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Date: October 7, 2022

**Special Land Use and  
Preliminary Site Plan Review  
For the  
City of Northville, Michigan**

<b>Applicant:</b>	Mischelle Lussier
<b>Project Name:</b>	126 E. Main St. Addition
<b>Plan Date:</b>	Engineered Plans: September 14, 2020 Architectural Plans: September 23, 2022
<b>Latest Revision:</b>	Engineered Plans: January 11, 2021
<b>Location:</b>	South side of E. Main Street
<b>Current Zoning:</b>	Central Business District (CBD)
<b>Action Requested:</b>	Special Land Use and Preliminary Site Plan Approval
<b>Required Information:</b>	As noted in the review

**PROJECT AND SITE DESCRIPTION**

The applicant received Special Land Use approval (upper floor residential uses) for a very similar proposal at the November 17, 2020 Planning Commission meeting. Final Site Plan approval was granted at the February 2, 2021 meeting.

The applicant is returning to have the plans reviewed again, as the original Special Land Use permit and Final Site Plan expired before the property owner was ready to apply for a building permit. This new proposal is very similar to the original proposal, except that the expansion of the residential unit on the second floor has been modified so that the new unit will occupy the entire floor, eliminating the other two small apartments. Note that during the 2020-2021 review process, the applicant stated that ultimately, they wanted to have only one (1) residential unit on the second floor.

The current set of plans shows that the “service” area of the existing first-floor restaurant will be expanded to include a cooler, and a small storage area underneath the stairwell to the second floor. The first floor will also be expanded to the rear of the site with the addition of a two-car residential garage, elevator, and entryway/stairwell to the residential unit above. The second floor will also be expanded by adding onto the rear of the building, which will include an outdoor patio and outdoor kitchen above the garage.

The number of residential units in this building will be reduced from three (3) to one (1). Note that the stairwell access from Main Street will remain. The new unit will also be accessed via a stairway at the back of the building.

An aerial photograph of the subject site is provided below.

**Figure 1: Subject Site Location**



Google Maps

Restaurant uses are permitted uses in the Central Business District. Upper floor residential uses are Special Land Uses. Section 16.01(f) states: “Unless otherwise specified by the Planning Commission, any special use permit granted under this section shall be null and void unless the property owner shall have made application for a building permit within one (1) year from the date of the granting of the permit.”

Therefore, the Special Land Use must be reviewed by the Planning Commission. The applicant has submitted a combined “Preliminary/Final Site Plan” with the Special Land Use request, which may be considered concurrently with the Special Land Use review.

## SPECIAL LAND USE

The Central Business District (CBD) lists residential apartments or condominiums on upper floors as a Special Land Use. It conditions upper-level residential units to the minimum sizes required in Section 15.02, Footnote 15(4) for multi-family structures.

Article 16, Special Land Uses, describes the procedure for review of a Special Land Use. To evaluate this proposal, the Planning Commission considers the “Basis of Determination” (or Special Land Use Standards) in Sections 16.01(d), as well as the Preliminary Site Plan requirements. After holding a public hearing, the Planning Commission decides on whether the Special Land Use and Site Plan meet the standards in the ordinance.

We have evaluated the proposal against the Special Land Use standards (Section 16.01(d)) below.

**1. *Compatibility with the Master Plan. The proposed special land use shall be compatible with and in accordance with the general principles and objectives of the City of Northville’s Master Plan.***

CWA Comment: The Master Plan identifies this property as part of the Downtown Core. The Master Plan goals are coordinated with other downtown planning efforts to maintain a vital downtown area.

The Master Plan goal applicable to the proposed Special Land Use (upper floor residential) calls to: “Promote the continued use and development of existing upper level residential units within a mixed-use commercial setting. Density of residential units shall be governed by the minimum unit size for multiple-family structures, and the zoning requirements of the downtown core.” Renovating the upper level residential unit is consistent with this Master Plan goal.

The Master Plan also references the 2006 Downtown Strategic Plan as one of the other planning efforts performed for this area. However, this Strategic Plan was updated in 2016, and includes a refined vision for residential uses in the downtown. In the 2016 Strategic Plan, part of the Future “Preferred” Vision calls for, “...mixed-use development downtown that includes second floor housing units above ground floor commercial.” Therefore, we consider the Master Plan (and other planning efforts) to support the renovated upper floor residential unit at the subject site.

