

**City of Brighton
Planning Commission
Meeting Minutes
June 15, 2015**

1. Call to Order/Roll Call

Chairperson Monet called the meeting to order at 7:30 p.m.

The following were present:

Jim Bohn	Matt Smith
William Bryan	Robert Pawlowski
Steve Monet	Susan Gardner
Dave Petrak	

Motion by Mr. Pawlowski, supported by Mr. Bryan, to excuse Commission Members Schutz and McLane from tonight's meeting. **The motion carried 7-0-2.**

Also present was Amy Cyphert, Matt Modrack and Lauri French from Staff, Brad Maynes from the City Attorney's office and an audience of 4.

2. Approval of the May 18, 2015 Regular Meeting Minutes

Motion by Mr. Petrak, supported by Mr. Pawlowski, to approve the May 18, 2015 regular meeting minutes as presented. **The motion carried 7-0-2.**

3. Approval of the June 15, 2015 Agenda

As discussed in Blue Sky, it was suggested to move items 10, 11 and 12 after item 7.

Motion by Mr. Smith, supported by Mr. Pawlowski, to approve the agenda as amended. **The motion carried 7-0-2.**

4. Call to the Public

The call to the public was made at 7:32 p.m. Keith Karp from Oh My Lolli, 421 Mill Pond Lane, stated that parking has been a concern for the six years that he has been in business. He is in support of approval for the transitional parking lots and said they are needed in order to free up spaces for customers. It is also a safety issue since Sagano employees frequently park in the loading zone on Mill Pond Lane, causing safety issues for children with the truck ramps and vehicles not being able to see pedestrians due to the trucks parked. Hearing no further responses, call to the public was closed at 7:35 p.m.

Public Hearings

5. Conduct a Public Hearing and Possible Action on a Special Use Permit request for a Transitional Parking Lot at 121 W. North Street #15-012

Chairperson Monet closed the regular meeting at 7:36 p.m. and opened the public hearing. Matt Modrack, DDA Executive Director, spoke in support of the special use permits for the three transitional lots and noted that the DDA has been working on parking issues for the past several years and have built an additional 250 spaces, which has not kept up with demand. The three transitional parking lots allow the City and DDA to meet the demand without the cost of full improvements (i.e., curb and gutter, pavement, lighting, etc.). Pam McConeghy, Greater Brighton Area Chamber of Commerce CEO, spoke in support of the special use permits for the three transitional lots on behalf of downtown businesses. She noted that this is a customer service issue – we don't want customers to have to walk long distances, sometimes from neighborhoods from where they had to park, to get to their destinations. She noted that the transitional lots are absolutely required.

Mr. Modrack read an email from City Manager Dana Foster into the record in support of the special land use permits for the three transitional lots.

Chairperson Monet closed the public hearing and reopened the regular meeting at 7:45 p.m.

Motion by Ms. Gardner, supported by Mr. Pawlowski, to approve the special land use request based on the finding of facts as presented by the applicant and attached to these minutes. **The motion carried 7-0-2.**

6. Conduct a Public Hearing and Possible Action on a Special Use Permit for a Transitional Parking Lot at 212 E. Grand River #15-013

Chairperson Monet closed the regular meeting at 7:46 p.m. and opened the public hearing. Matt Modrack, DDA Executive Director, spoke in support of this transitional lot and noted that the DDA spent a year negotiating the property sale with the owners. He also noted that there is another DDA leased lot for public parking located in front of the Chamber building, which they lease to the DDA at no cost. Ms. McConeghy spoke in support of the transitional lot and noted that her above statement applies to all three lots. Chairperson Monet closed the public hearing and reopened the regular meeting at 7:50 p.m.

Motion by Mr. Bohn, supported by Mr. Bryan, to approve the special land use request based on the finding of facts as presented by the applicant and attached to these minutes. **The motion carried 7-0-2.**

7. Conduct a Public Hearing and Possible Action on a Special Use Permit for a Transitional Parking Lot at 131 Hyne Street #15-014

Chairperson Monet closed the regular meeting at 7:51 p.m. and opened the public hearing. Ms. McConeghy spoke in support of the transitional lot and noted that her opening statement applies to all three lots. Matt Modrack, DDA Executive Director, spoke in support of the transitional lot and noted that the owner authorized the DDA to come before the Planning Commission tonight. He stated that there will be additional work done to this lot, including removal of trees and adding gravel. He has talked to the Brighton Garden Club regarding 2 memorial trees in the former Chamber garden area, but the Garden Club agreed they are not in good enough shape to keep and can be removed (but they want the tags saved). Mr. Modrack also noted that the owner has given the DDA permission to improve the site and to tear down the existing garage, if necessary.

