

**City of Brighton  
Planning Commission  
Meeting Minutes  
January 29, 2018**

1. Call to Order/Roll Call

Vice Chairman Petrak called the meeting to order at 7:00 p.m.

The following Commissioners were present:

William Bryan	David McLane
David Petrak	Michael Schutz
Susan Gardner	

**Motion** by Commissioner Bryan, supported by Commissioner Gardner, to excuse Commissioners Pawlowski, Monet, Smith, and Bohn from tonight's meeting. **The motion carried 5-0-4.**

Also present was Brandon Skopek, Community Development/DDA Coordinator; Michael Caruso, Senior Community Development Associate; Brad Maynes, City Attorney; Kari Jozwik, Tetra Tech; Scott Barb, Livingston County Planning, and an audience of 10.

2. Approval of the January 29, 2018 Special Meeting Agenda

**Moved** by Commissioner McLane, supported by Commissioner Bryan, to approve the agenda as presented. **The motion carried 5-0-4.**

3. Call to the Public

The call to the public was made at 7:01 p.m. with no response.

**Public Hearing**

4. Public Hearing on Rezoning #18-01—293, 295, 303, & 305 N. Second Street—Rezoning from R-1 (Single Family Residential) to R-4 (Medium Density Multiple Family) PUD (Planned Unit Development)

Mr. Skopek stated the public hearing was for the rezoning of the property from R-1 to PUD. He stated the applicant received preliminary site plan approval at the November 20<sup>th</sup> Planning Commission meeting following a public hearing. He stated the rezoning is a PUD requirement as part of the final site plan. Mr. Skopek also stated the surrounding parcels are zoned R-1 single

family residential, Downtown Business District, and R-4 Medium Density Multiple Family. He stated the property is master planned for high density mixed residential land use which allows for high density residential developments such as townhouses and apartment complexes.

Vice Chairman Petrak opened the public hearing at 7:04 p.m.

Andrew Dennis, 320 N. Second St., asked for clarification on the addresses listed on the agenda, stating they were different than the ones in the public notice.

Robert Pettengill, 608 W. Main St., asked if there would be pictures of the proposed development.

The public hearing closed at 7:06 p.m.

### **Old Business**

5. None

### **New Business**

6. Rezoning #18-01—293, 295, 303, & 305 N. Second Street—Rezoning from R-1 (Single Family Residential) to R-4 (Medium Density Multiple Family) PUD (Planned Unit Development)

Mr. Skopek stated the correct addresses were 303 and 305 N. Second St.

Commissioner Gardner asked if the rezoning was independent of the PUD.

Mr. Skopek stated the final site plan has to be noticed as a rezoning according to the ordinance. He stated the Planning Commission would be recommending approval of the rezoning to a PUD for City Council.

Commissioner Bryan stated the Master Plan was updated five years ago and they had anticipated this type of future use for the area. He stated the proposal fits with the demand that is out there for this type of development as well as what the city had planned for this area.

**Moved** by Commissioner Bryan, supported by Commissioner Schutz, to recommend approval of Rezoning #18-01—293, 295, 303, & 305 N. Second Street from R-1 to PUD. **The motion carried 5-0-4.**

7. Site Plan #18-02—293, 295, 303, & 305 N. Second Street—Second Street Flats

Mr. Skopek stated an application was submitted on behalf of the Downtown Development Authority (DDA) for a multi-story residential building consisting of 15 dwelling units. He stated the Planning Commission unanimously approved the preliminary site plan at the November 20<sup>th</sup> meeting. Mr. Skopek gave an overview of the project, including parking and loading requirements, site modifications, and utilities. He discussed comments made by the Fire Department, Livingston County Planning Department, and Tetra Tech. Mr. Skopek stated construction is expected to begin in April 2018 and finish in April 2019.

Mr. Barb stated the proposed development meets all of the requirements for rezoning. He stated there are no concerns, but would like to see the five proposed curb cuts included in the PUD agreement. He stated he would recommend approval of the PUD.

Ms. Jozwik stated there were three outstanding comments in Tetra Tech's review letter; to include the curb cuts in the PUD approval, for attorneys to review the language in the PUD agreement for the parking along the Center Street right-of-way, and for soil borings to be provided for the underground detention basin.