The proposed unit meets the minimum size standard.

**2. *Compliance with Zoning Ordinance standards. The proposed special land use shall be designed, constructed, operated, and maintained to meet the stated intent of the zoning district as well as compliance with standards for preliminary site plan review.***

CWA Comment: See our comments on the Site Plan further in this review.

- 3. Compatibility with adjacent uses. The proposed special land use shall be designed, constructed, operated, and maintained to be compatible with existing or planned uses on surrounding land. In determining whether a special land use will be compatible and not create a significant detrimental impact, as compared to the impacts of permitted uses, consideration shall be given to the degree of impact the special land use may have on adjacent property, as compared with the expected value to the community. The following types of impact shall be considered:**
- a. Use activities, processes, materials, equipment, or conditions of operation relative to public views and adjacent land uses.**
  - b. Location of vehicular circulation and parking areas.**
  - c. Location of outdoor activity, storage, and work areas.**
  - d. The location and height of proposed buildings and structures.**
  - e. Hours of operation.**
  - f. Production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.**
  - g. Impacts on adjacent property values.**
  - h. Relative ease by which the impacts above will be mitigated.**

CWA Comment:

**Adjacent Land Uses**

Adjacent land uses are all in the Central Business District (CBD). The proposed restaurant expansion and residential use are consistent with CBD uses regarding activity level and noise. Also, land uses to the rear consist of the City's parking deck, other commercial uses, and a residential use to the east. Since the patio is for residential use only, we don't consider this patio will disrupt users of a similar patio to the east, or any of the other adjacent land uses.

**Parking**

Parking for the existing restaurant is currently accommodated in the public parking lots/on-street spaces. The expansion of the restaurant occupies an additional 116 square feet for the cooler and storage. These types of facilities are not included in the "gross" square footage calculation. Therefore, no additional parking is needed for the proposed change to the restaurant.

Per Section 17.01.13, the residential uses are assigned parking credits. The existing residential units are assigned one (1) parking credit for each bedroom. The front unit has two bedrooms, and the center and rear unit both have a single bedroom. Therefore, this project receives four (4) residential parking credits for the existing residential units. However, after the proposed renovations are completed, this unit will be credited with two (2) parking credits, and will have two (2) residential parking spaces in the new attached garage. No additional parking spaces are required for the expansion.

### **Circulation**

The plans state that loading/unloading is currently accommodated in Mary Alexander Court.

### **Building Location and Height**

The rear two-story building addition is slightly taller (29.75 feet) than the height of the parapet at the front of the buildings (29 feet per previous Final Site Plan dated 1-11-21). The proposed height of the building addition is clearly less than the 42-foot maximum allowed in the CBD.

## **4. Impact of traffic**

- a. The location and design of the proposed special land use shall minimize the negative impacts on the street system in consideration of items such as vehicle trip generation (i.e. volumes), types of traffic, access location and design, location of off-street parking, street capacity, traffic operations at proposed access points and traffic operations at nearby intersections.*
- b. The City may require mitigation to maintain the pre-existing traffic operations.*
- c. Route and operational restrictions (such as hours, cleaning of dust or debris) may be established for construction traffic to minimize negative impacts.*
- d. A traffic impact study, prepared by a qualified traffic professional, may be required in accordance with Section 19.05j.*

CWA Comment: Given the scale of the project, the proposed change will have no impact on traffic.

- 5. Impact of the environment. The proposed special land use shall not have an adverse effect on the quality of the natural environment in comparison to the impacts associated with typical permitted uses. The Planning Commission may require a quantitative comparison of the impacts of typical permitted uses and the special land use to assist in making this determination (such as an overlay of development plans, on a natural features map, illustrating other site development options to demonstrate the impacts have been minimized to the extent practical). If the cumulative impact creates or contributes to a significant environmental problem, mitigation shall be provided to alleviate the impacts associated with the requested use (i.e., ensure the end result is at least similar to the pre-existing conditions.).*

CWA Comment: This entire site is currently developed and occupied by buildings or paved areas. The proposed project will use the existing site in a similar fashion.