Motion by Mr. Petrak, supported by Ms. Gardner, to approve the special land use request based on the finding of facts as presented by the applicant and attached to these minutes. **The motion carried 7-0-2.**

New Business

10. Site Plan – 121 W. North Street Transitional Parking Lot #15-012

Mr. Piet Lindhout, Lindhout Architects, reviewed the parking lot site plan. Mr. Petrak asked if the island was required and Mr. Lindhout said it would only free up one additional space if it was eliminated. Ms. Gardner observed that people that park in the Johnson and Excelda lots self-regulate and seem to always park in rows; she would not recommend striping any of the gravel lots.

Motion by Mr. Petrak, supported by Mr. Pawlowski, to recommend conditional site plan approval for 121 W. North Street Transitional Parking Lot #15-012 as depicted on plans prepared by Lindhout Associates, last dated 6-12-15, project #0044, sheet C1.1 subject to the following:

1. That the approval is limited to a three (3) year period of time with the ability to obtain additional extensions for three (3) years per extension, when owner is able to demonstrate significant attempts to transition the property to a legally permitted use.
2. That property owner shall be responsible for cleanup of any gravel from the parking lot that is found within the street, including, but not limited to, any cost of street-sweeping
3. Property owner shall hold and comply with the terms of a maintenance agreement with the City.

The motion carried 7-0-2.

11. Site Plan – 212 E. Grand River Transitional Parking Lot #15-013

As discussed in Blue Sky, Mr. Smith requested that a condition be added to provide a “No left turn” sign to prevent left turns onto Grand River out of this transitional parking lot due to its proximity to the light and the volume of traffic on Grand River.

Motion by Mr. Smith, supported by Ms. Gardner to recommend conditional site plan approval for 212 E. Grand River Transitional Parking Lot #15-013 as depicted on plans prepared by Lindhout Associates, last dated 5-6-2015, project #1525, sheets C2.1 & C2.0 subject to the following:

1. That the approval is limited to a three (3) year period of time with the ability to obtain additional extensions for three (3) years per extension, when owner is able to demonstrate significant attempts to transition the property to a legally permitted use.
2. That property owner shall be responsible for cleanup of any gravel from the parking lot that is found within the street, including, but not limited to, any cost of street-sweeping
3. Property owner shall hold and comply with the terms of a maintenance agreement with the City.
4. That “No Left Turn” signage is provided at the exit to the parking lot.

The motion carried 7-0-2.

12. Site Plan – 131 Hyne Street Transitional Parking Lot #15-014

The proposed site plan was reviewed. **Motion** by Mr. Petrak, supported by Ms. Gardner, to recommend conditional site plan approval for 131 Hyne Street Transitional Parking Lot #15-014 as depicted on plans prepared by Lindhout Associates, last dated 6-3-2015, project #0044, sheets C1.0 subject to the following:

1. That the approval is limited to a three (3) year period of time with the ability to obtain additional extensions for three (3) years per extension, when owner is able to demonstrate significant attempts to transition the property to a legally permitted use.
2. That property owner shall be responsible for cleanup of any gravel from the parking lot that is found within the street, including, but not limited to, any cost of street-sweeping
3. Property owner shall hold and comply with the terms of a maintenance agreement with the City.

The motion carried 7-0-2.

Unfinished Business

8. Discussion on zoning ordinance amendments pertaining to electronic/digital signs and possibly set a public hearing date

Ms. Cyphert noted that the ordinance amendment in the packet was reviewed with the City Attorney and contains his recommended changes. Mr. Maynes stated that the changes he made were due to organizational or structural issues. He suggested putting the signs and menu boards in districts where you want them, so these were added to various sections, as applicable. The other change was to allow a portion of the menu boards to be electronic. Ms. Cyphert added appropriate language regarding electronic signs and message boards to appropriate sections of the ordinance and noted that they fall into the commercial zones, primarily on Grand River.

Ms. Cyphert also noted she had contacted several sign companies about the nits issue discussed at last month’s meeting and reported that none of them had a good definition. She also noted that communities she contacted are not sure how they enforce this in their ordinances. Mr. Maynes stated that nits are not an official measurement. Ms. Cyphert reviewed pictures of examples of the distances at which various

numbers of pixels can be seen. She also reported that changing the background color to white or a light color makes the sign brighter. There was discussion about whether subjective measures could be added to the ordinance and Mr. Maynes said the language under (c) and (d) would deal with that under electronic signs. There was also discussion about whether to exempt churches or buildings such as Lindbom school, and there was consensus that Planning Commission does not want electronic signs in residential areas.