Mr. Skopek stated the applicant meets all six conditions required for a PUD and stated that this development provides for missing middle housing and provides a transition between the downtown and outlying residential. He stated the developer has made an attempt to provide the required parking and that the DDA is looking at plans for additional parking in this area. He stated that although the developer is 4 spaces short of the requirement, staff feels that due to the amount of public parking that surrounds the development, a variance for four guest parking spaces would be acceptable within the PUD agreement.

City Attorney Maynes stated the site plan approval would have to be conditioned upon approval of the PUD agreement by City Council and the conditions set forth in the PUD agreement, as well as administrative resolution of the outstanding items remaining. He stated these things can be resolved between now and the City Council meeting since the Planning Commission is just making a recommendation on the form of the development.

Mr. Skopek stated the proposed development contains sufficient information for a conditional site plan approval recommendation to City Council. He stated there were conditions regarding fire code requirements, building code requirements, comments by Tetra Tech, and review of the final PUD agreement by the City attorney prior to City Council approval.

Commissioner Gardner asked how the 14 temporary spaces will be constructed.

Ms. Jozwik stated there will be three inches of asphalt with no curb and gutter. She stated it will be parking lot grade construction.

Commissioner Gardner asked how snow removal and maintenance will be handled.

Ms. Jozwik stated it will be public parking and maintained by the City.

Brian Donovan, Power Play Development, presented the changes made to the site plan since the preliminary site plan approval. He presented samples of the proposed building materials.

Commissioner Gardner asked about the underground detention system.

Ms. Jozwik stated the roof drains and parking lot will drain into sediment control filters and the underground detention system will exit onto Second Street. She stated it meets Drain Commission standards for capacity and release rate. Ms. Jozwik stated the developer will be providing a maintenance plan with annual inspections and sediment removal, which is included in the PUD agreement, as well as the requirement to send the City copies of those reports.

Commissioner Gardner asked if the Homeowner's Association (HOA) will take care of the annual inspections.

Ms. Jozwik stated the HOA has to comply with the PUD agreement.

Mr. Maynes stated the PUD agreement will be attached to the deed, which will be subject to the PUD agreement.

Commissioner McLane stated the samples were helpful and he liked the changes to the site plan.

Commissioner Schutz asked if the curb and gutter would be extended along Center Street.

Mr. Donovan stated there will be curb and gutter on their side of Center Street.

Commissioner Gardner asked about the color of the colored concrete on the back of the garages.

Mr. Donovan stated the garages would be champagne colored.

Commissioner Petrak asked about the landscape plan for the site.

Mr. Donovan discussed the different landscaping that will be used.

Mr. Skopek stated there is currently no short term plan for any reconstruction of Center Street, but the DDA is looking into additional parking. He stated staff is reviewing a proposal to potentially turn Center Street into a one-way street from CSX to Walnut Street and add on-street parking. He stated they will be bringing this to the DDA in February.

Commissioner Petrak stated he was concerned that although the parking equaled out to 2 spaces per unit, they were undesignated parking spaces.

Mr. Skopek stated that because it is public right-of-way, they are unable to designate it for private use.

Commissioner Gardner stated she did not think the unassigned parking would be an issue due to its location.

Commissioner Schutz asked what their target demographic was.

Mr. Donovan stated the units would range from \$200,000 to \$400,000 and they expect young professionals and retirees.

**Moved** by Commissioner Gardner, supported by Commissioner Bryan, to recommend conditional site plan approval for Site Plan #18-02, Second Street Flats, located at 293, 295, 303, and 305 N. Second Street subject to the following:

- 1) That the applicant must address any outstanding Fire Code requirements during the construction review.
- 2) That the applicant must address any Building Code requirements during the construction review.
- 3) That the comments made in Tetra Tech's review letter dated January 25, 2018 be addressed to the City's satisfaction.
- 4) That the final PUD agreement be reviewed and approved by the City Attorney prior to City Council approval.
- 5) That the development meet the conditions contained within the PUD agreement and that there be administrative resolution of the remaining outstanding items in the PUD agreement.

