

**City of Brighton  
Planning Commission  
Regular Meeting Minutes  
April 20, 2020**

The Board for the Planning Commission held a regular meeting on Monday, April 20, 2020 conducted virtually, pursuant to law and mandates of Executive Order 2020-21.

**1. Call to Order/Roll Call**

Chairman Smith called the meeting to order at 7:01 p.m.

**Commissioners Present:** Steve Monet, Jim Bohn, Matt Smith, Susan Gardner, Ken Schmenk, Bob Pawlowski and Mike Schutz

**Members Absent:** Dave Petrak and William Bryan

**Also present:** Michael Caruso, Community Development Manager; Kelly Haataja, Executive Assistant to Community Development; Kari Jozwik, Tetra Tech; Scott Barb, Livingston County Planning; Jill Bahm, Giffels Webster and an audience of seven.

**Moved** by Gardner, supported by Schutz to excuse Commissioners Petrak and Bryan for personal reasons. ***The motion carried unanimously with a roll call vote.***

**2. Consider Approval of Consent Agenda Items**

**Consent Agenda Items**

- a. **Approval of the February 24, 2020 Regular Meeting Minutes**
- b. **Approval of the March 9, 2020 Special Meeting Minutes**
- c. **Approval of the April 20, 2020 Agenda**

**Moved** by Bohn, supported by Pawlowski to approve the Consent Agenda Items. ***The motion carried unanimously with a roll call vote.***

**3. Call to the Public**

Chairperson Smith opened the Call to the Public at 7:08 p.m.

**Susan Bakhaus**, asked for people not using video to identify themselves while speaking.

Hearing and seeing no further comments, the Call to the Public was closed at 7:09 p.m.

## **Old Business**

### **4. None**

## **New Business**

### **5. Consider Approval of Site Plan # 20-05; Extension of Towne Place Suites Hotel, Site Plan #18-04**

Mr. Caruso stated the original site plan received City Council approval April 5, 2018. A one-year extension was granted by the Planning Commission in April of 2019. The applicant is requesting a second extension.

Commissioner Pawlowski asked the reason for another extension.

Mr. Andre, Stellar Development, explained they had other priorities that jumped ahead, and there was a bit of a down-turn, however they are still committed and licensed by Marriott to complete the project. The utilities were installed, most of the mass grading was done, and the retaining walls were completed in conjunction with the Holiday Inn Express.

Commissioner Bohn asked when shovels would be in the ground.

Mr. Andre stated he doesn't know given the current pandemic, however the construction plans are complete and they are ready to start pricing out materials.

Commissioner Schutz asked if they'll be looking for another extension a year from now.

Mr. Andre stated he hopes to be working on the project six months from now, although without knowing how long the State shut-down will be and where the trades will be after it's lifted he is unsure.

Ms. Jozwik mentioned the municipal utilities have been installed and inspected.

The commissioners discussed requiring a market study.

Commissioner Monet stated he has apprehensions about the need for this hotel, he doesn't want to see a vacant building, and asked at what point will they decide to not develop the site.

Mr. Andre spoke about the performance indicators of the Holiday Inn Suites, which leads them to believe this is still a viable project. He stated they own and operate their hotels and this would be a long term investment, same as their other hotels.

Commissioner Gardner suggested the applicant work closely with the development staff and provide progress reports to the Commission.

**Moved** by Pawlowski, supported by Bohn *to grant approval for Site Plan # 20-05, a one-year extension of Towne Place Suites Hotel, Site Plan # 18-04, with a condition of a written quarterly progress report be provided to the Planning Commission. The motion carried unanimously with a roll call vote.*

#### **6. Consider Approval of Site Plan # 20-06; Change of Use, 206 E. St. Paul Street. The Canopy Lounge**

Mr. Caruso stated the applicant is proposing an interior renovation to open a lounge-type establishment. There would only be minor improvements of new doors and windows to the exterior, no structural changes. He stated the property meets the parking requirements for this type of business. The applicant would be required to install a dumpster enclosure per City standards. The vacant space was formerly an auto parts store, which requires Planning Commissions approval for a change of use.

Commissioner Monet asked how many parking spaces are required.

Mr. Caruso stated there are fifty-two spaces and also off street parking which is ample for this type of use. He noted although a dumpster enclosure will take up a few spots, there would still be plenty of parking for both businesses.

Commissioner Gardner asked where the entrance will be located.

Mr. Caruso stated it will be on the same side as the Canopy Party Store.

Commissioner Schutz asked the anticipated capacity and what length of time a patron would spend at the establishment.

Mr. Caruso stated there will be a light menu and approximately twenty-five hundred square feet of floor space will be used.

Commissioner Pawlowski asked if there's plans for a smoking room.

Mr. Caruso stated it is a consideration, but would not happen immediately.

**Moved** by Monet, supported by Schutz *to approve change of use, Site Plan 20-06, 206 E. St. Paul Street, The Canopy Lounge. The motion carried unanimously with a roll call vote.*

#### **7. Consider Approval of Site Plan # 20-03; Amend the Approved Vista at Uptown Site Plan # 18-14**

Mr. John Woods, DTN Management Co., gave a presentation of the amended site plan and discussed the amendments. He stated the eight corner units have been softened and balconies were added to them. Two units in the middle of the building on the fourth floor were combined to

add a resident club room. The south courtyard is significantly larger. The parking deck is smaller and those spaces were converted to surface parking. The number of units increased to two hundred four (204). The unit design changed making the units larger. He spoke about the improvements to the parking and drop off areas and further described the resident amenity space added to the fourth floor. He described proposed signage and asked for feedback. He noted the building envelope has been reduced.