Motion by Mr. Petrak, supported by Mr. Smith, to schedule a public hearing at the July 20 Planning Commission meeting to hear comments about proposed zoning ordinance amendments pertaining to electronic/digital signs. **The motion carried 7-0-2.**

9. Discussion on zoning ordinance amendments pertaining to A1, A2 and R1 accessory structure size maximum and possibly set a public hearing date

Ms. Cyphert reviewed the Farmington Hills ordinance which limits on total square footage and a percentage of the main dwelling. When amending ordinances, she and Mr. Maynes try to not create language that will create an increased number of variance applications. There was discussion about whether the ordinance amendment should include the number of motor vehicles allowed and whether the maximum square footage should be increased to 1,000 square feet in Option 1. Ms. Cyphert also noted the additional amendment option pertaining to having the primary exterior materials of the accessory structure match the primary exterior materials of the principal structure. The consensus was to increase the maximum square footage to 1,000, reword paragraph (3) in Option 1 to remove the three motor vehicle reference, leave the number of allowable commercial vehicles and to change the language for primary exterior materials similar to that in the DBD to incorporate elements of the principal residence. Ms. Cyphert will make the requested changes prior to the July 20 Planning Commission meeting.

Motion by Mr. Smith, supported by Mr. Bohn, to schedule a public hearing at the July 20 Planning Commission meeting to hear comments about proposed zoning ordinance amendments pertaining to A1, A2 and R1 accessory structure size maximum. **The motion carried 7-0-2.**

New Business

13. Discussion on zoning ordinance amendments pertaining to sandwich board signs within the DBD zoning district and possibly set a public hearing date

Ms. Cyphert explained that she received requests from downtown business owners to alter the language in the sidewalk sandwich board sign section within the DBD district. These signs are allowed now with a permit. The proposed changes would eliminate the requirement for a writeable surface and to locate the sidewalk/sandwich board signs closer to the street if there is not adjacent on street parking.

Motion by Ms. Gardner, supported by Mr. Pawlowski, to schedule a public hearing at the July 20 Planning Commission meeting to hear comments about the proposed zoning ordinance amendments pertaining to sandwich board signs within the DBD zoning district. **The motion carried 7-0-2.**

Other Business

14. Staff Updates – There will be a Planning Commission meeting on July 20.
15. Commissioner Concerns – Mr. Smith noted that the walls at the pocket park at the corner of St. Paul and Grand River are in really bad shape due to damage caused by skateboarders. Ms. French noted the DDA is aware of the condition of the wall and are taking steps to fix it. Chairperson Monet asked about the status of the Big Boy restaurant. Ms. Cyphert stated that it will still be a Big Boy restaurant and that the sign was taken down due to a consent judgment. Ms. Gardner asked about the light being down at Sixth Street and Ms. Cyphert noted this question would have to be directed to our DPW. Mr. Smith noted there is a light on the corner of the Miller School building that shines in your eyes and wondered if there have been any

complaints about this or about the new LED streetlights that have been installed in residential. Ms. Cyphert noted she would take these concerns to the DPW Director, Dave Blackmar.

16. Call to the Public - The call to the public was made at 9:05 p.m. Hearing no response, call to the public was closed.
17. Adjournment

Motion by Mr. Bryan, supported by Ms. Gardner, to adjourn the meeting at 9:05 p.m. **The motion carried 7-0-2.**

Bill Bryan, Secretary

Lauri French, Recording Secretary

Matt Modrack - Proposed City Manager's Input Statement to Read into the Record for Tonight's Planning Commission public hearing on Transitional Parking Lots-related Special Hearing Permit Applications & Site Plans

From: Dana Foster
To: Matt Modrack
Date: 6/15/2015 5:55 PM
Subject: Proposed City Manager's Input Statement to Read into the Record for Tonight's Planning Commission public hearing on Transitional Parking Lots-related Special Hearing Permit Applications & Site Plans

Matt ; I'm unable to attend tonight's Planning Commission meeting due to family obligations (I need to be at home for Vonnie & Zoe to be in charge of me while Molly and Claire are at another commitment of theirs). So with that in mind , here is a proposed input statement for you to read into the record at tonight's Planning Commission meeting regarding the 3 Transitional Parking Lots Special Use Permit & Site Plan applications that need Planning Commission approval for the DDA :

Honorable City of Brighton Planning Commissioners :

I have asked our DDA Executive Director/Community Development Director Matt Modrack to read this input statement on my behalf into the public record tonight regarding the the 3 Transitional Parking Lots Special Use Permit & Site Plan applications that need Planning Commission approval for the DDA . Before proceeding further, I want to formally thank the Planning Commission for its work & time during various times during the past 1 to 2 years on proposed ordinance amendments to address our city's evolving needs for publicly-controlled/publicly-owned off-street parking spaces for daily commerce in our downtown and for civic event/special event/overflow needs.

