

**City of Brighton
Planning Commission
Minutes
December 16, 2013**

1. Call to Order/Roll Call

Vice Chairperson Smith called the meeting to order at 7:30 p.m. The following were present:

John Wells	Matt Smith
Al Wirth	Robert Pawlowski
Dave Petrak	

Absent – Bill Bryan, David McLane, Steve Monet

Also present was Amy Cyphert and Lauri French from Staff, Brad Maynes from the City Attorney's office and an audience of four.

Motion by Mr. Wirth, supported by Mr. Pawlowski, to excuse Commission Members Bryan, McLane and Monet. **Motion carried 5-0-3.**

2. Approval of the November 18, 2013 Regular Meeting Minutes

There were not enough board members present at the November 18 meeting to approve the minutes. **Motion** by Mr. Wells, supported by Mr. Wirth, to table approval of the November 18, 2013 regular meeting minutes to the January meeting. **The motion carried 5-0-3.**

3. Approval of the November 18, 2013 Agenda

Motion by Mr. Wells, supported by Mr. Pawlowski, to approve the agenda as presented. **The motion carried 5-0-3.**

4. Call to the Public

The call to the public was made at 7:32 p.m. Claudia Roblee, owner of ArtVentures in Brighton and a resident in the City, stated that she is on the Mill Pond Master Plan committee and is here in support of the project. She said it encompasses all the ideas for this area from the Envision Brighton World Café participants. She also is in support of the new PUD ordinance and noted that the Robertson Brothers project is very important to the City which will provide much-needed additional tax base. Hearing no further response, call to the public was closed at 7:34 p.m.

New Business

5. Site Plan – The Millpond Master Plan #13-010

Ms. Cyphert noted that the site plan before Planning Commission tonight is being handled in a similar nature to the Veterans Memorial and Sculpture Exhibit plans approved by Planning Commission. Jeff Smith, Professional Engineering Associates, reviewed a Powerpoint presentation containing an overview of the proposed Mill Pond Phase I plan and its design elements. There was discussion about the width of the sidewalk near the sluiceway and the size of the proposed fireplace. The current plan calls for keeping three out of the four existing trees off Main St. which are right next to the existing sidewalk; the trees may have to be replaced if they have sustained root damage.

Motion by Mr. Wirth, supported by Mr. Pawlowski, to recommend site plan approval for the Phase 1 of the Millpond Master Plan, last dated 11-12-13, as drawn by Professional Engineering Associates, job #2012-119, subject to the following conditions:

1. That irrigation is provided for the new planting beds.
2. That right of way permits are obtained from the Department of Public Services, if applicable.
3. That any damages done to the existing public sidewalk be repaired to current condition.
4. That fire and engineering review be conducted during the building permit process, if applicable.

The motion carried 5-0-3.

6. Discussion on zoning ordinance created for a Planned Unit Development (PUD) District and set public hearing date

Ms. Cyphert reviewed the Planning Commission report and a Powerpoint presentation of the Robertson Brothers project site at the former Lindbom school. She noted that other communities in Michigan have been using PUDs in their zoning ordinances for quite some time and that creating a PUD for Brighton would allow greater flexibility for redevelopment projects such as the proposed Robertson development. She stated that the City has eight to ten months to get through all the approvals required for this project. The proposed PUD article was reviewed and Ms. Cyphert requested suggestions or changes so that she and the city attorney can prepare the final draft for the public hearing in January. In response to a board member's question, Mr. Maynes noted that a PUD runs with the property. Ms. Cyphert also advised that our Master Plan calls for the creation of a PUD ordinance.

Motion by Mr. Wells, supported by Mr. Wirth, to set a public hearing for Article 28, Planned Unit Development, on January 13, 2014. **The motion carried 5-0-3.**

7. Discussion on zoning ordinance amendments pertaining to smoking lounges, "hookah bars" and smoking related retail stores

Ms. Cyphert stated that she has been receiving phone calls about where these types of businesses can be located in Brighton. She reminded the Planning Commission members that there was a retail smoking store on Main Street and the City received some complaints about it being located downtown. She also noted that City Council approved a moratorium on these types of businesses last month. Brighton Township's ordinance includes specific hours of operation for these types of businesses (they have two that we know of). She said that we could create a definition for each one and list as a permitted use in one or more specific districts (but not the DBD). Mr. Maynes noted that it's up to Planning Commission to determine what they want and where. There was discussion about current cigar lounges; Ms. Cyphert noted that Leaf, Barley & Vine was no longer in business but Downtown Main Martini Bar has a cigar lounge in their basement. Downtown Main could be "grandfathered" since it is a current business. Mr. Maynes noted that the ordinance could be written to include percentages used for that purpose versus the total square footage.

After discussion by the members, it was decided to use the C2 district for smoking lounges, "hookah bars" and smoking related retail stores. They also want the zoning ordinance amendment to include definitions with percentages for those uses, and Mr. Maynes advised we could use the adult use ordinance for percentage examples. She and the City Attorney will draft up the amendment and bring it back to Planning Commission in January.

Other Business

8. Adoption of the By-laws and Rules of Procedure for the Planning Commission

Ms. Cyphert noted that she made some minor wording changes to the By-laws and that they have to be approved by Planning Commission on an annual basis. **Motion** by Mr. Wirth, supported by Mr. Pawlowski, to adopt the By-laws and Rules of Procedure for the Planning Commission as presented. **The motion carried 5-0-3.**

9. Elections of Officers

Motion by Mr. Petrak, supported by Mr. Wirth, to table Elections of Officers to the January meeting. **The motion carried 5-0-3.**

10. Noeker/E.D. Ewing/Greimel Nominations

Motion by Mr. Wells, supported by Mr. Wirth, to table the Noeker/E.D. Ewing/Greimel Nominations to the January meeting. **The motion carried 5-0-3.**

11. Staff Updates

Ms. Cyphert thanked the Planning Commission members for going through the PUD ordinance since we are under time constraints.

12. Commissioner Concerns

Mr. Wells advised that he will be resigning from Planning Commission for personal reasons and will work out the timing with Ms. Cyphert for his replacement.

13. Call to the Public

The call to the public was made at 8:58 p.m. Hearing no response, call to the public was closed.

14. Adjournment

Motion by Mr. Petrak, supported by Mr. Pawlowski, to adjourn the meeting at 8:58 p.m. **The motion carried 5-0-3.**

John Wells, Secretary

Lauri French, Recording Secretary