Commissioner Pawlowski asked if a traffic study has been done.

Mr. Woods responded that one has not been initiated.

Ms. Jozwik commented a traffic study was delayed during original approval due to Second Street being under construction at that time. She noted there was a commitment made to have a study done at some point after road construction.

Commissioner Pawlowski asked about the size requirements for the parking end caps.

Mr. Barb commented the parking end caps are required to be two hundred seventy-five square feet and include a shade tree. He noted based on the design of the building, the Planning Commission can choose to waive the requirement.

Commissioner Bohn asked if the proposed size of the smaller units is permissible.

Mr. Caruso stated efficiency size apartments in a multi-dwelling building located in the R-5 zoning district can be no less than four hundred (400) square feet.

Commissioner Schmenk asked what the difference is for parking due to the increase in units.

Mr. Woods responded the ratio went from 1.59 to 1.58 cars per unit. The parking spots went from three hundred seventeen (317) to three hundred twenty-two (322).

Commissioner Monet commented he doesn't have a clear picture of what the garage will look like and asked if a floor was eliminated. He asked if the colors on the drawings are the proposed building colors and what kind of materials will be used. He stated he would like to see what the decorative fence will look like.

Mr. Woods stated the parking garage was reduced by twenty (20) spaces, it is more narrow, yet it is still three (3) levels. The materials used on the garage facing Second Street will be consistent with the other buildings. He stated the colors will be softer and more appealing than depicted in the renderings. He stated they typically use aluminum or powder coated steel for fencing.

Commissioner Monet commented he is apprehensive making a decision without seeing the materials and colors.

Mr. Barb commented the façade composition requirements were reviewed for compliance of ordinance standards which have been met.

Commissioner Gardner asked about access to the Mill Pond and Grand River from the north end of the development.

Mr. Woods responded there may be opportunities in the future to create a pathway.

Chairperson Smith asked for further discussion on signage.

Mr. Caruso noted the City ordinance does not address this type of building.

Commissioners Bohn and Gardner commented they would like see a soft appearance.

Commissioner Schmenk asked if the sign would be in line of sight to the surrounding single family homes.

Mr. Woods responded a sign is proposed to be on the northeast side of the building facing Grand River which shouldn't impact residents. An additional sign located on the leasing center, could impact duplexes on Second Street. He noted softer lighting would be used.

**Moved** by Gardner, supported by *Schmenk to approve Site Plan # 20-03, Amended Site Plan # 18-14, Vista at Uptown, contingent upon resolution of Brighton Area Fire Department, Tetra Tech and Livingston County Planning comments, completion of a traffic study and material samples provided prior to issuing permits. **The motion carried 6-1 with a roll call vote.** Bohn-**Yes**, Schutz-**Yes**, Schmenk-**Yes**, Smith-**Yes**, Monet-**No**, Gardner-**Yes**, Pawlowski-**Yes**.*

## **8. Zoning Ordinance Amendment Review. Transportation (Transit) Facilities**

Mr. Caruso spoke about a transit service established by Michigan Flyer Bus Co. in the Meijer parking lot. Approvals were not applied for, the service started without the City being notified, and it is not a permitted use for the district. Staff held a meeting with representatives of Michigan Flyer, Livingston County L.E.T.S., Indian Trails, the City Manager and City Attorney. City Council gave direction to resolve the issue in a manner that would allow them to apply for permission. The City attorney has recommended language updates to the ordinance as the first step to resolving the violation issue and staff collaborated with Giffels Webster to create amendments.

Jill Bahm, Giffels Webster spoke about the amendments proposed, noting there are no uses identified as "conditional uses" within the ordinance. She spoke about the City's Comprehensive Plan, the Zoning Ordinance and the evolving transit in the region. She next spoke about defining the uses and district locations for transportation facilities and standards for them.

Commissioner Pawlowski described the process of the service and stated he had a pleasant experience using it this winter. He believes it would be a beneficial service for the community.

Commissioner Bohn asked how much parking would be allowed.

Ms. Bahm stated the proposed ordinance has thirty (30) spaces per transit stop, with ability for the Planning Commission to make a waiver.

The commission discussed the proposed ordinance language, regional public transit stops and facilities, traffic, parking, standards and resolve to the current ordinance violation.

The commission directed staff to arrange for a public hearing with a revised draft ordinance.

### **Other Business**

#### **8. Staff Updates**

Mr. Caruso commented it is not uncommon for the Planning Commission to approve construction materials.

#### **9. Commissioner Report**

None

#### **10. Call to the Public**

Chairperson Smith opened the Call to the Public at 9:59 p.m.

**Susan Bakhaus** commented on Commissioner Monet's comments during the meeting, the proposed signage at the DTN development and handicap parking at transit stops.

Hearing and seeing no further comments, Chairperson Smith closed the Call to the Public at 10:02 p.m.

**Moved** by Bohn, supported by Gardner *to adjourn the meeting. The motion carried unanimously with a roll call vote. The meeting was adjourned at 10:03 p.m.*

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**Matthew Smith, Chairperson**

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**Kelly Haataja, Recording Secretary**