I want to emphasize that I am respectfully requesting the Planning Commission's approval of the 3 respective Special Use Permits and Site Plans for the 3 subject DDA-acquired and DDA-sponsored transitional public parking lots for these reasons :

1. Because, --- as I see it --- such action in conjunction with subsequent City Council's approvals of same would be the culmination of high-priority goals & policy directions established by the City Council during each of the past two annual Council goal-setting retreats --- in partnership with our DDA Board. Those given goals & related policy directions were specifically focused on increasing our formal and available publicly-owned/publicly-controlled parking supply and to address economic reality by creating/increasing our formal public parking supply without incurring very costly infrastructure costs via traditional paving , curbing & guttering of lots that may not be destined to be parking lots on a permanent basis. This is important since the subject lots/properties are still available and considered to be desirable redevelopment targets for our downtown.
2. And because Our DDA Board , Matt Modrack, Amy Cyphert, our respective City & DDA Consultants, and our City Attorneys have all worked very hard on this cumulative and combined effort to develop the ordinances and overall regulatory framework for this transitional parking need in our city. It is my view that this has been a positive partnership and team effort to get to this point that we are at this evening with these proposed applications and because they have done so in line with City Council-established goals and policy direction.

Thank you for your time with this communication and statement. Thank you for your ongoing work & related service to and for our city in your role as Planning Commissioners.

Respectfully submitted,

Special Land Use Application – 121 W. North St. (former Johnson property) – Attachment 1

(1) The proposed use and its parking must be consistent with the spirit and intent of this article. – *The proposed use is a non-paved parking lot off North St. which is owned by the DDA. This lot is allowed under the provisions of the recently adopted changes to the parking ordinance which allows transitional parking lots under certain conditions. The site is already being used for some employee parking and with the upcoming parking enforcement program we anticipate much greater use as it has been designated as a long-term lot.*

(2) The proposed use and its parking must be compatible with adjacent uses of land, the natural environment and the capabilities of affected public services and facilities. – *The proposed parking lot is adjacent to the Brown Medical Building parking lot on the east and by a driveway to the Executive Financial Planning building to the west. The natural environment will be maintained as the lot is not going to be paved. The lot has not been nor is it intended to be plowed during the winter months, therefore public services will not be affected.*

(3) The proposed use and its parking must be consistent with the public health, safety and welfare of the community. – *The property was leveled after the office building on it was demolished in 2012. There is adequate lighting from the streetlights on North and West Streets and we do not believe there are public health, safety or welfare of the community issues to address. It should also be noted that the DDA does not intend to make any further improvements to the property due to the likelihood that another higher use will be found for the site within the next several years.*

(4) The proposed use and its parking shall be in conformance with the objectives and specific elements of the current adopted comprehensive plan of the city and with any special studies adopted as amendments thereto. – *The proposed use is in conformance with the following specific elements of the current adopted comprehensive plan of the city. Additionally, the proposed use is also in conformance with recommendations from the 2009 Parking Study commissioned by the Downtown Development Authority and performed by Rich & Associates as well as the 2011 Parking Study update which identified afternoon and evening parking shortages in downtown lots.*

Strategy 4.1: Encourage the continued use of the Downtown for Civic Events, Arts and the Farmer's Market as they help bring the community together and provide a place for socialization.

Strategy 4.2: Design capital improvements that are sensitive to the nature and character of the neighborhoods and surroundings in which they are located.

Strategy 4.3: Encourage pedestrian linkages from neighborhoods to Downtown.

Strategy 4.1: Support and work cooperatively with the Downtown Development Authority (DDA) to insure that Downtown remains healthy and vibrant.

Strategy 4.3: Implement the recommendations of the 2009 Downtown Parking Study

Strategy 4.5: Promote the Downtown as a walkable community center.

Strategy 1.2: Pursue Capital Improvement Projects which improve pedestrian movements, provide attractive public spaces, and parking lot enhancements in Downtown.

Strategy 1.8: Continue the development practices of the Downtown Development Authority and City Council.

