

**City of Brighton
Planning Commission
Meeting Minutes
August 19, 2019**

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	Rob Pawlowski
James Bohn	Dave Petrak
Ken Schmenk	Matt Smith
Bill Bryan	

Moved by Commissioner Bryan, supported by Commissioner Pawlowski, to excuse Commissioners Monet and Schutz. **The motion carried 7-0.**

Also present was Michael Caruso, Community Development Manager; Kelly Haataja, Executive Assistant to Community Development; Jill Bahm, Giffels Webster, and an audience of 6.

2. Approval of the May 20, 2019 Meeting Minutes

Moved by Commissioner Bohn, supported by Commissioner Gardner, to approve the May 20, 2019 minutes as presented. **The motion carried 5-0, with Commissioner Petrak and Bryan Abstaining.**

3. Approval of the August 19, 2019 Agenda

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

4. Call to the Public

Chairman Smith opened the call to the public at 7:02 p.m.

Bob Pettengill, 608 W. Main, stated his concern regarding the possible rezoning of parcels from R1 to RT, as the Master Plan shows these parcels as R1. He asked what does rezoning to RT accomplish, and what would it allow the property owners to do with their parcels. He stated the

RT district has two permitted uses, and asked if this would give the City flexibility to allow the special land uses as listed, and what would be the unattended consequences. He asked why the parcels couldn't remain as "grandfathered."

Jeff Stone, 422 N. Fifth St. stated his concern regarding the Planning Commission agenda listed on the City's website regarding parcel rezoning, stating that it's not descriptive enough and should be more specific. He asked what type of work is allowed with the permit issued to the Lindbom School property, and when will the Planning Commission be reviewing the final plans for the site.

Chairman Smith responded stating there is no parcel rezoning to occur at this meeting, it is listed on the agenda as a discussion of the zoning ordinance.

Commissioner Bohn stated the developer must submit a final site plan within the ninety-day period, as directed by the Commission, or the preliminary site plan approval will expire. He asked staff to clarify.

Mr. Caruso responded stating Commissioner Bohn's statement is correct.

Chairman Smith closed the call to the public at 7:10 p.m.

Old Business

5. None

New Business

6. DBD Ordinance Revision Update – Draft Review

Mr. Caruso briefly commented on the project and the draft document that would be reviewed this evening.

Jill Bahm, Giffels Webster, gave an overview of the project. She stated what the intent is and how it would make the Downtown more aligned with the goals of the Master Plan, and then reviewed the goals and objectives of the Downtown Plan section. She described some of the changes needed to the current DBD ordinance stating the updating of maximum height of buildings; incorporate some frontage and building-type regulations; façade standards; ground floor transparency standards; and ground floor and upper floor uses.

Ms. Bahm gave a powerpoint presentation of the DBD ordinance amendment draft, reviewing the primary/secondary street categories, development standards, parking, building types, and

additional standards. She stated the next steps in the process is Planning Commission review and discussion, making changes as needed, a public hearing held by the Commission, and a recommendation to City Council. A public hearing would occur at City Council before final action.

Commissioner Petrak stated his opposition to four-five story structures in the downtown, and transforming the City into a community such as Royal Oak or Ann Arbor. He commented on the parking calculation of one and a half spaces per residential unit being low.

Commissioner Bryan agreed with Commissioner Petrak's comments on the parking calculation.

Commissioner Pawlowski commented he liked the amendment as presented in regards to building heights and placements, and believes it retains the character of Main Street and a small town atmosphere in the core downtown. He also commented on the parking calculation correlating to the smaller sized residential units that are in demand.

Commissioner Gardner commented on a conceptual plan presented to the Commission six months prior, which was an apartment structure consisting of mostly units that were at the minimum square footage allowed, and where the parking calculation of one and a half per unit would work. She asked Ms. Bahm what language comparable cities are adopting.

Ms. Bahm responded saying the language presented to the Commission tonight is consistent with what is being considering by other communities, and many have already adopted.

Commissioner Bohn commented on the height of structures allowed being four-five stories along North Street west to Hyne, and he believes five stories in that portion of the downtown would be overextending. He stated he could imagine five stories at the lowest portion of downtown near West St. and North Street as being possible.

Chairman Smith commented on the parking calculation and asked how much parking was approved with the Brighton Square site plan.

Mr. Caruso stated two parking spaces per unit and visitor parking was approved.

Ms. Bahm stated they would research other potential options regarding parking calculations, and look at more comparable communities, and how parking is calculated.

The Commission agreed instead of scheduling a public hearing they would like Giffels Webster and City staff to revise the draft based on comments received, and schedule a review of a final draft at the next meeting.

7. Discussion of Zoning Ordinance

A. Language amendments to permitted uses in the C3, and OS districts.

Mr. Caruso presented the discussion topics and gave a background for the reason staff feels some revisions to these sections are needed. He stated the only permitted uses currently in both the C3 and OS districts are single-family, residential and home occupations. He recommended the Commission review the special land use section in each district and discuss to allow more of them as uses by right.

Chairman Smith asked if any use other than the single-family would require a public hearing and a Special Land Use Permit.

Mr. Caruso stated they would require a public hearing and Special Land Use Permit per our zoning ordinance, and this was not the case with our previous zoning ordinance.

