

**City of Brighton
Planning Commission
Minutes
April 13, 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
David McLane	Robert Pawlowski
Steve Monet	Michael Schutz
Dave Petrak	

Motion by Mr. Smith, supported by Mr. Bohn, to excuse Commissions Member Bryan and Gardner from tonight's meeting. **The motion carried 7-0-2.**

Also present was Amy Cyphert and Lauri French from Staff and an audience of 6.

2. Approval of the March 16, 2015 Regular Meeting Minutes

Motion by Mr. Petrak, supported by Mr. McLane, to approve the March 16, 2015 regular meeting minutes as presented. **The motion carried 6-0-2-1, with two absences and Commission Member Schutz abstaining.**

3. Approval of the April 13, 2015 Agenda

Motion by Mr. McLane, supported by Mr. Bohn, to approve the agenda as presented. **The motion carried 7-0-2.**

4. Call to the Public

The call to the public was made at 7:32 p.m. Hearing no response, call to the public was closed.

New Business

5. Site Plan – 8539 Grand River Addition and Façade Improvements #15-009

Ms. Cyphert noted that the applicant is in the audience if Commission members have any questions. Sam Yaldo, 31000 Northwestern Highway, Suite 110, Farmington Hills, MI, who is a developer and speaking on on behalf of Brighton Donuts, stated that the new tenants in the building may be Pot Belly Sandwich Shop and T-Mobile. There was discussion about improved drainage in the parking lot and the parking lot repairs in general and whether the applicant is aware of the conditions in the motion for approval. Mr. Yaldo responded that the parking lot will be pulverized (milled) and repaved and that the drainage issue should be resolved. He and the applicant are aware of the conditions in tonight's motion. Mr. McLane asked about the lights on the building columns and if they shine up and down the columns. Mr. Yaldo responded that they are sconces and they do appear to shine both up and down. Ms. Cyphert noted that submission of light details is one of the conditions in tonight's motion.

Motion by Mr. Pawlowski, supported by Mr. Petrak, to recommend conditional site plan approval for 8539 W. Grand River as depicted on the plans prepared by Creative Land Planning & Design, sheets C1 – C12, job #14-030, last dated 11-5-14, and plans prepared by OX Studio, Inc., cover sheet, sheets 2-3, no. #14120-52, last dated 4-2-15, sheet LP-1; Landscape Planting Plan by J. Brian Devlin, last dated 4-2-15 and plans prepared by GAV Associates, sheets A.101, A.201, A.202, job #15027, last dated 4-2-15. The approval is subject to the following conditions:

1. That right of way permits be obtained from the Department of Public Services for work within the right of way.
2. That any damages done to the existing sidewalks be repaired.
3. That all signage comply with applicable Ordinances or variances obtained.
4. That the applicant must address any outstanding City Engineer requirements during the construction review.
5. That the applicant must address any outstanding Fire Code requirements during the construction review.
6. That the applicant must address any outstanding Building Code requirements during the construction review.
7. All landscape areas must be irrigated.
8. That light details be submitted during the construction review.

The motion carried 7-0-2. Ms. Cyphert noted this item will be on the April 16 City Council agenda for approval.

6. Site Plan – Sky Zone at 8151 Movie Drive (former Michaels location) #15-009

Randy Sanocki, representing the owner of the building, introduced Colleen Fitzgerald from Sky Zone and Susan Acciaioli, the broker from Mid America Real Estate who is putting the deal together. He noted that they have a letter of intent from Sky Zone and are working on a lease agreement. He stated the addition of Sky Zone at this location should help spur activity at the site. Ms. Cyphert asked him to explain the need to get Target's approval and he explained that Target was the first one in the shopping center and there is an agreement that controls future uses so there won't be competing businesses that could affect Target. All the properties within the shopping center including this one require them to go to Target for permission and a waiver for the use. He noted that they have obtained a waiver from MC Sports and they will be contacting Target this week. There was a discussion about whether there is a plan to repair the roads in that area, and Mr. Sanocki said that they did cold patches during the winter and will be doing a walk-through in the near future to see which areas need to be repaved. Ms. Cyphert asked Ms. Fitzgerald if they planned to serve any liquor at the facility and she responded that they do not.

Motion by Mr. Smith, supported by Mr. McLane, to recommend conditional site plan approval for Sky Zone at 8151 Movie Drive #15-011 as depicted on plans prepared by Atwell Hicks, job no. #05000090, last dated 1-25-05 and plans prepared by Sky Zone Franchise Group, last dated 3-16-15, sheet A1.1 subject to the following:

1. That all signage comply with the previously approved size requirements or a site plan amendment will be submitted.
2. That the applicant must address any outstanding Fire Code requirements during the construction review.
3. That the applicant must address any outstanding Building Code requirements during the construction review

The motion carried 7-0-2. Ms. Cyphert noted this item will be on the April 16 City Council agenda for approval.