Strategy 1.10: Identify and pursue locations for new municipal parking spaces in downtown

(5) The proposed use and its parking must be compatible in size, location and character, viewed within the context of surrounding land uses and land use planning for such area, the proposed use and its parking shall not be incompatible nor inharmonious, as determined by the application of generally accepted planning standards and/or principles, with (1) the surrounding uses; (2) the orderly development of the surrounding neighborhood and/or vicinity; and/or future uses reasonably anticipated in the area. – *The proposed use is compatible in size, location and character in relation to the existing parking lot to the east and the adjacent driveway to the west side of the parcel at issue in this application. As noted in item (3), the property’s location makes it a good development candidate for a mixed-use project or as the location for a parking deck should one be required in the future.*

(6) The proposed use and its parking shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child-vehicle interfacing. – *The proposed use has already been tested since the existing empty parcel has been used the past two years for employee and overflow event parking. The vehicle entrance to the parking lot off North Street remains at the same location as the existing driveway. The lot is in close proximity to Grand River and Main Street but creates no hazards for vehicles or pedestrians.*

(7) The proposed use and its parking shall not unreasonably impact upon surrounding property in terms of noise, dust, fumes, smoke, air, water, odor, light and/or vibration, and shall not unreasonably impact upon a person perceiving the operation in terms of aesthetics. Where such concerns can be remedied by way of design, construction and/or use, the proposed use and its parking shall be designed, constructed and used so as to eliminate the effects of the use which would otherwise substantiate denial thereof, taking into consideration the location, size, intensity, layout and periods of operation of such use and its parking. – *The proposed use will not unreasonably impact the surrounding property in terms of noise, dust, fumes, smoke, air, water, odor, light and/or vibration and will not unreasonably impact aesthetics. The existing parcel is already occupied and used as an “unofficial” parking lot for the past two years.*

(8) The proposed use and its parking shall be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land buildings or unreasonably affect their value. – *The proposed use will not interfere with or discourage the appropriate development and use of adjacent land buildings or unreasonably affect their value.*

(9) The proposed use and its parking shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the city. – *The proposed use will relate harmoniously with the physical and economic aspects of adjacent land uses as regards more convenient access by providing employees and prospective patrons with additional parking both during normal business hours and peak periods such as festivals and events in a lot that is a short walk to downtown shops and restaurants as well as event activities that take place on Main Street.*

(10) The proposed use and its parking shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district and/or the present and/or intended character of the area. – *The Johnson lot has not caused injury to the value of surrounding properties and has not been detrimental to existing and/or other permitted land uses in the zoning district and/or the present and/or intended character of the area. There are three vacant parcels across the street from the lot to the north (the Barton properties) that are also available for development and the DDA recently purchased the property around the corner on Grand River (the former Grand Mart). It is not unreasonable to assume that a developer might be interested in assembling properties in the area for future development.*

(11) The proposed use and its parking shall not result in an impairment, pollution and/or destruction of the air, water, natural resources and/or public trust therein. – *The proposed use will not result in an impairment, pollution and/or destruction of the air, water, natural resources and/or public trust therein. In fact, it may be argued that pollution may be reduced as a result of an easily accessible parking lot close to downtown that negates the need to continuously circle the other public parking lots waiting for a space to become available.*

(12) The proposed use and its parking shall not unreasonably burden the capacity of public services and/or facilities. – *The proposed use will not unreasonably burden the capacity of public services and/or facilities since the lot will not be required to be paved. During the winter months, the City's DPW may be able to use the lot to store snow that has been removed from downtown streets, sidewalks and parking lots that would otherwise have to be trucked a greater distance.*

(13) The proposed use and its parking are consistent with the city's growth management plan/master plan. – *See number (4) above for Master Plan examples. The proposed use (parking lot) is necessary to serve our thriving, dynamic downtown. The City of Brighton has maintained the downtown as one of several priorities in its annual Retreat goals, the 2013 Master Plan and the 2010 DDA Development Plan.*

(14) The proposed use and its parking will have adequate service by public services and facilities, and shall not unduly burden public sewers and facilities. – *The proposed use is not required to be serviced by public services and facilities and will not unduly burden public sewers and facilities since the transitional lot will not be paved or connected to public sewers.*

Special Land Use Application – 212 E. Grand River (former Grand Mart property) – Attachment 1

(1) The proposed use and its parking must be consistent with the spirit and intent of this article. – *The proposed use is a gravel parking lot off Grand River which was recently purchased by the DDA on a 10-year land contract effective April 20, 2015. This lot is allowed under the provisions of the recently adopted changes to the parking ordinance which allows transitional parking lots under certain conditions. With the upcoming parking enforcement program, the lot has been designated as a long-term lot that would be used for the Grand River businesses' employee parking.*

