

**City of Brighton
Planning Commission
Meeting Minutes
December 17, 2018**

1. Call to Order/Roll Call

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

The following Commissioners were present:

Susan Gardner	Matt Smith
Ken Schmenk	Robert Pawlowski
James Bohn	Steve Monet
William Bryan	Michael Schutz
David Petrak	

Also present was Nate Geinzer, City Manager; Michael Caruso, Community Development Manager; Kari Jozwik, Tetra Tech; Scott Barb, Livingston County Planning; Rod Arroyo, Giffels Webster, and an audience of 27.

2. Approval of the November 19, 2018 Meeting Minutes

Moved by Commissioner Bohn, supported by Commissioner Pawlowski, to approve the November 19, 2018 minutes as presented. **The motion carried 9-0-0.**

3. Approval of the December 17, 2018 Agenda

Moved by Commissioner Gardner, supported by Commissioner Monet to approve the agenda as presented. **The motion carried 9-0-0.**

4. Call to the Public

The call to the public was made at 7:02 p.m.

John Johnson, 7909 Magnolia, stated he has lived here for forty years. He thanked the Commission for allowing the public to speak but stated that having to speak before the Lindbom presentation was given makes it impossible to respond to any concerns. He stated the developer had stated the ends of the building would be 27 feet, but that the plans showed 55 feet plus a

cupola. He stated he would be looking at a 70-foot building from his patio. Mr. Johnson discussed the influence of groundwater flow into the surrounding lakes and the possibility of contamination. He stated the Livingston County Drain Commission has not been contacted about this development. He also stated that surrounding townships have board packets available to the public on their website but the City does not. Mr. Johnson also asked that the Commission take the new Master Plan into consideration and hold true to it. He asked that the site be developed as directed by the new Master Plan and that this project be denied.

Elaine Jankiewicz, 920 State Street, stated that traffic was bad in her neighborhood and that she did not know how more traffic could be sustained. She stated she does not think this project should be built and that she would prefer if homes were developed there instead.

Mike Anderson, 7918 Woodberry, stated he pays taxes on an acre of land directly north of Lindbom School. He stated the proposed development does not fit the area. He also stated the property has sat vacant and has overgrown weeds. He stated the City has not done any code enforcement. Mr. Anderson stated the development is way too big and that people around Worden Lake were concerned about the groundwater. He stated three stories in the middle of a neighborhood was ridiculous and that a single-story development similar to the assisted living on Rickett Road would be fine for the site. He stated he does not believe the infrastructure is in place for this development and asked if the taxpayers will pay for the street improvements for this development.

Donna Kennedy, 304 N. Fifth St, stated she can see Lindbom from her front window. She stated many residents did not know about this meeting because they were not notified. She stated she was worried about the plume and the height of the proposed buildings. Ms. Kennedy stated her neighbor who was in Florida stated at the last meeting that he did not want to look out at a three-story building from his back window. She stated she was concerned about the impact to the sewer system, the traffic and noise that would come with the development, and about her home losing value. She asked what would happen in five to ten years if the facility cannot maintain itself and stated she would prefer that homes be built instead.

Jeff Stone, 422 N. Fifth, discussed the apartment complex that was approved on Second Street. He also discussed the proposed development on the Lindbom site and stated the neighborhood did not have the infrastructure for a building of that size. Mr. Stone discussed a 400-unit retirement community being developed in Brighton Township as well as the assisted living facility on Rickett Road. He stated most of these facilities are at eighty percent capacity. He stated the site was better off having residential homes on it. He also stated he has not found any information on Mr. Battaglia's other assisted living developments online.

Jim Noeker, 7901 Magnolia, discussed the economic impact on the property values of the

neighborhood surrounding Lindbom. He stated he spoke with many senior living and memory care facilities in the area and discussed the numbers of existing units and projected unoccupied units. He also discussed the impact to the existing infrastructure and stated the development has to follow the master plan.

Sheryl Krueger, 915 State, stated she is in the direct line of site of Lindbom. She stated the existing building may have asbestos and removal would have a huge expense. She stated she was very worried about the plume. She discussed her property values and stated she may lose about \$17,400 based on a ten percent decrease. She suggested building a park on the site instead of looking at revenue.