- 6. Public Services. The proposed special land use shall be located where it can be adequately served by essential public facilities and services, such as streets, pedestrian or bicycle facilities, police and fire protection, drainage systems, water and sewage facilities and schools. (Rev. 8/06)*

CWA Comment: The site is currently served by public utilities and services. The DPW Director will require that a full engineering review of work proposed within the Mary Alexander Court right-of-way, and will occur after the Planning Commission has made a decision about the project.

**Items to be Addressed:** None.

#### SITE PLAN REQUIREMENTS

The Site Plan Review checklist itemizes the required information to be supplied on the site plan drawings. The information submitted meets these requirements; however, we have requested additional information in other sections of this review.

**Items to be Addressed:** None.

#### AREA, WIDTH, HEIGHT, SETBACKS

The proposed development must conform to the schedule of regulations for the CBD, Central Business District, as provided in Section 10.04 and 15.01. The standards for the CBD are summarized in **Table 1** below.

**Table 1: Schedule of Regulations CBD**

	Required - CBD	Provided
<b>Lot Area</b>	N/A	4,145 s.f. (.095 ac.)
<b>Lot Width</b>	N/A	34 feet
<b>Setbacks</b>		
<b>Front</b>	N/A	0 feet
<b>Side</b>	N/A (See below)	0-10 feet
<b>Rear</b>	20 feet (See below)	10 feet
<b>Lot Coverage</b>	N/A	3,229 s.f. / 4,145 s.f. = 77%
<b>Floor Area Ratio</b>	3.0	5,070 s.f. / 4,145 s.f. = 1.22
<b>Building Height</b>	3 stories; 42 feet	2 stories; 29.75 feet

**Side Setback:** There is no side yard setback requirement unless a side wall contains windows. If windows are proposed in a side wall, then a 10-foot side setback is required. The west facing wall contains existing and proposed windows. However, the structure to the west is at least 10 feet away, meeting this requirement. There are no windows in the east facing wall.

The survey indicates that the corner of the building to the east is 0.32 feet west of their property line (or on the applicant's property). The survey also indicates that the corner of the applicant's building is 0.25-foot west of their own property line (or on the neighbor's property). The trellis posts over the ramp have been adjusted to be 0.3-feet off of the building corner, and completely on the applicant's property.

**Rear Setback:** The ordinance requires a 20-foot rear yard setback to provide a service and delivery alley along the common rear lot line of CBD properties. The ordinance allows the Planning Commission to modify or waive this requirement when the property being developed backs up to a public parking lot or public right-of-way, and where a rear yard setback would serve no useful purpose. This building backs up to Mary Alexander Court, which serves as the service and delivery alley. Therefore, we would recommend that the Planning Commission waive the rear yard setback requirement.

**Items to be Addressed:** 1. Recommend Planning Commission waive the rear yard setback requirement.

#### NATURAL RESOURCES

The site has been developed for a number of years, and does not contain any natural features.

**Items to be Addressed:** None.

#### BUILDING LOCATION AND SITE ARRANGEMENT

The project places the new addition onto the rear portion of the building and lot. We consider this location for the various proposed uses to be appropriate and logical.

**Items to be Addressed:** None

#### PARKING AND LOADING

The restaurant has no parking of its own. Patrons of this business use public parking.

The existing residential uses also don't currently have their own parking, except for two (2) surface parking spaces at the rear of the building. The project will replace the existing two (2) surface spaces with a two-car residential garage, to be used by the occupants of the upper floor residential unit.

As described above, the restaurant changes don't trigger any additional parking requirements. Similarly, the residential use will not require any additional parking spaces.

Loading/unloading is conducted within Mary Alexander Court.

**Items to be Addressed:** None.

#### SITE ACCESS AND CIRCULATION

Vehicle access to the site will be preserved; although parking will occur within an enclosed garage vs. surface parking.

At the front of the site, the first floor of the building is served by municipal sidewalks that provide a safe, barrier-free path for pedestrians to enter the front of the restaurant. Pedestrian access to the rear of the

restaurant is proposed via a covered ramp. During the previous review of this project, the applicant stated that they will work with the Building Official to ensure that the ramp pitch does not exceed 1/12, and will meet the requirements of the Americans with Disabilities Act (ADA).

Pedestrian access to the second-floor residential unit is provided via a front door and stairwell off of Main Street, and via a stairwell and elevator at the rear of the unit.