(2) The proposed use and its parking must be compatible with adjacent uses of land, the natural environment and the capabilities of affected public services and facilities. – *The proposed parking lot is adjacent to the Chamber parking lot to the South, Grand River Avenue to the east, the Johnson parking lot to the west and by the Brown Medical building to the north. The natural environment will not be affected as the plan calls for demolition of the existing building and the use of gravel for the parking spaces. The lot will be plowed during the winter months, which the City's DPW will do along with the other public parking lots; public services will be minimally affected with the addition of this lot.*

(3) The proposed use and its parking must be consistent with the public health, safety and welfare of the community. – *The property will be leveled after the existing building on it is demolished. There is adequate lighting from the streetlights on Grand River and we do not believe there are public health, safety or welfare of the community issues to address. It should also be noted that the DDA does not intend to make any further improvements to the property due to the likelihood that another higher use will be found for the site within the next several years.*

(4) The proposed use and its parking shall be in conformance with the objectives and specific elements of the current adopted comprehensive plan of the city and with any special studies adopted as amendments thereto. – *The proposed use is in conformance with the following specific elements of the current adopted comprehensive plan of the city. Additionally, the proposed use is also in conformance with recommendations from the 2009 Parking Study commissioned by the Downtown Development Authority and performed by Rich & Associates as well as the 2011 Parking Study update which identified afternoon and evening parking shortages in downtown lots.*

Strategy 4.1: Encourage the continued use of the Downtown for Civic Events, Arts and the Farmer's Market as they help bring the community together and provide a place for socialization.

Strategy 4.2: Design capital improvements that are sensitive to the nature and character of the neighborhoods and surroundings in which they are located.

Strategy 4.3: Encourage pedestrian linkages from neighborhoods to Downtown.

Strategy 4.1: Support and work cooperatively with the Downtown Development Authority (DDA) to insure that Downtown remains healthy and vibrant.

Strategy 4.3: Implement the recommendations of the 2009 Downtown Parking Study

Strategy 4.5: Promote the Downtown as a walkable community center.

Strategy 1.2: Pursue Capital Improvement Projects which improve pedestrian movements, provide attractive public spaces, and parking lot enhancements in Downtown.

Strategy 1.8: Continue the development practices of the Downtown Development Authority and City Council.

Strategy 1.10: Identify and pursue locations for new municipal parking spaces in downtown

(5) The proposed use and its parking must be compatible in size, location and character, viewed within the context of surrounding land uses and land use planning for such area, the proposed use and its parking shall not be incompatible nor inharmonious, as determined by the application of generally accepted planning standards and/or principles, with (1) the surrounding uses; (2) the orderly development of the surrounding neighborhood and/or vicinity; and/or future uses reasonably anticipated in the area. – *The proposed use is compatible in size, location and character in relation to the existing parking lots to the west and south and is not incompatible with the building to the north. As noted in item (3), the property’s location makes it a good development candidate for a future development project.*

(6) The proposed use and its parking shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child-vehicle interfacing. – *We anticipate that the proposed parking lot will be used more frequently than the former Grand Mart when employees arrive and leave for the day, so vehicular traffic will increase. The vehicle entrance to the parking lot off Grand River remains at the same location as the existing driveway. The lot is in close proximity to North Street and is on Grand River and we may want to consider right-hand turns only onto Grand River. A right-hand turn onto Grand River would result in vehicles parking in the front Chamber lot if the Grand Mart lot is full.*

(7) The proposed use and its parking shall not unreasonably impact upon surrounding property in terms of noise, dust, fumes, smoke, air, water, odor, light and/or vibration, and shall not unreasonably impact upon a person perceiving the operation in terms of aesthetics. Where such concerns can be remedied by way of design, construction and/or use, the proposed use and its parking shall be designed, constructed and used so as to eliminate the effects of the use which would otherwise substantiate denial thereof, taking into consideration the location, size, intensity, layout and periods of operation of such use and its parking. – *The proposed use will not unreasonably impact the surrounding property in terms of noise, dust, fumes, smoke, air, water, odor, light and/or vibration and will not unreasonably impact aesthetics. The parcel will be used for long-term parking for Grand River businesses’ employee parking throughout the day and evening.*

(8) The proposed use and its parking shall be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land buildings or unreasonably affect their value. – *The proposed use will not interfere with or discourage the appropriate development and use of adjacent land buildings or unreasonably affect their value.*

(9) The proposed use and its parking shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the city. – *The proposed use will relate harmoniously with the physical and economic aspects of adjacent land uses as regards more convenient access by providing employees and prospective patrons with additional parking both during normal business hours and peak periods such as festivals and events in a*

lot that is a short walk to downtown shops and restaurants as well as event activities that take place on Main Street.