7. Site Plan Extension – Hampton Inn at 8068 Challis Road (same parcel as Homewood Suites) #15-011

As discussed in Blue Sky, Ms. Cyphert noted that this is an extension of a site plan that was approved by Planning Commission in April 2014 and is required because the site plan will expire May 1, 2015. Dave Root from Giffels Webster explained that they were not quite done with their construction drawings and that a lot of work was done over the winter on the utilities plan. When complete, they will submit the construction plans for review by the Fire Department and City Engineer and all permits will be applied for including right-of-way permits.

Motion by Mr. Petrak, supported by Mr. Schutz, to recommend that the City Council approve a one year extension for Hampton Inn site plan which was originally approved on May 1, 2014 as depicted on plans prepared by Giffels Webster, project no. 18403.00, sheets SP-01 through SP-16, LA-01, LA-02, last dated 4-16-14 and plans prepared by Gasser Bush Associates, Drawing No. #13-21276-V3, dated 12-18-13 and plans prepared by Victor Saroki & Associates Architects PC, dated 12-30-13 sheets Ground Level Floor Plan, Second Level Floor Plan, Third Level Floor Plan, South Elevation, West and East Elevation, and North Elevation subject to the following:

1. That this approval includes the approval of changes to the Parker Property mixed use development as shown on Sheet SP-06.
2. That all signage comply with applicable ordinances or variances are obtained.
3. That the applicant must address any outstanding Fire Code requirements with the Fire Department during the construction review.
 4. That the applicant must address any outstanding City Engineer requirements during the construction review.
5. That right of way permits are obtained from the Department of Public Services for work within the right of way.
6. That any damages done to the existing sidewalks or Homewood Suites parking lot be repaired.
7. That the easement documents for the public sidewalk and public utilities be filed with Livingston County once completed.
8. That the building materials of the new dumpster enclosure match those of the existing dumpster.
9. That the new parking lot lighting match the existing parking lot lighting at the Homewood Suites site.
10. That the type of proposed screens and fences; height, typical elevation and vertical section of screens, showing materials and dimensions be reviewed during the construction plan review.

The motion carried 7-0-2. Ms. Cyphert noted this item will be on the April 16 City Council agenda for approval.

Other Business

8 Staff Updates

- a. Reminder – Special PC Meeting April 16 at 5:30 p.m. – Ms. Cyphert reminded the Commission members about the special PC meeting scheduled on Thursday, April 16, at 5:30 p.m. for the Special Land Use Application for the CSX West Overflow Parking Lot. Mr. Smith advised he may be late or not there at all for the special meeting.

Ms. Cyphert stated that a digital sign ordinance interpretation was requested at last Thursday's ZBA meeting. The language in our ordinance is from 1981 and is difficult to apply to today's technology. A real estate office had requested a variance for an electronic sign, which was denied, and their attorney then requested an interpretation. The ZBA approved a motion that the ZBA Board's interpretation of an electronic message center is as follows: Is an electronic sign that does not flash, is not scintillating, does not blink, have travelling lights and only changes once per day after normal business hours. The ZBA requested that we bring this item to Planning Commission to determine how to handle these requests going forward. She said the question is whether electronic signs are something we want to have in the City of Brighton and does Planning Commission possibly want a moratorium on further requests until changes can be made to the ordinance.

Staff intern Elle Getschman introduced herself and stated she is pursuing a Master's degree in Public Administration at Eastern Michigan. She handed out a summary of other communities' electronic and fuel sign ordinance language that she researched for review by Planning Commission. There was discussion about whether we want digital signs or not and that the ordinance needs to be updated to keep up with changes in technology. Ms. Cyphert noted that as a trade-off if digital signs are to be allowed that we could require them to be ground signs instead of pole signs. Mr. Smith stated that the number of changes to such a sign should be limited and inquired whether an allowable digital sign would be subtracted from the total allowable

square footage for signs. Mr. McLane stated that Planning Commission might want to develop restrictions such as amount of time the sign can be lit, how many changes are allowed, etc.

Ms. Cyphert reminded the Commission members that they don't have to make any decisions today but that they might want to ask for a moratorium while they're working on changes to the ordinance. She stated that since the ZBA created the electronic message center definition that if someone comes in and asks for a permit for an electronic message center that it would be allowed. Mr. Smith noted that since the ZBA has established a precedent, we need a moratorium until language is written. Chairperson Monet asked what is required for a moratorium and Ms. Cyphert stated a motion would be required to ask City Council to consider the moratorium.

Motion by Mr. Smith, supported by Mr. McLane, to direct Staff to proceed with the process to ask City Council for a moratorium on all forms of electronic signs. **The motion carried 7-0-2.**

9. Commissioner Concerns – Mr. Smith noted that dirt is being removed at the former Davis Office Center, and Ms. Cyphert advised that they did get approval for a third access which will be onto Best Buy Drive. Mr. Bohn noted that Best Buy Drive needs some patching as they are some pretty large potholes. Ms. Cyphert will notify the owners of Brighton Mall.
10. Call to the Public - The call to the public was made at 8:15 p.m. Hearing no response, call to the public was closed.
11. Adjournment

Motion by Mr. McLane, supported by Mr. Smith, to adjourn the meeting at 8:15 p.m. **The motion carried 7-0-2.**

Bill Bryan, Secretary

Lauri French, Recording Secretary