

**NORTHFIELD TOWNSHIP  
PLANNING COMMISSION  
Minutes of Regular Meeting  
October 5, 2011**

**1. CALL TO ORDER**

The meeting was called to order by Chair Marlene Chockley at 7:02 P.M. at 8350 Main Street.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL  
AND DETERMINATION OF QUORUM**

Roll call:  
Janet Chick Present  
Marlene Chockley Present  
Glen Ewald Present  
Sam Iaquinto Present (left at 9:00 P.M.)  
John Mayleben Present  
Larry Roman Present  
Tracy Thomas Present

Also present:  
Planning Consultants Douglas Lewan and  
Zach Branigan, Carlisle/Wortman Associates  
Recording Secretary Lisa Lemble  
Members of the Community

**4. APPROVAL OF AGENDA**

- **Motion:** Iaquinto moved, Ewald supported, that the agenda be adopted as presented.  
**Motion carried 7—0 on a voice vote.**

**5. FIRST CALL TO THE PUBLIC**

No comments

**6. CORRESPONDENCE**

None.

**7. REPORTS**

**7A. Board of Trustees**

Iaquinto reported the Board is meeting only once each month, and there was nothing on the last agenda related to the Planning Commission.

**7B. ZBA**

No meeting has been held since the last Planning Commission meeting.

**7C. Staff Report**  
Nothing to report.

**7D. Planning Consultant**  
Nothing to report.

**8. PUBLIC HEARINGS**

None.

**9. OLD BUSINESS**

**Presentation on Proposed Whitmore Lake Zoning Districts.** Chockley explained that this proposal has been developed in the interest of increasing the vibrancy of downtown area, improving property values, and making Northfield Township a more welcoming and thriving community. She said the input from the public is greatly desired by the Township.

In response to a call from Chockley for a show of hands, approximately two-thirds of the 18-20 people present in the audience indicated they live on the waterfront and about half a dozen indicated they own businesses in the downtown area.

Planning Consultants Doug Lewan and Zach Branigan gave a PowerPoint presentation and made comments, including:

- The Commission has been working on a zoning ordinance update which is the culmination of a process that started with several opportunities for public input. Issues regarding the downtown area repeatedly came up at public planning sessions, so a downtown overlay district was developed.
- Comments, concerns, and ideas about the proposal from the public are of great interest to the Commission and can be given verbally at the meeting, in writing, or via e-mail.
- Form-based codes (FBCs)—a different kind of zoning—can eliminate some of the obstacles to businesses. The current downtown zoning is not working well, particularly for businesses, but also for residences. Most new projects require some kind of rezoning, variance, or land use approval, and some of them require all of those, with the entire process taking several months. This is discouraging and intimidating to people who want

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to set up a business or improve their property, and it does not produce what the community wants and needs. Form-based codes are flexible while preserving critical, desired elements. In answer to a question, Lewan gave the example a business that wanted to put in new windows, but learned that would have required a variance. Form-based codes are more interested in what buildings and parking areas look like and how people use downtowns than what the uses are, and it promotes mixed uses.

- There are currently a variety of zoning districts in the downtown area, including General Commercial, Planned Shopping Center, and Single-Family Residential, but these do not allow different uses on the same property, such as apartments above a store, or an office behind a storefront.
- One reason the existing zoning does not work is that it tries to apply suburban-style zoning to the downtown which serves a large rural township. The proposed change attempts to increase the things that can be done downtown while decreasing the things that cannot be done.
- Everyone knows what a successful downtown looks like—pedestrian-friendly, a mix of uses, places to sit, a comfortable scale to the buildings—and form-based code says those things are more important than what is going on inside the buildings.
- Form-based codes tend to reduce the number of non-conformities—such as houses in commercial zoning—and allows existing structures to be more easily reused for other purposes.
- A member of the public asked whether this is just a different zoning idea that will be replaced with another idea 10 years from now. Branigan said he hopes not and believes this is a different philosophy. He said the Big Beaver corridor in Troy has used this type of zoning, and Saline, Grand Rapids, and Birmingham also use this. A member of the public noted none of those are waterfront communities.
- A member of the public asked whether this new zoning would change utility requirements or the tax structure for residences in the district. Branigan said this has nothing to do with those things.
- Form-based codes have no minimum lot size or architectural style requirements. In answer to questions, Branigan said three houses could be torn down and new homes, condos, or a business could be built.
- Traditional zoning deals with form—height, setbacks, number of parking spaces—whereas form-based codes care about how big buildings are and where they should be placed on lots.
- Form-based codes require buildings to be placed in line with each other, rather than saying they can be anywhere behind a certain line. Traditional zoning sets maximum heights only, whereas FBCs set a range to create a comfortable feel.
- The height of buildings and their placement can have effects including how fast cars go; for instance, no one would think of driving as fast through downtown Ann Arbor—where the 3-lane streets are flanked with buildings close to the street—as they would through 2-lane downtown Whitmore Lake where there is no continuity of the building mass and location.
- The building location and mass requirements would apply only to new buildings; existing buildings would not be required to be changed.
- FBC will help add human scale to the downtown area by setting standards for landscaping locations, windows, etc.
- In answer to a question, Branigan and Lewan said nothing in this proposal would have any effect on any requirements on lakefront property imposed by the Department of Natural Resources (DNR).
- Instead of allowing buildings of high-density and volume for new or expanded buildings along the waterfront, this proposal would require more openness along the waterfront to open up views of the lake.
- A member of the public said currently when there is a lot of business activity everyone parks in his front yard. Lewan said parking-exempt zones in downtowns are very common because there is no way to put parking on small downtown lots. He said, unfortunately, in downtown Whitmore Lake, there are suburban-style parking requirements, but none of the lots have room for it, so consequently nothing is ever developed. He said no one wants people parking on front lawns, and the Commission is continuing to work on this issue. Township Supervisor Mozurkewich said in small downtowns, such as in Dexter and Saline, there are no parking lots along main street frontages, but public parking areas are provided behind buildings. She said the need for parking was brought up repeatedly at public planning sessions, and the Township recognizes this needs to be addressed. The speaker said this continues to be a problem despite discussion about the need to solve it. Mozurkewich noted the Township's lot on Barker