(10) The proposed use and its parking shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district and/or the present and/or intended character of the area. – *The Grant Mart lot will not cause injury to the value of surrounding properties and will not be detrimental to existing and/or other permitted land uses in the zoning district and/or the present and/or intended character of the area. As noted, there are already two public parking lots (Chamber front lot and the Johnson lot) adjacent to the proposed lot. It is not unreasonable to assume that a developer might be interested in assembling properties in the area for future development. The DDA Executive Director will provide updates as required in the City ordinance on the DDA's efforts to sell the property for development.*

(11) The proposed use and its parking shall not result in an impairment, pollution and/or destruction of the air, water, natural resources and/or public trust therein. – *The proposed use will not result in an impairment, pollution and/or destruction of the air, water, natural resources and/or public trust therein. In fact, it may be argued that pollution may be reduced as a result of an easily accessible parking lot close to downtown that negates the need to continuously circle the other public parking lots waiting for a space to become available.*

(12) The proposed use and its parking shall not unreasonably burden the capacity of public services and/or facilities. – *The proposed use will not unreasonably burden the capacity of public services and/or facilities since the lot is relatively small in terms of the area required for snow removal by DPW.*

(13) The proposed use and its parking are consistent with the city's growth management plan/master plan. – *See number (4) above for Master Plan examples. The proposed use (parking lot) is necessary to serve our thriving, dynamic downtown. The City of Brighton has maintained the downtown as one of several priorities in its annual Retreat goals, the 2013 Master Plan and the 2010 DDA Development Plan.*

(14) The proposed use and its parking will have adequate service by public services and facilities, and shall not unduly burden public sewers and facilities. – *The proposed use will not require additional service by public services and facilities and will not unduly burden public sewers and facilities since the transitional lot will not be paved or connected to public sewers.*

Special Land Use Application – 131 Hyne St. (former Chamber property) – Attachment 1

(1) The proposed use and its parking must be consistent with the spirit and intent of this article. – *The proposed use is a partially paved parking lot off Hyne St. which was briefly owned by the DDA before being sold to Excelda Manufacturing Company. This lot is allowed under the provisions of the recently adopted changes to the parking ordinance which allows transitional parking lots under certain conditions. The site is already being used for some employee parking and with the upcoming parking enforcement program we anticipate much greater use as it has been designated as a long-term lot. The DDA has been in discussions with Excelda to obtain permission to expand the current 13 parking spaces to 39 total spaces with the addition of 26 gravel spaces.*

(2) The proposed use and its parking must be compatible with adjacent uses of land, the natural environment and the capabilities of affected public services and facilities. – *The proposed parking lot is adjacent to the Fifth Third parking lot on the east and by an alley behind the C W Interiors building to the north. It is located directly across the street from the Hyne St. parking lot to the west and the Masonic Building to the south. The natural environment will be somewhat affected as the expansion plan calls for removal of some existing trees and grass and the use of gravel for the additional 26 spaces. The lease requires that the existing paved portion of the lot be plowed during the winter months, which the City's DPW did this past winter along with the other public parking lots; therefore, public services will not be affected.*

(3) The proposed use and its parking must be consistent with the public health, safety and welfare of the community. – *The property was leveled after the Chamber building on it was demolished in 2011. There is adequate lighting from the streetlights on North and Hyne Streets and we do not believe there are public health, safety or welfare of the community issues to address. It should also be noted that the DDA does not intend to make any further improvements to the property due to the likelihood that another higher use will be found for the site within the next several years.*

(4) The proposed use and its parking shall be in conformance with the objectives and specific elements of the current adopted comprehensive plan of the city and with any special studies adopted as amendments thereto. – *The proposed use is in conformance with the following specific elements of the current adopted comprehensive plan of the city. Additionally, the proposed use is also in conformance with recommendations from the 2009 Parking Study commissioned by the Downtown Development Authority and performed by Rich & Associates as well as the 2011 Parking Study update which identified afternoon and evening parking shortages in downtown lots.*

Strategy 4.1: Encourage the continued use of the Downtown for Civic Events, Arts and the Farmer's Market as they help bring the community together and provide a place for socialization.

Strategy 4.2: Design capital improvements that are sensitive to the nature and character of the neighborhoods and surroundings in which they are located.

Strategy 4.3: Encourage pedestrian linkages from neighborhoods to Downtown.

