

**City of Brighton
Planning Commission
Meeting Minutes
June 18, 2018**

1. Call to Order/Roll Call

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

The following Commissioners were present:

| | |
|----------------|--------------------------------------|
| Matt Smith | Susan Gardner |
| David Petrak | Robert Pawlowski (arrived 7:06 p.m.) |
| James Bohn | William Bryan (arrived 7:15 p.m.) |
| Michael Schutz | Steve Monet (left 8:01 p.m.) |

Motion by Commissioner Monet, supported by Commissioner Gardner, to excuse Commissioners Bryan, Pawlowski, and McLane from tonight's meeting. **The motion carried 6-0-3.**

Also present was Nate Geinzer, City Manager; Michael Caruso, Senior Community Development Associate; Kari Jozwik, Tetra Tech; Paul Burns, City Attorney, and an audience of 26.

2. Approval of the May 21, 2018 Meeting Minutes

Moved by Commissioner Monet, supported by Commissioner Petrak, to approve the May 21, 2018 minutes as presented. **The motion carried 6-0-3.**

3. Approval of the June 18, 2018 Agenda

Moved by Commissioner Petrak, supported by Commissioner Gardner to approve the agenda as presented. **The motion carried 6-0-3.**

4. Call to the Public

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

Public Hearing

5. Public Hearing and Possible Action on Text Amendments to Chapter 98 of the City's Code of Ordinances

Mr. Caruso stated the Planning Commission had reviewed a draft of the proposed zoning district back in April and changes had been made based on their feedback. He stated Giffels-Webster would be presenting the final draft.

Rod Arroyo, Giffels-Webster, gave a brief presentation of the final draft. He stated the purpose of the R-5 zoning district was to implement the city's Master Plan, which planned this area for higher density residential uses. He discussed the proposed permitted uses and development standards for the proposed Uptown North and Uptown South districts.

Chairman Smith opened the Public Hearing at 7:17 P.M.

Al Wirth, 230 N. First, stated single family homes had been grandfathered in with this proposed ordinance. He stated all other residential districts allowed single family homes by right. He stated that the ordinance should include provisions for when a home is damaged and must be rebuilt. Mr. Wirth also stated the ordinance was creating a burden for homeowners by forcing them to obtain Planning Commission approval for any alterations to their existing homes and asked that single family residences be considered in this district.

Susan McCrary, 504 N. Second, asked if homeowners would have to go to the Planning Commission if they wanted to do any additions to their homes.

Susan Backhaus, 907 Brighton Lake Rd., asked who made decisions on what is going where and stated the proposed ordinance would be forcing residents out of their homes.

Peggy Ramsey, 310 N. Third, asked if the change will impact the tax values of existing homeowners. She also asked if there were any shareable plans for proposed future development in that area.

Tom Jaworski, 314 N. Second, asked if the ordinance would include a provision that would allow a property owner to rebuild an existing house in case of a fire or if the property would have to comply with the new zoning requirements.

Lou Ann Rosekrans, 624 Whitney, stated she bought her home 13 years ago and has invested \$35,000 into her home. She stated many of her neighbors have also done massive improvements on their homes and she was concerned that residents will be negatively affected by major multifamily development in this area. She also stated the neighborhood would lose its charm and

will not draw people downtown.

Barbara McClellan, 515 Second, stated she lives in an older home which she has spent a lot of money and effort on. She stated her house was located in the proposed "Uptown South" zoning district and asked what that meant. She stated she moved there for the walkable downtown but was not in favor of having four story buildings in that neighborhood.

The Public Hearing was closed at 7:27 p.m.

Chairman Smith stated the only proposed development brought before the Commission was for the property north of the senior apartments on Second Street. He stated it was only conceptual and nothing official had been approved. Mr. Smith also stated decisions regarding the ordinance were based on the Master Plan and was a collective vision of staff, consultants, and the Commission.

Mr. Caruso stated additions to single family homes do not have to go in front of the Planning Commission but must follow required setbacks and other provisions. He stated rebuilding a home that was damaged more than 50 percent would have to go to the Zoning Board of Appeals (ZBA) for approval.

Attorney Burns stated a nonconforming use would require ZBA approval but a permitted use could be rebuilt in all districts. He stated if single family homes were a permitted use in the R-5 district, they would not have to go to ZBA.

Mr. Arroyo informed the Board that the existing R-4 district would also require a property owner to get ZBA approval to rebuild a home that has been damaged due to not meeting the R-4 setback requirements.

Mr. Caruso stated the reason why the properties along Second Street that are in front of Whitney Street were included in Uptown South is that the lot sizes are larger and wider and would be conducive to the proposed building types for that district.

Chairman Smith stated the proposed ordinance changes would not change a properties taxable value, but may increase its assessed value.

Commissioner Monet stated single family should be a permitted use in Uptown South, but was comfortable with keeping single family a nonconforming use in Uptown North.

Mr. Arroyo stated the ordinance language could be changed to allow detached single-family and two-family residential under principal permitted uses for Uptown South. He also discussed the

new ordinance including language that would allow existing homes to go by R-1 setback requirements for minor additions.