Mary Cullen Bryan, 1024 State, stated she has lived there 37 years. She stated something would eventually have to be built on the Lindbom site. She stated she was in favor of the development and that the plume has been there since the eighties. She stated she would like to see something happen with the site and that senior housing would be less intrusive.

Debbie Wodolan, 7917 Magnolia, stated she lives next to Lindbom. She stated she spoke with the Department of Environmental Quality (DEQ) and was told anything that was built on that site would have to be on a slab. She discussed the potential disruption to air and water flow and asked if digging will change the direction of the plume. She asked the Commission to consider the health and welfare of the residents. She also stated the developer has not contacted her regarding the proposed development.

Sandra Verhelle, 7916 Magnolia, stated she was concerned about the plume and proposed size of the development and that it needed to be scaled down and self-contained. She also discussed her concern about the proposed landscape buffer. She stated her sons went to Lindbom and that the neighborhood was great. She stated she would like to see it continue to be a good neighborhood.

Susan Backhaus, 907 Brighton Lake, stated the residents of the neighborhood who have lived there several years are the stability of the city. Ms. Backhaus discussed other developments in the city and stated that would add 600 more cars to downtown. She stated most of the city's population was retired and asked who would fill the jobs for this facility. She asked the Commission not to make her neighbors lose home values or have to move. She stated there was more than enough development coming in.

Pete Wood, 202 S. Seventh, stated he has lived in his home since 2011. He stated he was concerned about the plume underneath Lindbom and bought his house not knowing it was there. He stated he was a plumbing contractor and was familiar with the conditions for working with groundwater. He stated he would like to see the site developed due to the ongoing vandalism.

He also stated he met with the developer and was here to get educated. He stated he believes any development will help property values.

Jeremy Gibbs, 341 Eager, stated he has been friends with the developer for three years. He discussed his father-in-law who has dementia and is unable to get on a waiting list at any facility. He stated the proposed development would be ideal due to its proximity.

Kate Bryan, 1024 State, stated she attended Lindbom School and supports the development. She stated this was a great opportunity for jobs. She stated the proposed development would add to the sense of community in that neighborhood. She discussed concerns about the school building being vacant and stated she thinks this development would be great for the community.

The call to the public was closed at 7:56 p.m.

Old Business

5. Site Plan #18-10—1010 State Street—Brighton Village at Mill Pond (tabled from 9/17/18)

Moved by Commissioner Bohn, supported by Commissioner Bryan, to untable Site Plan #18-10—1010 State Street—Brighton Village at Mill Pond. **The motion carried 9-0-0.**

Mr. Caruso gave a brief summary of the proposed development. He stated the developer had been granted preliminary PUD approval in 2015 but never submitted for final site plan approval. He stated the Planning Commission tabled the discussion in September stating documentation was needed to determine if the six criteria for granting of a PUD had been met. Mr. Caruso explained the PUD process stating the applicant would have six months to submit a final site plan if the preliminary PUD was approved.

Mr. Battaglia and his team gave a presentation of the proposed site plan. Steve Williamson presented a market analysis of assisted living developments in the region.

Mr. Battaglia discussed the traffic and impact to the existing infrastructure. He stated there will be less traffic generated than when the school was in operation. He stated they will enhance water service by looping the system. Mr. Battaglia discussed the stormwater detention on the site.

Mike Gayton, Applied Environmental, stated he was hired for the development and discussed the existing plume and proper plume management.

Mr. Battaglia discussed the letter from Giffels-Webster. He stated the facility would provide the

transportation for the residents. Mr. Battaglia discussed the financing for the project and the economic benefit to the community.

Mr. Williamson discussed the available jobs that the development would create.

Christopher Bowman, discussed the occupancy rates and future demand for assisted living facilities.

Commissioner Gardner stated it would be beneficial for the Commission to structure questions based on the conditions of the PUD.

Commissioner Monet stated the proposed development was too dense, but that the developer had provided sophisticated information. He stated there was a lot of information he still needed to review.

Commissioner Bohn stated it seemed that the six requirements for the PUD were met based on the comments in the review letter from Mr. Barb.

