigan 48170

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### 1. ROLL CALL

Chair Sisolak called the meeting to order at 7:00 P.M.  
The Board said the Pledge of Allegiance.

PRESENT: Shannon Adams, Joseph Hawthorne, Tim Joy, Jennifer Kehoe, Chuck Myslinski; left meeting at 8:16 pm, Adam Offerman, Scott Silvers, and Karen Sisolak.

ABSENT: Hollie Saraswat

Also present was Community Development Director, John Buzuvis, Planning Consultant, Sally Elmiger and City Commission Liaison, Nick Moroz.

### 2. CITIZEN COMMENTS

Mathew Summers, 1168 Sutherland spoke about the FAR Ordinance, with varied lot sizes related to FAR. He also asked for guidance regarding a possible addition onto his home and was directed to speak with the Building Official and the Community Development department.

### 3. APPROVAL OF MINUTES

a) Comm. Myslinski, supported by Comm. Offerman, made a motion to approve the regular meeting minutes from January 9, 2019.  
MOTION CARRIED

### 4. APPROVAL OF AGENDA

Comm. Joy, supported by Comm. Myslinski, made a motion to approve the agenda, as presented.  
MOTION CARRIED UNANIMOUSLY

### 5. COMMISSIONER COMMENTS

Comm. Sisolak spoke about an upcoming Redevelopment Ready Communities training opportunity on April 9<sup>th</sup>, which covers the first three of six best practices for redevelopment communities. Comm. Sisolak encouraged the board to sign-up for this free training.

### 6. PUBLIC HEARING

a) **PUD18-03**: 639 S. Mill & 166 E. Ann Arbor Trail, Zoned B-3, (Preliminary PUD Review)

Ms. Elmiger, Planning Consultant, presented her review.

Ms. Elmiger explained the applicant received PUD eligibility approval at the last meeting and the plans tonight have been revised in response to the board's comments from our last meeting, in December. The Planning Commission will need to confirm that the building height, location of the smaller building along Ann Arbor Trail, and if the number of parking spaces are appropriate.

If the Planning Commission finds that these items are relatively minor, a Final Site Plan approval can be conditioned upon the applicant submitting revised plans before going to the City Commission (Approval with

Changes or Conditions). If the Planning Commission would like to see the changes before sending the plans on, the application can be postponed, with direction to the applicant that they need to return to the Planning Commission with revised plans. The following items will need to be addressed by the applicant:

- A. Modify plans to include all Preliminary and Final Site Plan requirements.
- B. 1. Planning Commission to consider reduced parapet height. 2. Planning Commission to consider location of smaller building (Building B) along Ann Arbor Trail.
- C. 1. Planning Commission to consider parking deficiencies. 2. Fire Chief's approval.
- D. Show existing driveways on other side of Ann Arbor Trail and Mill Street on plans.
- E. 1. Increase minimum size of small shrubs to 30". 2. Provide non-invasive alternative to Dwarf Burning Bush and Crimson King Maple. 3. Add eight (8) shrubs in the landscape strip along Ann Arbor Trail. 4. Add four (4) trees in interior of parking lot. 5. If no fencing exists, add privacy fence or narrow evergreen trees between easterly parking lot and residential use to the north.
- F. 1. Adjust lighting levels along east property line near Ann Arbor Trail, and near the turnaround at the southern end of the site so that illumination levels along the property line are at or below the maximum 0.1 foot candles. 2. Reduce lighting intensity in front of the residential units of Building A, particularly in the turn-round at the south end of the site.
- G. Provide signage information, including directional signage, as a component of the Final Site Plan.
- H. Develop PUD Agreement with performance guarantees for public amenities.
- I. Modify Site Plan to include a sidewalk to access north-facing door of Building B.

