

**City of Brighton
Planning Commission
Meeting Minutes
September 18, 2017**

1. Call to Order/Roll Call

Chairman Petrak called the meeting to order at 7:30 p.m.

The following Commissioners were present:

Jim Bohn	Susan Gardner
Michael Schutz	David McLane
David Petrak	Rob Pawlowski
Steve Monet	

Moved by Commissioner Pawlowski, supported by Commissioner Gardner, to excuse Commission Members Smith and Bryan from tonight's meeting. **The motion carried 7-0-2.**

Also present was Nate Geinzer, City Manager; Brandon Skopek, Community Development Associate; Michael Caruso, Zoning/Code Enforcement Associate; Piet Lindhout, Lindhout and Associates; Bob Herbst, Downtown Development Authority (DDA) Chair, and an audience of 15.

2. Approval of the August 21, 2017 Special Meeting Minutes

Moved by Commissioner Bohn, supported by Commissioner McLane, to approve the minutes as presented. **The motion carried 5-0-2 with Commissioners Schutz and Monet abstaining.**

3. Approval of the August 21, 2017 Regular Meeting Minutes

Moved by Commissioner Bohn, supported by Commissioner McLane, to approve the minutes as presented. **The motion carried 5-0-2 with Commissioners Schutz and Monet abstaining.**

4. Approval of the September 18, 2017 Agenda

Moved by Commissioner Gardner, supported by Commissioner Schutz, to approve the agenda as presented. **The motion carried 7-0-2.**

5. Call to the Public

The call to the public was made at 7:33 pm.

Lee Burke, Chair of the Crossroads Group of the Sierra Club, stated they represent 1,300 people in the greater Livingston County area and on behalf of the club wanted to state how pleased they were with the response to all of the feedback. They like that the revised plans intend to keep some of the trees and are excited to see the work being done to improve the area. He thanked the Commission.

Patricia Mack, 810 Chestnut St., stated she has lived in her home 47 years and was concerned with the rezoning of 333 N. Fourth St. She asked when it had been rezoned to R-4 and how rezoning it to R-3 would affect the density of the property. Ms. Mack stated she had never received notice of it being rezoned to R-4.

David Walker, 1079 Hillcrest, stated he was happy to see the City go out for bids for arborist services and slow down the process of the Mill Pond amphitheater based on the concern of the original plan. He thanked the City for listening. Mr. Walker asked what avenues were taken to gather public feedback. He stated there is still concern about the removal of large trees which cannot be replaced, the lack of seating for lawn chairs, and the lack of quality sound control for performances.

Joyce Powers, 982 Hickory Drive, stated there are trees around the Mill Pond that are not invasive but planned. Ms. Powers added that the Planning Commission is expected to uphold the core values of the people but that someone had told her they were up against the "Brighton Mafia." She also stated that Brighton is on a floodplain and discussed the dangers of adding concrete instead of providing green space that will absorb water. She believes that they are now fighting for the soul of the Brighton community and added there are four seats open on City Council for the November election and there is still time to file as a write-in candidate. She stated she could run on getting Brighton's priorities straight by listening to the people and changing the campaign dialogue.

Whitney Stone, 524 Victoria Square, stated she does Jazz at the Pond and is excited about the project at the Mill Pond. She sees importance in improving that area and thinks it is time to do something since it has been discussed for several years. Ms. Stone appreciated that a new plan was brought back to save some of the trees and thinks it is time to move forward.

Vice Chairman Petrak closed the call to the public at 7:44 p.m.

Public Hearing

6. Public Hearing and Possible Action on Rezoning #17-014—333 N. Fourth Street—
Rezoning from R-4, Medium Density Multiple Family to R-3, Low Density Multiple Family

Vice Chairman Petrak Opened the public hearing at 7:45 p.m.

Mr. Skopek stated a rezoning application was submitted to rezone 333 N. Fourth Street for a proposed single-story duplex. He stated the R-4 zoning district does not permit duplexes, but the R-3 zoning district does. Ms. Skopek stated the master plan designates the parcel as a low density multiple family future land use. He added it is a less intense use than R-4 and received approval for side yard setbacks and lot coverage from the Zoning Board of Appeals (ZBA).

Mr. Caruso stated the previous owner of the property had that lot and the adjacent lot rezoned in 2005 but never combined. He had the intention to build a multiple family residential unit but never submitted plans. One of the properties was bought and a single family home was built. He stated prior to 2005 the lots were zoned R-1 and I-A, which is industrial.

Patricia Mack, 810 Chestnut St. stated she was never notified of the rezonings. She asked what the differences were between R-3 and R-4 and wants to make sure that the proposed project is a one-story and looks like a residential home.

Mr. Caruso stated R-3 allows two and three stories but the applicant is proposing a one-story. The project will not go before Planning Commission for approval; it is only required to go through the Building Department. He also stated the ZBA variances were approved pending approval of the rezoning.

Carol Rossy, 330 N. Fifth, asked how the dwelling would be situated on the property and how the variances came into place.

Mr. Caruso explained that the variances were needed because the R-3 zoning requires a minimum lot size of 15,000 square feet and the lot is only 8,700 square feet. The other variance was for the side yard setbacks which are required to be 20 feet on each side. Mr. Caruso stated the proposed duplex will be in line with the home on the adjacent lot.

Jan Goodall, 330 N. Fifth, stated she lives on the property behind and is concerned about the privacy provided from the trees on the lot.

Mr. Caruso stated the applicant is not proposing to remove any trees other than those which are located where the building will be constructed.

Carol Rossy, 330 N. Fifth, stated she lives on the property behind the lot which has been vacant and there has not been much traffic. She stated the development will open the lot up for more people so a fence would be good to have on the property.

