

**PLANNING COMMISSION
CITY OF BRIGHTON
AGENDA
APRIL 19, 2010**

BLUE SKY SESSION – CANCELED

Regular Session – 7:30 pm

1. Call to Order/Roll Call
2. Call to the Public
3. *Approval* of the March 15, 2010 Minutes
4. *Approval* of the April 19, 2010 Agenda

Old Business

5. Public Hearing and Possible Action on Amendments to Article III Off-Street Parking and Loading, 98-82 General parking requirements, (g) Downtown business district parking exemptions

New Business

Other Business

6. Staff Updates
7. Call to the Public
8. Adjournment

**City of Brighton
Planning Commission
Minutes
April 19, 2010**

1. Call to Order/Roll Call

Chairperson Jones called the meeting to order at 7:32 pm.

Al Wirth
Larry Schillinger
William Bryan
John Wells
Steve Monet
Alex Tortora
Matt Smith
Kathy Jones
David McLane
Matthew Modrack
Patty Thomas

2. Call to the Public

The call to the public was made at 7:33 pm. Ms. Susan Walters-Steinacker of 907 Brighton Lake Road referred to the City Council's Retreat in October of 2008. Attorney Paul Burns stated the reason for the 65-space rule was two fold; to keep the big box stores from coming downtown and taking up all of the spaces and the other was to limit overnight parking in public parking spaces.

She stated that at the Board of Review meeting, business owners were there speaking of how they cannot lease out buildings that they own.

She is worried and agrees with Mr. Burns. She believes the little guy is going to get pushed out of downtown Brighton if this parking ordinance change is made. Small companies cannot get tenants. Big box store are going to take over these locations. She asked the Commission to think long and hard before approving this change so the small independent businesses can stay downtown.

Chairperson Jones asked Ms. Walters-Steinacker if she could provide the Commission with documents to support what she stated was said at the Board of Review meeting. Ms. Walters-Steinacker stated she did a FOIA and took notes and can provide them.

The call to the public was closed at 7:36 pm.

3. Approval of the March 15, 2010 Minutes

Moved by Wells, seconded by Schillinger, to approve the March 15, 2010 minutes as presented. **The motion carried unanimously with Chairperson Jones abstaining.**

4. Approval of the April 19, 2010 Agenda

Moved by McLane, seconded by Smith, to approve the April 19, 2010 agenda as presented minutes as presented. **The motion carried unanimously.**

Old Business

5. Public Hearing and Possible Action on Amendments to Article III Off-Street Parking and Loading, 98-82 General parking requirements, (g) Downtown business district parking exemptions

Mr. Modrack stated the Planning Commission needs to hold a public hearing on the proposed modification to a part of the off-street parking requirements ordinance for the Downtown Business District. The review of this ordinance, and subsequent revision, was requested by the City Council.

He stated that the parking calculation is based on the use of the property. If a use requires less than 65 parking spaces, then they do not need to provide any on-site parking. This makes sense because most downtown businesses are smaller and customers and employees can use the public parking provided.

Currently, the ordinance does not provide any credit to the property owner if they are providing on-site parking. The proposed change would allow any provided on-site parking spaces be deducted from the required parking determination.

Mr. Modrack added that this is exclusive to the Downtown Business District and does not include residential properties.

Commissioner Wells stated that prior to the 65-space rule, the ZBA was receiving many requests for parking variances. That was one of the factors to amend the ordinance to establish the 65-space requirement exemption.

The Public Hearing was opened at 7:49 pm with no response.

Mr. Brad Maynes agrees with the explanation given by Mr. Modrack. He would characterize this revision to address uses that are on the "margin". The City will not see large businesses coming downtown because the space to provide the required parking is not available. As a result of this change, the City will see people creatively using the space on their site to provide some on-site parking. The City Council has discussed many issues regarding the downtown parking ordinance and this is just one of the issues being addressed.

He added that all businesses are getting the 65 spaces "free" and then need to provide the difference in required spaces, less the 65 spaces. For example, if a business is required to provide 70 spaces, and they have five spaces on their site, they do not need to provide any additional parking.

Moved by Monet, seconded by Schillinger, to recommend to City Council approval of the proposed amendments to the DBD parking requirements, to include the latest revisions from the City Attorney. **The motion carried unanimously.**

Other Business

6. Staff Updates

Mr. Modrack stated that they currently have no site plans to review; however, staff is busy with Capital Improvement Projects and grants.

Chairperson Jones asked if the Planning Commission would like to have a spring tour. Mr. Modrack will put together a proposal and present it to the Planning Commission at the next meeting.

Commissioner Schillinger asked staff how the City can control "unsolicited media" from being delivered to residential properties. (i.e. The Green Sheet, etc.). It is thrown at the end of driveways and if the property is vacant, they can accumulate and it does not look nice. Mr. Modrack feels this can be handled through the litter ordinance. He will investigate it and report back to the Planning Commission.

7. Call to the Public

The call to the public was made at 8:02 pm with no response.

8. Adjournment

Moved by Wirth, seconded by Smith, to adjourn the meeting at 8:02 pm. **The motion carried unanimously.**

John Wells, Secretary

Patty Thomas