Peter Stuhldreier and Mike Pizzola, Designhaus architects, presented the project. He explained that he represents Mill Street Ventures, the owner and developer and also introduced Jerome Peseck, attorney for PUD and Ed Hirsch, from the development team. Mr. Stuhldreier responded to the Planner's comments and explained it remains a 57-unit commercial mixed use two building development located on 2.2 acres. Two parking spaces per apartment are provided and five additional spaces for the commercial tenants. The commercial tenants have not yet been determined, but he felt the proposed tenants that may be interested would consist of possibly an insurance office or a specialty store with an online store as well, due to the off location & limited commercial traffic. The 1<sup>st</sup> building will be approximately 58,000 square feet & thirty-six feet tall and the 2<sup>nd</sup> building will be approximately 12,000 square feet with a grand total of both at approximately 70,000 square feet. The two-story building located near Ann Arbor Trail, is twenty-six feet to the flat roof deck, which will have commercial space, the leasing office, the gym on the first floor and the second floor will have five apartments. The roof heights were reduced along with the reduced parapets undulating between 2 to 6 feet to the skylights which screens the mechanicals on both buildings. Split systems will not be used, instead they will use "Magic-Pak" mechanicals, so there will be no need for condensers.

Mr. Stuhldreier presented a power point presentation.

The following items were discussed:

- Mr. Stuhldreier went over the redesign of the train watching pavilion park. The landscaping was redesigned to include berming, split rail fencing, realignments of walkways, a dedication plaque, along with some visual markers to draw the public. To be managed, cleaned and policed by the development, as needed.
- The extended sidewalk was added, connecting the entire length of the north to south walkway.
- Shadow studies were provided to demonstrate the impact of the height, with proposed shadow examples shown three times a day during each season of the year.
- The parking lot lighting will be shielded.
- Signage packets were distributed to the board members- two monument signs and wall signage along with tenant signage.
- Engineering – with underground detention.
- Turning radius' within the development were revised to accommodate Fire Truck specifications.
- The landscaping details have been revised with added plant materials.

## Public Comments

The Public Hearing was opened at 7:35PM.

Ed Good, 252 E. Ann Arbor Trail, asked what type of fencing barrier will be put between the Ann Arbor Trail homes and the proposed development and the applicant answered it would be a six-foot cedar fence.

The Public Hearing was closed at 7:37PM.

## Board Questions

Comm. Offerman asked about the 4 to 5 parking space shortage and the applicant explained the one-bedroom and two bedroom residential ratio is 1.75 parking spaces per unit. For commercial there is 2 parking spaces per unit plus 5 shared parking spaces. (The shared parking concept is when the residents are gone the parking spaces will be open to the commercial component portion of the development, that equals about 10% or 15%.) If parking is to be increased the green space would then be reduced & replaced with asphalt.

Ms. Elmiger, spoke about the reduced smaller twenty-four foot tall building with a setback that is over 30 feet, that she felt was consistent with the Mixed-Use PUD Ordinance

Comm. Myslinski asked Ms. Elmiger to clarify which zoning allows commercial business on the 1<sup>st</sup> floor and Ms. Elmiger responded it was the B-1 zoning.

Comm. Kehoe asked about the intensity of the proposed commercial use and Ms. Elmiger responded they can only allow the proposed commercial use to be what their parking spaces will allow. Mr. Buzuvis explained the tenant's floor space will be reviewed by staff.

Comm. Myslinski inquired as to how tenants will be determined for the commercial space and if the City will be able to approve those tenants and Ms. Elmiger responded that the applicant is asking for commercial & retail which will be supported by the number of parking spaces provided. Mr. Buzuvis explained that the proposed tenant and the parking spaces required will be administratively reviewed.

Comm. Hawthorne asked the applicant if they will be condominiums or apartments and the applicant responded they will be apartments.

Comm. Kehoe asked about the wording on the Plaque and it was decided to use "Community", instead of Neighbors, along with the hours of operation listed.

Comm. Myslinski asked about the rear balcony and patio areas. How is their access to the walking paths and sidewalks and the applicant stated that the lower level units have not yet been laid out but they do intend to make some connections from the patios onto the sidewalk. Comm. Myslinski was concerned about the leasing office deficient parking and the applicant responded showing all the parking near the entranceways within 100 feet. The proposed landscaping was discussed.

Comm. Adams asked what the barrier between the park area and train tracks was and the applicant responded that a modified split rail fence with a welded wire mesh attached on the backside will be used to keep toddlers away and the berm area will have a thirty-six inch split rail fence without the meshing.

Chair Sisolak asked if there is only one two dumpster trash area? And if so how will the trash for residents/businesses be handled? The applicant responded that there will be a trash area room in each building as well.