The public hearing closed at 7:55 pm.

Commissioner Pawlowski clarified that R-3 is lower density than R-4.

Commissioner Monet stated he sat on City Council when the property was rezoned to R-4. He stated there was little opposition to it at the time. The proposed project included 6 to 8 units on the two properties.

Mr. Mika stated what he proposed to build is a single story with each unit having a single car garage and each unit being around 1,100 square feet.

Commissioner McLane gave a summary of the ZBA decision stating that the uniqueness of the property, the fact that the setbacks are closer to the industrial portion than the residential one, the depth of the lot giving the building envelope more flexibility, and the fact that it will not be a large building were reasons why the variances were granted.

Commissioner Gardner stated she likes the residential look of it and mix of materials.

Mr. Mika gave a brief overview of the project stating it will be a duplex between 1,000 and 1,200 square feet and single car garage on each side. He stated he wants to attract millennials and want to try to have parking for two cars each and a driveway designed to pull out safely onto Fourth Street.

Moved by Commissioner Monet, supported by Commissioner Gardner, to recommend approval of the rezoning request to City Council. **The motion carried 7-0-2.**

Old Business

7. Site Plan #17-011—Millpond Band Shell & Amphitheater (Tabled from July 17, 2017)

Moved by Commissioner Pawlowski, supported by Commissioner Monet, to untable Site Plan #17-011. **The motion carried 7-0-2.**

Mr. Skopek stated the Planning Commission tabled the site plan until questions and public comment were addressed. Staff and DDA consultants revised the drawings and the DDA approved the revised drawings. Piet Lindhout, Lindhout Associates presented the revisions and answers to questions at the August 21st Planning Commission meeting.

Mr. Lindhout presented the new model and discussed the changes that were made. He stated the roof tone was changed to a dull green aged copper and a new stone was selected behind the pavilion. The retaining block was also changed and has a smoother appearance and uplights were added to the redbuds.

Commissioner Gardner asked about the steepness of the grassy area where seating was removed and the color of the concrete area.

Mr. Lindhout stated the curve was aqua color with beige concrete. He stated he can provide a sample board of materials for people to see.

Commissioner Pawlowski asked where the northern red oaks and tulip trees would be located.

Commissioner Bohn asked about the St. Paul Church agreement that Tetra Tech discussed in the review letter.

Mr. Geinzer stated they had met with St. Paul's and the agreement states no buildings can be put on their footprint. He stated the design stays outside of the footprint and the Reverend of the church sees no impact.

Mr. Lindhout stated there is an easement between the City and the church and Tetra Tech was referring to a construction agreement that will have to be in place before the project gets started.

Commissioner Gardner asked where lawn chairs would be allowed.

Mr. Lindhout stated the concrete seating is designed to have seating on every other row and lawn chairs in the front row. He stated it was discussed with the Kiwanis Club who suggested adding more rows of lawn chairs depending on the performance. The minimum amount of seating is 136, but there is flexibility depending on the event.

Commissioner McLane stated he is pleased with the project and improvements made.

Commissioner Monet stated the City is responsible for maintaining and enhancing infrastructure to keep up property values and enhance the appearance of the city. He stated the proposal meets all of the standards, outstanding issues were addressed by city staff, and he likes what has been done.

Commissioner Pawlowski stated it was important to modernize and thinks this is a nice change. He stated it was important to think about what younger people would want and wishes more of them would show up to the meetings.

Commissioner Bohn stated something needs to happen, but he is concerned with the process. He stated the public has not had an opportunity to weigh in and there needs to be a way to involve them. He thinks it is a great design but may not be the right design and cannot support it at this time.

Commissioner Petrak asked what the life expectancy of the roof structure would be.

Mr. Lindhout stated the laminated beams will not last as long as the steel beams but require less maintenance. The life expectancy could be 75 years. He stated the original design had steel but was not as warm or soft of a design.

Mr. Geinzer stated he worked with the DDA and Mr. Lindhout to incorporate the feedback received. Numerous communications were sent out and they received phone calls as well as comments on facebook. He stated younger people are not at meetings because they are busy and use other modes to communicate. Mr. Geinzer also said the approval is for the site plan only, not the materials. They will be providing a sample board of the materials that will help finalize the details.

Mr. Lindhout discussed the benefit of being flexible with materials in order to get competitive bids for the project and the higher cost of requiring specific materials.

Commissioner Gardner discussed the lighting and stated it will blend with the Veteran's Memorial as well as enhance the security of the area.

Moved by Commissioner Monet, supported by Commissioner Gardner, to recommend approval of Site Plan #17-011. **The motion carried 6-1-1.**

New Business

8. None

Other Business

9. Staff Updates

Mr. Skopek stated notice for a Special Planning Commission meeting has been published. It will take place at the BECC Building located at 125 S. Church Street at 4 p.m. The meeting is a public open house for the master plan process and is scheduled until 8 p.m.

10. Commissioners Report

None

11. Call to the Public

The Call to the Public was made at 8:33 p.m.

Mac Miller, 307 W. Main, stated he would like to speak to the community's experience with this proposal and hopes they will learn lessons from this process and apply them to the future phases of the Mill Pond development. Mr. Miller stated there is a lot of passion to how the Mill Pond is developed and they should think further ahead to build opportunity for public input.

Dave Walker, 1079 Hillcrest, stated a year or two from now we will all regret taking down the trees and people will be baking in the sun.

Call to the Public closed at 8:35 p.m.

12. Adjournment

Moved by Commissioner Monet, supported by Commissioner Schutz, to adjourn the meeting at 8:35 pm. **The motion carried 7-0-2.**

William Bryan, Secretary

Wendy Ayala, Recording Secretary