**The motion carried 5-0-4.**

8. Downtown Residential Zoning District Discussion

Mr. Skopek stated staff was looking for feedback from the Planning Commission regarding the creation of a new zoning district to allow for developments that are similar to Second Street Flats in density and design. He presented what currently exists in the city as far as density, parking requirements, and design standards for the Downtown Business District.

Commissioner Petrak stated he would prefer density based on floor area ratio versus lot coverage. He stated there should also be a discussion on maximum height.

Commissioner Gardner commented that Giffels-Webster would be addressing height in the Master Plan discussions.

Commissioner Bryan stated onsite parking was a priority. He suggested developments with parking on the ground level.

Mr. Skopek discussed maximum height requirements and stated the Senior Housing District allows 45 feet maximum height at 3 stories. He discussed different building designs that include recessed stories.

Commissioner Petrak suggested having bonuses for floor area ratio if onsite parking is provided.

Commissioner Gardner stated recessed levels are not seen from the sidewalk and make for more interesting buildings.

Mr. Skopek discussed parking, stating Giffels-Webster had proposed 1.5 parking spaces per residential unit downtown and adding bicycle parking to substitute for vehicle parking. He stated due to the proximity to downtown and serving as a transitional area, 1.7 spaces per unit might work better than 1.5 for the proposed zoning district.

Commissioner Petrak stated the Second Street Flats may have more than 30 cars and that Brighton is still a commuter city.

Commissioner Schutz asked how the 1.5 factor was determined.

Mr. Skopek stated they are taking into account the amount of available downtown parking as well as demographics.

Commissioner Gardner discussed having a local transit plan to get people around.

Commissioner Bryan stated they should not set the bar too low for parking because it could create future problems.

Commissioner Gardner asked about taking developments on a case by case basis.

Mr. Skopek stated going through a PUD process every time was difficult and not recommended.

Commissioner Bryan stated it was important to have set guidelines for parking.

Commissioner Gardner asked how much parking was being proposed for potential developments.

Mr. Skopek stated developers feel that parking is high and financially difficult and would prefer less than 2 per unit.

Commissioner Gardner asked if one bedroom units are being proposed.

Mr. Skopek stated there have been preliminary conversations where more one bedroom and efficiency units are being proposed. He stated currently 1.5 spaces are required for efficiency units.

Commissioner Bryan stated there is more flexibility with smaller units.

Mr. Skopek went over design standards and discussed possibly having a form based code that would mirror the requirements of the DBD.

Commissioner Bryan stated it makes sense and prefers the use of traditional materials.

Commissioner Petrak stated he is not fan of metal siding, but would rather see it used than other types of siding.

Commissioner Bryan discussed using materials that don't require a lot of maintenance.

Commissioner Petrak commented on the breaking up of walls and architectural features.

Mr. Skopek stated there is no definitive timeline on an ordinance but they will be utilizing Giffels-Webster to prepare one.

City Attorney Maynes stated although the Planning Commission recommended approval of the rezoning and site plan, they needed an explicit motion to recommend the PUD agreement to City Council.

**Moved** by Commissioner Gardner, supported by Commissioner Bryan, to recommend the PUD agreement as drafted. **The motion carried 5-0-4.**

## **Other Business**

### 9. Staff Updates

Mr. Skopek stated February 26 Giffels-Webster will be discussing sign ordinance amendments, however, no action will be required by the Planning Commission. He stated they would just like feedback prior to bringing the sign ordinance revision to City Council. Mr. Skopek stated a special meeting is scheduled on February 26 at 6 pm for a master plan update.

### 10. Commissioners Report

None

### 11. Call to the Public

The Call to the Public was made at 8:21 p.m.

Whitney Mclellan-Stone, 524 Victoria Square Lane, stated her and her husband only have one car and thinks that will become the norm very soon. She stated she would like to see more input

from millennials and does not believe parking will be an issue in the next 5 to 10 years.

Brian Donovan, Power Play Development, stated having a zoning district rather than going through the PUD process would be fantastic. He stated they started their development process in January 2017.

Vice Chairman Petrak closed the call to the public at 8:23 p.m.

12. Adjournment

**Moved** by Commissioner Bryan, supported by Commissioner Schutz, to adjourn the meeting at 8:23 p.m. **The motion carried 5-0-4.**

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*William Bryan, Secretary*

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*Wendy Ayala, Recording Secretary*