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Road—a half block off Main Street—is underused, and the Township needs to figure out how to make the public aware of it.

- In answer to a question from a member of the public, Branigan said there would be more possibilities for development of the Van Curler property under the proposed ordinance than under the current shopping center zoning. Uses could vary from a retirement community to a recreational facility. Another member of the public said nothing has happened with that property even though the current zoning designation was developed about 10 years ago. Branigan said if the shopping center zoning hasn't led to anything yet, adding possibilities would be preferable. Lewan said he has been a planner for 25 years, and when he looks at the downtown area—with nice shops and a beautiful lake—he wonders why the area isn't more successful. He said it seems clear to him that the existing zoning is at least part of the problem, and that is the part of the solution that he can address as a planner. A member of the public said the lakeside residents don't especially want a lot of development. Lewan said there is room for improvement, even if it only means getting the empty buildings occupied. The member of the public said the public boat launch allows a lot of people to enjoy the lake, but from his viewpoint it just brings in more traffic. Another member of the public said if people don't want traffic they shouldn't live downtown. The original speaker said some of the residents have had those houses in their families for 60 years.
- A member of the public asked why more buildings are needed if the existing ones aren't occupied. Branigan said there probably will not be a lot more buildings until the existing ones are occupied and the bad ones—and there are a few of them—are removed.
- A member of the public asked for a map showing the new zoning districts that include street locations and names. Branigan said that can be produced.
- Branigan showed many of the slides of downtown areas in other communities that Commissioners had previously viewed and indicated they liked or did not like in the categories of street furniture, height relationships, landscaping, access, and ground story activation. He explained that the responses were used to develop guidelines for the Whitmore Lake district. Popular elements included permanent street furniture, well-defined plantings, street trees, similarity in building heights, relatively limited building heights, screened parking, decorative walls/fences, inviting building entrances, lots of glass in storefronts, and inviting housing entrances.
- A member of the public asked if FBC would eliminate non-conforming uses. Branigan said there would be fewer of them. The member of the public asked if Branigan has heard of this type of zoning creating problems for people trying to get a mortgage for a house. Lewan said he gets a lot of calls from banks about zoning, and their questions seem to be trying to find out whether the house could be rebuilt if it were destroyed. Another member of the public said he recently saw a situation where a bank would not make a loan for a property that contained a church and a house because it was zoned office, but this proposed zoning would not create that kind of problem because those would be allowed uses.
- A member of the public asked if a home on the lake could be converted to a restaurant. She said she would be concerned about a noisy bar or restaurant opening up in the house next to her. Branigan said there are restrictions about that in the proposal. Lewan said this proposal was written with the full understanding that this is a unique area and there cannot be a free-for-all situation. Branigan noted, for example, that a restaurant on the lake is allowed, but is a conditional use which requires a public hearing and allows specific restrictions and conditions to be applied to a proposal by the Planning Commission and Township Board, which makes the final decision.
- Lewan explained that conditional uses are ones that may be okay in some places but not in all, and communities can say no to such requests, unlike permitted uses which are allowed as long as the zoning regulations are met.
- In answer to a question, Lewan and Branigan said Bed & Breakfasts are currently permitted uses as long as they meet certain requirements, and they would also be permitted uses in the new proposal in all three districts. Branigan noted condominiums would be conditional uses in the new zoning.
- Branigan reviewed the location of the three zoning districts, and he read the Intent sections of the proposed ordinance for each district. He said the waterfront district has been designed to allow existing homes to remain while allowing for other uses to develop and for the public to have views of the lake. In response to a comment about concerns that the density of the area will be increased dramatically, Branigan said the ordinance is designed to avoid that.
- A member of the public asked if there are any public standards for the North Village district that

