

**CITY OF BRIGHTON
ZONING BOARD OF APPEALS
MINUTES
November 10, 2016**

1. Call to Order

Chairperson Angst called the meeting to order at 7:30 p.m. and the following members were present:

2. Roll Call

David Chaundy – Present
Russ Gottschalk – Present
Doug Angst – Present
Dave Senak – Present
David McLane – Present
Alicia Urbain – Present
Renee Pettengill - Present

Mike Caruso, Community Development Zoning Administrator

Audience – 8

3. Approval of the April 14, 2016 Meeting Minutes

Mr. Caruso noted that the company's name represented by Jamie Elfstrom should be **Bill** Carr Signs.

Moved by Board Member Senak, seconded by Board Member Pettengill, to approve the meeting minutes of April 14, 2016 as amended. **The motion carried unanimously.**

4. Approval of the November 10, 2016 Meeting Agenda

Moved by Board Member Pettengill, seconded by Board Member Urbain, to approve the November 10, 2016 agenda as presented. **The motion carried unanimously.**

Old Business

New Business

5. **Group 10 Management, (Brighton Commercial Center) 8589 – 8615 W. Grand River (4718-30-100-066)** is requesting a variance for required parking spaces at this location. There are currently 6 tenants occupying the commercial building utilizing 128 parking spaces. There are a total of 135 spaces at this location. Group 10 Management is seeking a variance from Section 98-84 and Section 98-85 to allow for a possible future tenant, in which the use would require the location to have a total of 150 parking spaces. A variance of 15 parking spaces is being requested.

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Mr. Kenneth Burchfield, the attorney for the applicant, stated they are asking for a 14-space variance as with the addition of another restaurant on their site, their required parking will over what the City's ordinance allows. He introduced the property owners, engineer, landscape architect, and the franchisee and real estate agent for Jersey Mikes, which is the restaurant that proposed to be located in this development.

The parking space requirements are one space for each 100 square feet of restaurant space and 1 space for each 300 square feet of retail space. There are currently two retail locations and four restaurants located here.

He noted that vehicles can exit and enter from Grand River, Brookside Lane, and Best Buy Drive. Their hardship is the elevation of Best Buy Drive in relation to the site. The location where they could place more spaces is too steep and currently used for storm water drainage. He noted that if more parking spaces are added, the storm water control would need to be increased as well as located and there is a cost for this.

The parking engineer performed calculations from 11 am to 1:00 pm on a Friday. The parking utilization never exceeded 71 percent, leaving 39 spaces available. They feel that based on this analysis, there would not be a problem with ingress and egress, and there will still be adequate parking, including peak times.

Mr. Caruso stated that on the original site plan, parking calculations met the ordinance based on what tenants the developer was proposing. He noted that they are already over on their parking without the remaining 3,400 square feet of building being utilized. Additionally, they are currently at their maximum for restaurants as was originally planned.

Mr. Labadie of Fleis & Vandenbrink reviewed the parking evaluation report. He noted that he consulted with TTMPs and they suggested that he perform the study during lunch on Friday. He added that the peak occupancy of each use is different times (i.e. restaurants, nail salon, Verizon, etc.). He believes that visitors do not know there is parking in the back and that the property owner should increase/update their way-finding signage.

Mr. Caruso noted that the parking analysis utilized the shared parking ordinance requirements; however, the original site plan did not request that they use the shared parking calculations.

Board Member Pettengill stated this parking lot is already congested. She has parked on Brookside Lane to visit this center. She feels it is a safety concern.

Board Member McLane understands the challenges of the site; however, he feels the hardship is self-imposed. He does not agree with allowing a 10 percent parking variance.

Mr. Burchfield feels the Zoning Board of Appeals should receive the opinion of the City's Engineers and suggested this item be tabled this evening.

The call to the public was made at 8:15 pm.

Mr. Tony Kissel, who owns Brookside Mall, stated that Brookside Drive is a private drive so they cannot use that parking for their calculations and the ingress /egress drive may need to be taken out. He had tried to work with the developer; however, nothing was accomplished. He feels the variance request is self-imposed.

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The call to the public was closed at 8:20 pm.

Board Member Senak is very pleased with the developer, and they have done everything they said they would do with the site the entire time. He does agree that there is a problem with the traffic flow on this site and there is only one sign directing people to parking in the back. He believes the shared parking calculations may be correct.

Board Member Gottschalk stated that if there is no parking, then people will not go there, so they will lose business. Board Member Urbain agrees.

Moved by Board Member McLane, seconded by Board Member Pettengill to deny the variance request of 15 parking spaces by Group 10 Management, (Brighton Commercial Center), 8589 – 8615 W. Grand River because the need for the variance is self-imposed and there are traffic and safety issues. **The motion carried with a roll-call vote (McLane – yes; Pettengill – yes; Urbain – no; Chaundy – yes; Senak – no; Angst – yes; Gottschalk – no).**

6. Staff Updates

Mr. Caruso stated that some Board Members' terms are expiring in December so an election will need to be held at the next meeting.

7. Call to the Public

Chairman Angst opened the Call to the Public at 8:34 pm with no response.

8. Adjournment

Motion by Board Member Urbain, seconded by Board Member Senak, to adjourn the meeting at 8:34 p.m. **The motion passed unanimously.**

Respectfully submitted,

Patty Thomas
Recording Secretary