Moved by Commissioner Petrak, supported by Commissioner Bohn, to recommend approval of Text Amendments to Chapter 98 of the City’s Code of Ordinances with the discussed changes to principal permitted uses, “In Uptown North, detached single-family and two-family residential constructed prior to June 1, 2018. In Uptown South, detached single-family and two-family residential.” **The motion carried 8-0-1.**

6. Public Hearing and Possible Action on Map Amendments regarding Rezoning #18-02—R-5 Uptown North Multiple-Family and R-5 Uptown South Multiple-Family

Chairman Smith opened the Public Hearing at 8:02 p.m.

Susan Backhaus, 907 Brighton Lake Rd., discussed the property north of Mill Pond Apartments and stated why it had not been developed.

Mike Magee, 621 Whitney, stated the map he had received showed a discrepancy as to which properties were being proposed to be rezoned to R-5. He also stated the homes on Whitney Street would be boxed in by the R-5 and surrounding industrial zoning. He stated he has lived in his home for 22 years and does not want to live next to industrial and three-story buildings.

Tom Jaworski, 314 N. Second, asked if Giffels Webster was hired by the City or if this was being brought forward by an independent developer.

Chairman Smith stated Giffels Webster was hired by the City as a consultant for the Master Plan.

Lou Ann Rosekrans, 624 Whitney, stated she had discussions with neighbors and believes they will not want to invest in their homes if this area is rezoned. She stated the neighborhood will lose its charm and could drive people away.

Debra Teagan, 602 Walnut, stated her home is currently zoned R-1 and is being rezoned to R-5. She stated she has lived in her house for 37 years and asked if she would be restricted from re-building her home with this new zoning.

Chairman Smith stated her property would be zoned Uptown South, which would allow for single family homes to be rebuilt.

Rene Pettengill, 225 N. Third, asked if a new single-family home was allowed to be built on Ms. Teagan’s lot if it were sold.

Chairman Smith stated it would be allowed with the ordinance changes that were approved.

The Public Hearing was closed at 8:09 p.m.

Commissioner Gardner discussed her experience living in a high density area and why she was in favor of it.

Commissioner Bryan discussed the rising demand for high density residential close to downtown and stated Second Street has been in transition for a long time. He discussed how the Commission arrived at their decision to rezone this area.

Moved by Commissioner Pawlowski, supported by Commissioner Gardner, to approve the Map Amendments regarding Rezoning #18-02—R-5 Uptown North Multiple-Family and R-5 Uptown South Multiple-Family, with the language that was approved in the text amendments. **The motion carried 7-0-2.**

Old Business

7. None

New Business

8. Site Plan #18-07—142 Brighton Lake Rd.—Warm Hearted Home

Mr. Caruso stated the Commission had approved a Special Land Use permit for this property to be converted from a single family home to low impact commercial office use. He also stated the applicant had received ZBA approval for variances that would allow an accessory structure in the side yard, parking in the front yard, and a reduction from the required amount of parking spaces.

Daniel Oginsky, 142 Brighton Lake Rd., gave a brief overview of what he wanted to do with the existing building and stated the proposal was consistent with the City's Master Plan.

Commissioner Bohn asked if the issues in Tetra Tech's letter were addressed.

Ms. Jozwik stated the applicant had addressed some of them, but she would recommend the Commission add the remaining items as conditions to site plan approval.

Moved by Commissioner Gardner, supported by Commissioner Bryan, to approve Site Plan #18-07—142 Brighton Lake Rd.—Warm Hearted Home with the conditions of the Tetra Tech engineers. **The motion carried 7-0-2.**

Mr. Caruso stated the Special Land Use and Site Plan Review for this property is scheduled for the June 21st City Council meeting.

9. Site Plan #18-08—8724 W. Grand River—Single Barrel Social

Mr. Caruso gave a brief summary of the proposed development.

Roman Bonislowski, presented the site plan and renderings of the building exterior. He stated they would have to provide an 8” water main to the site and are looking at ways to do that. He stated there are various easements they will need in order to address some of the concerns by the engineers and fire department.

Ms. Jozwic stated the best option to connect the water main would be by obtaining an easement. She stated the items from Tetra Tech’s letter would be reviewed during the construction review phase.

Moved by Commissioner Petrak, supported by Commissioner Schutz, to approve Site Plan #18-08—8724 W. Grand River—Single Barrel Social contingent upon all issues from Tetra Tech’s letter dated June 12, 2018 being resolved. **The motion carried 7-0-2.**

Other Business

10. Staff Updates

Mr. Caruso stated there would be an open house regarding the proposed millage on June 27 at 6 p.m. at City Hall. He also stated Cheresko Development would be receiving a construction loan approval tomorrow. Mr. Caruso announced he had been promoted to Community Development Manager. He also discussed the bandshell construction and stated it was two weeks behind schedule and was set to be completed in mid to late August. He also announced the Challis Road construction was one month ahead of schedule.

11. Commissioners Report

None

12. Call to the Public

The Call to the Public was made at 9:02 p.m. with no response.

13. Adjournment

Moved by Commissioner Petrak, supported by Commissioner Schutz, to adjourn the meeting at 9:03 p.m. **The motion carried 7-0-2.**

William Bryan, Secretary

Wendy Ayala, Recording Secretary