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prevent developers from having to comply with design standards desired by Planning Commissioners or Township Board members. Branigan said the standards are the same as for the Downtown district, but a PUD will be required for development in the North Village because that area is undeveloped so there will be a need to plan for utilities and roads. The speaker said he knows of many cases in Ann Arbor where developers have spent hundreds of thousands of dollars developing PUD proposals only to be eventually denied. Lewan agreed that is not desirable and this ordinance is designed to be predictable for developers.

- The proposal calls for all buildings in the Downtown area to be built to a line that is 10 feet behind the front property line, but that may change because currently buildings have varying setbacks. Lewan said the Township will have to work with the County Road Commission on this issue because Main Street is a County Road. In answer to a question, Lewan and Branigan said sidewalks will be located within the right-of-way, but will not have to abut the property line in all locations. They added that there will not be a problem locating sidewalks within the right-of-way and there will not be a need to take private property for them.
- A member of the public asked how building setbacks from the waterfront will be measured. Lewan said that will not change from the way it is currently determined.
- Branigan reviewed requirements for setbacks, and there were discussions about how they differ from the current regulations.
- In answer to a question, Branigan said a single-family house could be changed or enlarged as long as the changes did not do anything to make it conform less to the zoning requirements; for instance, even though a house has a 30 foot setback—rather than meeting the 10 foot build-to line—the house could be enlarged, but the front setback could not be increased (by removing part of the front of it) to move it further away from that build-to line.
- In answer to another question, Branigan said it would probably not be possible to build a very tall building on the waterfront because density restrictions would require many lots to be assembled to get a lot of height.

Branigan reviewed the next steps: editing of the ordinance by the Commission, development of finalized maps and graphics, a recommendation to the Township Board, and consideration by the Board, including a public hearing. He said this will probably take another 6-8 months.

[Iaquinto left at this point].

In answer to questions, Lewan said the large photographs in the room showing what Main Street could look like were not created for this proposal and are conceptual only—not a plan. He clarified that this proposal has nothing to do with providing sidewalks along Main Street.

A member of the public said not only the downtown area needs attention, noting that Earl LaFave's property remains undeveloped and is an eyesore. She questioned whether this proposal could be phased and questioned whether there is a problem that needs addressing. Lewan said the proposal could be phased, and that is up to the Planning Commission.

Branigan thanked everyone for their participation. Chockley encouraged those present to visit other small communities nearby and use their imaginations to consider what the downtown area might become. She said Commissioners are respectful of the investments all of the participants have made in their properties and thanked them for attending.

## 10. NEW BUSINESS

None.

## 11. MINUTES

**September 21, 2011, Regular Meeting**  
Ewald made one correction.

- ▶ **Motion:** Mayleben moved, Chick supported, that the minutes of September 21, 2011, regular meeting be approved as amended, and to dispense with the reading.  
**Motion carried 7—0 on a voice vote.**

## 12. POLICY REVIEW & DISCUSSION

None

## 13. COMMENTS FROM THE COMMISSIONERS

**MAP Conference.** Lewan and Chockley reminded Commissioners of the upcoming Michigan Association of Planning's annual conference October 19-21.

**Presentation.** Chick thanked Lewan and Branigan for the presentation on the Whitmore Lake zoning districts and form-based code.

14. SECOND CALL TO THE PUBLIC

None present.

15. ANNOUNCEMENT OF NEXT MEETING

October 19, 2011, at 7:00 P.M. at the Public Safety Building was announced as the next regular Commission meeting time and location.

16. ADJOURNMENT

- **Motion:** Mayleben moved, Thomas supported, that the meeting be adjourned.  
**Motion carried 6—0 on a voice vote.**

The meeting was adjourned at 9:26 P.M.

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Prepared by Lisa Lemble.

Corrections to the originally issued minutes are indicated as follows:

Wording removed is ~~stricken through~~;

Wording added is underlined.

Adopted on \_\_\_\_\_, 2011.

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Marlene Chockley, Chair

John Mayleben, Secretary

Official minutes of all meetings are available on the Township's website at [http://twp-northfield.org/boards/planning\\_commission/minutes](http://twp-northfield.org/boards/planning_commission/minutes).