Strategy 4.1: Support and work cooperatively with the Downtown Development Authority (DDA) to insure that Downtown remains healthy and vibrant.

Strategy 4.3: Implement the recommendations of the 2009 Downtown Parking Study

Strategy 4.5: Promote the Downtown as a walkable community center.

Strategy 1.2: Pursue Capital Improvement Projects which improve pedestrian movements, provide attractive public spaces, and parking lot enhancements in Downtown.

Strategy 1.8: Continue the development practices of the Downtown Development Authority and City Council.

Strategy 1.10: Identify and pursue locations for new municipal parking spaces in downtown

(5) The proposed use and its parking must be compatible in size, location and character, viewed within the context of surrounding land uses and land use planning for such area, the proposed use and its parking shall not be incompatible nor inharmonious, as determined by the application of generally accepted planning standards and/or principles, with (1) the surrounding uses; (2) the orderly development of the surrounding neighborhood and/or vicinity; and/or future uses reasonably anticipated in the area. – *The proposed use is compatible in size, location and character in relation to the existing parking lots to the west and east. As noted in item (3), the property's location makes it a good development candidate for a future mixed-use project.*

(6) The proposed use and its parking shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child-vehicle interfacing. – *The proposed use has already been tested since the former Chamber building utilized the existing paved parking lot and the empty parcel has been used the past three years for overflow event parking. The vehicle entrance to the parking lot off Hyne Street remains at the same location as the existing driveway. The lot is in close proximity to North Street and Main Street but creates no hazards for vehicles or pedestrians.*

(7) The proposed use and its parking shall not unreasonably impact upon surrounding property in terms of noise, dust, fumes, smoke, air, water, odor, light and/or vibration, and shall not unreasonably impact upon a person perceiving the operation in terms of aesthetics. Where such concerns can be remedied by way of design, construction and/or use, the proposed use and its parking shall be designed, constructed and used so as to eliminate the effects of the use which would otherwise substantiate denial thereof, taking into consideration the location, size, intensity, layout and periods of operation of such use and its parking. – *The proposed use will not unreasonably impact the surrounding property in terms of noise, dust, fumes, smoke, air, water, odor, light and/or vibration and will not unreasonably impact aesthetics. The existing parcel has been used as an "unofficial" overflow parking lot for the past three years.*

(8) The proposed use and its parking shall be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land buildings or unreasonably affect their value. – *The proposed use will not interfere with or discourage the appropriate development and use of adjacent land buildings or unreasonably affect their value.*

(9) The proposed use and its parking shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the city. – *The proposed use will relate harmoniously with the physical and economic aspects of adjacent land uses as regards more convenient access by providing employees and prospective patrons with*

additional parking both during normal business hours and peak periods such as festivals and events in a lot that is a short walk to downtown shops and restaurants as well as event activities that take place on Main Street.

(10) The proposed use and its parking shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district and/or the present and/or intended character of the area. – *The Excelda lot has not caused injury to the value of surrounding properties and has not been detrimental to existing and/or other permitted land uses in the zoning district and/or the present and/or intended character of the area. As noted, there are already two parking lots (one private, one public) adjacent to the proposed lot. It is not unreasonable to assume that a developer might be interested in assembling properties in the area for future development. The DDA Executive Director maintains frequent contact with the property owner, Excelda Manufacturing, for updates on their efforts to either develop or potentially sell the property for development.*

(11) The proposed use and its parking shall not result in an impairment, pollution and/or destruction of the air, water, natural resources and/or public trust therein. – *The proposed use will not result in an impairment, pollution and/or destruction of the air, water, natural resources and/or public trust therein. In fact, it may be argued that pollution may be reduced as a result of an easily accessible parking lot close to downtown that negates the need to continuously circle the other public parking lots waiting for a space to become available.*

(12) The proposed use and its parking shall not unreasonably burden the capacity of public services and/or facilities. – *The proposed use will not unreasonably burden the capacity of public services and/or facilities since most of the lot will not be required to be paved.*

(13) The proposed use and its parking are consistent with the city's growth management plan/master plan. – *See number (4) above for Master Plan examples. The proposed use (parking lot) is necessary to serve our thriving, dynamic downtown. The City of Brighton has maintained the downtown as one of several priorities in its annual Retreat goals, the 2013 Master Plan and the 2010 DDA Development Plan.*

(14) The proposed use and its parking will have adequate service by public services and facilities, and shall not unduly burden public sewers and facilities. – *The proposed use will not require additional service by public services and facilities and will not unduly burden public sewers and facilities since the transitional lot will not be paved or connected to public sewers.*