**Items to be Addressed:** *None.*

## LANDSCAPING AND SCREENING

Landscaping information is required upon Final Site Plan review, and has been provided on Sheet A-2.

The ordinance requires landscape screens for parking areas and physical screens for mechanical equipment.

Parking on this site will be screened by the garage building.

Mechanical equipment is shown on the ground level (existing transformer), as well as a new air conditioning unit on the flat roof to the west of the second-story unit. The transformer will be screened from Mary Alexander Court with four (4), six-foot tall Arborvitae. The ground layer in front of the Arborvitae will be planted with a ground cover (Pachysandra). The air conditioner unit on the flat roof will not be visible from Mary Alexander Court, given its location on the roof and distance from the street.

**Items to be Addressed:** *None.*

## LIGHTING

The applicant has applied to the Historic District Commission, and is on the October 19 agenda. In their HDC application, they have supplied an illustration of the proposed light fixture. The project proposes to use a wall sconce-type fixture at the garage door and along the outdoor ramp to the building entrance. As required, the wall sconces direct light downward, and the source of light in the proposed fixture is not visible.

The plans also call for a decorative "Trivoli" strand lighting above the second floor patio. The ordinance states that all external lights shall be shielded or otherwise positioned so that the source of light does not adversely affect driver or pedestrian visibility, and does not adversely affect adjacent properties. We would not consider the lighting strands to adversely impact driver or pedestrian visibility, as they will be located well above the garage roof. Additionally, the applicant stated during the previous review that these light strands will be on a dimmer, and can be turned down if necessary. The applicant should confirm that this is still the intention.

A photometric plan, showing the proposed lighting levels of the new addition, has been provided. The ordinance requires that lighting shall not exceed 0.5 foot candles at the property line abutting non-residential uses, and 0.3 foot candles for parcels abutting residential uses. The properties to the west and south are considered non-residential properties. The property to the east is a "mixed-use" property



that contains both residential and non-residential uses. The photometric plan meets both standards on all boundaries, except next to the existing streetlight on the east side, where the light levels are slightly higher (0.4) than the residential standard. The applicant should confirm that this slight deviation is caused by the existing streetlight.

**Items to be Addressed:** 1. Applicant to confirm that the “Trivoli” lighting strands will be placed on a dimmer. 2. Applicant to confirm that lighting level on the east property line (0.40) is slightly above the residential limit due to the existing streetlight in the vicinity.

## SIGNS

The project does not contain any sign changes or additions.

**Items to be Addressed:** None.

## UTILITIES

This site is served by public utilities. Sheet C-2.0 states that it is anticipated that existing sanitary and water service leads will be used for this project without modifications. The existing franchise utilities (gas, electric, phone, cable, etc.) will be used for this project without modifications. This sheet does show that a new roof drain and downspouts will be connected to the existing stormwater system. The DPW Director will require a full engineering review for any work in the Mary Alexander Court right-of-way. Engineering review is conducted after the Planning Commission makes a decision on the site plan.

**Items to be Addressed:** Defer engineering review to DPW Director.

## DUMPSTER/REFUSE COLLECTION

For this building, the City provides a community trash facility on the opposite side of Mary Alexander Court.

**Items to be Addressed:** None.

## FLOOR PLANS/ ELEVATIONS

Floor plans and elevations have been provided.

### Elevations

Elevations of the proposed rear addition have been provided. The plan set also provides full renderings (two views – Sheet A-5) of the rear addition.

This property is located in the Historic District, and will need to be reviewed and approved by the Historic District Commission (HDC). We would recommend the Planning Commission condition any approval on HDC approval of the project.

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### **Floor Plans**

Floor plans have also been provided.

**Items to be Addressed:** 1. Planning Commission condition approval on obtaining HDC approval for the project.


## **RECOMMENDATIONS**

The proposed renovations to the building will provide an attractive rear façade for the commercial building, improved access to the rear of the building, and a larger residential unit on the second floor. We would recommend that the Planning Commission schedule a Public Hearing for the Special Land Use.

The following should be considered by the Planning Commission:

- A. **Area, Width, Height, Setbacks:** Recommend Planning Commission waive the rear yard setback requirement.
- B. **Utilities:** Defer engineering review to DPW Director.
- C. **Elevations/Floorplans:** Planning Commission condition approval on obtaining HDC approval for the project.

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