Comm. Adams asked about the plantings replacement when they perish and the applicant responded the plants are purchased with a warranty and Mr. Buzuvis explained it is addressed within the PUD and also by the Code Enforcement Officer as well.

A motion was made by Comm. Kehoe, supported by Comm. Joy, to recommend Final Site Plan & PUD worthiness approval of the 2/13/19 dated plans and forwarded to the City Commission with modifications to be administratively reviewed, as discussed tonight, for PUD18-03, 639 S. Mill & 166 E. Ann Arbor Trail, referencing the 24 & 36 foot heights of the two buildings and accepting that the setback of Building B is approved and appropriate with the revised building heights and also accepting the number of parking spaces as presented, with the following conditions:

1. Submitting the PUD agreement.
2. With the conditions mentioned within the Carlisle/Wortman Review letter, listed above, to be reviewed administratively.

MOTION CARRIED UNANIMOUSLY.

## 7. OLD BUSINESS

### a) Sign Ordinance Review-Current Ordinance Analysis for Compliance with 2015 Supreme Court Ruling

#### 1. Section 78-220. Intent and Section 78-21. Definitions.

Ms. Elmiger, Planning Consultant, presented her review. Ms. Elmiger explained she has drafted a new sign ordinance, based on the City's current sign requirements, but with revisions that do not use the "content" of a sign to regulate them.

The sign definitions have been revised to eliminate any reference to what the sign says, as well as deleting sign types that are defined by their message (i.e. political sign, real estate sign, etc.). The definitions from Article XIX have been combined with the definitions in the ARC District so that the regulations are consistent. Lastly, language that regulates the particular sign being defined has been moved out of the definition and into the appropriate section.

The language in Section 78-220. Intent was expanded to better describe what the Sign Ordinance is trying to accomplish.

The intent and definitions sections will be discussed tonight. The sign definitions section will be removed from the sign ordinance section and placed into the general definitions section of the Ordinance (Section 78-21. Definitions). This is consistent with other Articles in the Zoning Ordinance. It also allows us to use the same definitions for the general Sign article, as well as the sign requirements in the Ann Arbor Road Corridor (ARC) District

Also, Ms. Elmiger suggested dividing the Planning Commission review of this ordinance per the schedule below. She has tried to combine sections that relate to each other, and so that they are not so large to prohibit review during meetings with other business (i.e. development review). Hopefully, this approach will help make progress each month, but this schedule is flexible, and reviews can be combined (or repeated) as needed.

The new draft language for Article XIX. Signs is organized as listed below:

1. Section 78-220. Intent and Definitions PC Meeting #1.
2. Section 78-221. Reserved.
3. Section 78-222. Signs Permitted. PC Meeting #2
4. Section 78-223. Signs Not Permitted.
5. Section 78-224. Reserved. PC Meeting #3
6. Section 78-225. General Conditions. a. Location. b. Illumination. c. Measurement. i. Sign Area. ii. Sign Height. iii. Sign Setback. d. Addresses.
7. Section 78-226. Permanent Signs. PC Meeting #4 a. Construction Standards. b. Awning Sign. c. Changeable Copy Sign. d. Channel Letter Sign. e. Directional Sign. f. Freestanding Sign. g. Hanging Sign.
7. Section 78-226. Permanent Signs (continued) PC Meeting #5 h. Marquee Sign. i. Menu Board or Order Board Sign. j. Portable A-Frame Sign. k. Projecting Sign. l. Wall Sign. m. Window Sign, Interior.
8. Section 78-227. Temporary Signs. PC Meeting #6
9. Section 78-228. Sign Permits. PC Meeting #7
10. Section 78-229. Removal of Signs.
11. Section 78-230. Non-Conforming Existing Signs.
12. Section 78-231. Variances.
13. Section 78-232 – 78-239. Reserved.

Ms. Elmiger stated she has not included the "Track Changes" version of this language, as it would be too confusing to follow.

## **Public Comments**

Vickie Nicol, 337 Joy, spoke about the Intent section (a), minimizing any potential harmful effects on the public health safety and welfare. Ms. Nicol was concerned about distracted drivers passing by and reading signs located on a neighbor's property. Ms. Nicol is concerned for the many small children in the neighborhood crossing the road while the distracted drivers are reading the signs. Ms. Nicol also spoke about a random car driving by and making obscene gestures with his hand out his window towards the signs. She is now receiving packets addressed to her from the neighbor and would appreciate it if the board moves swiftly on changing the sign ordinance to address her neighbor's many signs.