Ms. Bahm recommended leaving some items as special land use if the Commissioners were not comfortable allowing them as uses by right.

Commissioner Bohn recommended allowing all special land uses as a permitted use except for items six, eighteen and twenty in the C3 district. He recommended allowing all special land uses as a permitted use except for items three, five seven, eight and eleven in the OS district.

Chairman Smith recommended adding items eleven and twelve to Commissioner Bohn's recommendation for the C3 district.

Mr. Caruso presented a brief overview of the C2 and C4 districts and the uses allowed in each. He recommended combining the permitted uses and special land uses into the C2 language, as determined by the Commission, and eliminating the C4 district.

Chairman Smith asked where the C4 district is located.

Mr. Caruso stated it was the east side of Grand River, between Cross St. and Best Buy Drive, and borders the west side of the Brighton Cove Apartments.

Commissioner Bryan commented he does not see the difference between the two when driving on Grand River, and agrees with the recommendation.

Commissioner Petrak stated to consider the residential property to the east when combining the land uses.

Commissioner Pawlowski commented he agreed with the recommendation.

Commissioner Gardner commented she believes this would assist in coping with the changing demands of businesses, and potential business opportunities that may not exist yet.

Chairman Smith gave a directive for staff and consultants to create draft language for the C2, C3, and OS districts, and present it at a future meeting upon completion.

The Commission discussed the RT zoning district and the possibility of changing the language regarding special land use and permitted use by right. The Commission determined they would not be in agreement regarding a possible amendment to the uses within this district.

B. Parcel Rezoning

Mr. Caruso presented the topic and gave a brief overview of three parcels located on Main Street. Two are zoned R1 and have legal, non-conforming uses, which are funeral homes, and the other parcel zoned C2, at the corner of East St. and Main St. Staff is recommending rezoning these properties to the RT-Residential Transitional district in effort to bring the uses into conformance with the zoning ordinance.

Chairman Smith asked if rezoning the parcels would make the businesses conforming uses.

Mr. Caruso stated they would conform as a special land use status.

Commissioner Gardner asked if rezoned, would the only permitted uses for the properties be a funeral home or single-family residential.

Mr. Caruso stated those would be the only allowed uses. Any other use could only be allowed by a Special Land Use Permit, which the Commission would have to approve.

Mr. Caruso stated this would require a public hearing and Planning Commission action, recommending rezoning of the parcels and the Zoning Map. He will include this in the draft along

with the other potential ordinance amendments discussed, and would bring it back to the Commission for review and scheduling of public hearings. He stated the DBD ordinance amendment would be concluded prior to the other potential zoning amendments.

8. Staff Reports

Mr. Caruso informed the Commission the regular meeting scheduled for September 9, 2019 has been cancelled.

Ms. Bahm informed the Commission she did a presentation at the Michigan Municipal Executives Conference held in Alpena that featured the City of Brighton and the Comprehensive Master Plan. She stated it was very well received and gained positive comments about all the implementation work the Planning Commission and City Council is doing.

Ms. Bahm also informed the Commission of the upcoming Michigan Association of Planning Conference held in Kalamazoo, September 25 thru September 27, and that she will be doing a session on housing and communities.

9. Commissioner Reports

Commissioner Pawlowski asked staff for an update to the Roadies project at 205 W. Main.

Mr. Caruso stated they have received a few updates recently and although it is slow, the work is continuing. He also informed the Commission there is a hold up in the final review of the fire suppression system, as the contractor is trying to submit creative ways to conform to the building code. He stated the County Building Department was advised to stay firm on the requirements.

Commissioner Bohn reported that Advance Craft Builders is clearing a parcel across from 1428 Brighton Lake Rd. and it appears to be for a new home build. He stated his concerns regarding the size of the parcel, and the fact that most of the property appears to be wetlands, and to make sure all zoning codes are in effect when reviewing the plans.

Mr. Caruso stated staff is aware of the property, and have discussed the concerns with the builder. Staff is awaiting a plan submittal before any other action is taken.

Commissioner Gardner commented on the Single Barrel Social site and how impressive the building looks. She stated she had a discussion at the site with the contractor and an August opening is still planned.

10. Call to the Public

Chairman Smith opened the call to the public at 8:35 p.m.

Susan Bakhaus stated many years ago a doggy daycare was requested for the Alpaca building and it was denied. She also stated in regards to the discussion about a child drop-off daycare, it would be impossible to accomplish due to costs and state laws. She also commented on the discussion made regarding Brighton being a walkable community, which she does not agree with.

Jeff Stone asked if his question from the first call to public could be answered regarding a cleaning permit issued to the Lindbom site.

Mr. Caruso stated the permit issued is a Light-Demo Permit, which allows for most removal work other than structural. Wiring, piping and ventilation can be removed with this permit, and the Code Enforcement Officer has been to the site to verify compliance.

Chairman Smith closed the Call to the Public at 8:38 p.m.

11. Adjournment

Moved by Commissioner Petrak, supported by Commissioner Bohn, to adjourn the meeting. **The motion carried 7-0.** Meeting was adjourned at 8:39 p.m.

Bill Bryan, Secretary

Kelly Haataja, Recording Secretary