Commissioner Pawlowski discussed his background in environmental science and stated he was satisfied that the conditions of the PUD were met. He asked if the development will include basements.

Mr. Battaglia stated the building would be above grade. He discussed the mitigation system that will be in the building.

Commissioner Pawlowski asked for clarification on the building height.

Mr. Battaglia stated the height of the three-story building was 35 feet, in addition to a 4-foot cupola. He stated Marsh will be contracted for the project.

Commissioner Bryan stated this was a good project after eight years of having a vacant building.

Commissioner Schutz asked what the time frame was to complete all three phases of the project.

Mr. Battaglia stated they anticipate being able to start construction of Phase 1 in February or March with completion in late 2019. He stated they would like to combine Phases 1 and 2, and once occupied, they would begin Phase 3. He stated completion of Phase 3 would occur in 2021 at the latest.

Commissioner Schmenk stated he feels satisfied that the six elements for a PUD have been met.

He also stated that a police officer who patrols the site commented he hopes the city does something with the property. Commissioner Schmenk also stated the proposed development would bring jobs and discussed comments received from residents who could not attend the meeting.

Commissioner Gardner stated the development was too dense and that the buildings were too large. She stated there was too much hardscape and not enough green. She also stated the development was not in harmony with the surrounding neighborhood and that she does not support the design as presented.

Chairman Smith discussed the flexibility allowed with the design. He asked for traffic consideration to be part of the PUD negotiation process. He stated he was also concerned about the size of the project.

Mr. Battaglia addressed some of the comments and stated the campus will house approximately 210 residents. He discussed the flexibility of the development to be turned into condominiums in the future.

Moved by Commissioner Pawlowski, supported by Commissioner Bryan, to approve the Preliminary PUD of Site Plan #18-10—1010 State Street—Brighton Village at Mill Pond with the condition that a complete landscape plan be reviewed prior to final PUD approval pursuant to section 98-3.22 Section A (3). **The motion carried 6-0-3.**

Commissioner Monet stated he does not think the proposed development is compatible and does not meet items 4 and 6 of the PUD criteria. He stated he had concerns with the density of the project and would be voting no.

Commissioner Petrak stated he would be voting no for the same reasons as Commissioner Monet.

Commissioner Bryan asked if the number of living units could be reduced.

The developer stated there may be some flexibility with scaling back.

Chairman Smith stated he understands the financial viability of the project but hopes the development will be scaled back.

Mr. Caruso stated the final site plan will have to come back to the Planning Commission within six months after negotiations between City staff and the developer.

New Business

6. Approval of 2019 Meeting Calendar

Mr. Caruso stated the Planning Commission had approved having two meetings a month, which gives developers flexibility to meet submittal deadlines. He stated the meetings could be canceled if there are no agenda items.

Commissioner Petrak asked if there could be a primary meeting and secondary meeting each month.

Moved by Commissioner Bryan, supported by Commissioner Petrak, to approve the 2019 meeting calendar. **The motion carried 9-0-0.**

Other Business

7. Staff Updates

Chairman Smith welcomed Commissioner Schmenk to his first meeting.

Commissioner Schmenk introduced himself to the Board. He stated he has been a Brighton resident for six years and has a background in information technology.

Mr. Caruso stated having two meetings a month would allow flexibility with several ordinance amendment discussions.

8. Commissioners Report

None

9. Call to the Public

The Call to the Public was made at 9:35 p.m.

John Johnson, 7909 Magnolia, stated the agenda for the meeting was not posted Friday morning and that he called City Hall to have it posted that day. He asked if there was a notice published in the paper fifteen days prior.

The call to the public closed at 9:37 p.m.

Mr. Caruso stated this meeting was a regular published meeting and that the motion by the Planning Commission was to table the discussion to the December meeting. He stated it was not a public hearing, but a tabled item which had a public hearing in September.

10. Adjournment

Moved by Commissioner Petrak, supported by Commissioner Bohn, to adjourn the meeting at 9:38 p.m. **The motion carried 9-0-0.**

William Bryan, Secretary

Wendy Ayala, Recording Secretary