Karen Ochman, 768 Fairground, spoke about also receiving a packet from the neighbor that she returned and explained the conversation she had with the neighbor. Ms. Ochman was concerned for the many children who play in the neighborhood, she felt it was dangerous. Ms. Ochman spoke about the neighbor working on more signs in his garage and the many sign stakes left without any protection over them, in the yard. She would like the board to rectify the problem and asked the members to keep driving by.

Vickie Nicol, 337 Joy, spoke about Farmington's holiday sign ordinance, they use the verbiage "recognized legal holiday", rather than decorative holiday displays. The language also stipulated a length of time that the signage can be displayed, about 45 days.

## **Board Discussion**

1. The board members went over Section 78-21, Definitions.

The following changes were made:

- Sign, awning, removed the word "painted" and replace it with "applied".
- The word "electronic and/or digital" to be included under Sign, changeable and Sign, flashing.
- Sign, freestanding, parentheses around the words (Temporary freestanding signs are not included in this definition.), to be addressed at a later date.
- Sign, projecting, removing the words "of 90 degrees".

Festoon signage was discussed whether to leave it within the ordinance or to remove the older outdated language.

There was discussion regarding non-conforming signage and bringing them into compliance. The non-conformity cannot be increased and to repair or replace it cannot exceed 60% of the sign. If it exceeds 60% it must then be brought into conformance. A sign has to be an accessory to another structure or be incidental to the use of the structure, therefore it cannot be a standalone sign on a property not pertaining to the structure or use of it.

2. The board members went over Section 78-220, Intent.

The following changes were made:

- (d) removing the word "use" and replacing it with the word "zoning".
- (e) adding, after the word including, "but not limited to:"

Ms. Elmiger stated she will make the changes discussed and return with them at the next meeting along with the next section(s) to be reviewed.

## **8. NEW BUSINESS**

a) 2019 Planning Commission Goals

Comm. Hawthorne spoke about the density of condos and apartments and the impact these will have on our roads. Comm. Hawthorne asked the questions: How many apartment complexes do we want in Plymouth and what kind of density do we want?

Comm. Silver suggested some type of infrastructure stress test. Ms. Elmiger suggested that the commission reference the density and future land use chapters of where the different multiple housing density map sections are indicated within the Master Plan and also in the Zoning Ordinance are requirements for 2 and 4 story multi-family buildings that do not allow extremely high density.

Comm. Kehoe discussed the approach, thought and planning that went into the master plan with lifetime communities. Comm. Kehoe suggested the following items:

1. To collaborate with City Commission and other boards to develop a stand alone multi-modal transportation strategy based upon master plan goals.
2. Comm. Kehoe feels we still need to figure out how to present and communicate the Master Plan.
3. To develop and participate in ongoing planning commissioner training.
4. To align our current zoning to future land use.

Comm. Silvers would like to look at how to approach and integrate the form based code.

Comm. Offerman suggested to deliver an updated sign ordinance to the City Commission for consideration and comment and ultimately adoption.

Chair Sisolak suggested the following items:

1. Review the list of uses of all zoning districts
2. Research and add zoning categories for parks, open space and institutional uses
3. Become redevelopment ready through Michigan Economic Development Corporation (MEDC)
4. Align the Zoning Ordinance with Master Plan goals

Chair Sisolak asked the board members to consider these four items:

1. Sign Ordinance
2. Multi-model transportation
3. Form based code
4. Aligning of Zoning to future land use map

## **9. REPORTS AND CORRESPONDENCE**

Mr. Buzuvis presented the board with a copy of the annual Planning Commission Report, to be presented to the City Commission. The annual report is an informational synopsis of the past year. Mr. Buzuvis asked the board to contact him if they had any questions or comments.

## **10. ADJOURNMENT**

Hearing no further business, a motion was made by Comm. Kehoe, supported by Comm. Silvers to adjourn the meeting at 9:32 PM.

MOTION APPROVED UNANIMOUSLY