

CITY OF BRIGHTON  
CITY COUNCIL MEETING  
CITY HALL  
Sept 1,2011

**Regular Blue Sky - 7:00 pm:** Review of Agenda Items for this evening's meeting

**REGULAR SESSION - 7:30 P.M.**

1. Call to order
2. Pledge of Allegiance
3. Roll Call
4. Approval of [minutes: Regular Meeting of August 18, 2011](#)
5. Call to the Public
6. Mayor's Reading of Citizen Inquiries received since the last City Council Meeting
7. City Manager's Response to Citizen Inquiries to City Council received At this City Council Meeting or prior meetings
8. Consider approval of the Agenda

**Consent Agenda**

9. Consider approval of a [liquor license transfer for the Ciao Amici restaurant](#) as recommended by the Police Chief
10. Consider approval of dates for the 2011 Goal-Setting Retreat
11. Receive the quarterly expenditure summary report from staff
12. Consider approval of a [two-year site plan extension for the Brighton Area Schools' Banners](#) as recommended by the Planning Commission
13. Consider [conditional site plan approval for the "White Dress" store located at 209 W. Main Street](#) as recommended by the Planning Commission
14. Consider [conditional site plan approval for the Western House Brewery at 500 W. Main Street](#) as recommended by the Planning Commission
15. Consider [approval of the Tridge or Treat Halloween Spooktacular Civic Event](#) as recommended by the Civic Event Committee.
16. Consider [approval of the Brighton's Musically Talented Youth Civic Event](#) as recommended by the Civic Event Committee.

**Policy Development & Customer Communications' action item**

17. Consider a status report from the City Council Budget and Finance Subcommittee and City Manager on the list of City Council Requests submitted by City Council Members to the City Manager for the review of past Operating Line Item Budget Cuts and related possible Budget Amendments
18. Consider report from staff regarding the status of a recent code enforcement action and consider possible actions as may be recommended by the City Attorneys
19. Imagination Station Playground status update report from the City Manager and City Engineer
20. Veterans Memorial Project Preliminary Conceptual Plan presentation & related project status report from the City Council Veterans Memorial Project Subcommittee. Consider possible motion with any Council requested direction to include in the final site plan preparation for future Planning Commission and City Council approvals

21. Consider reports from the City Manager and City Attorney as requested by City Council adopted motion of 08/18/11 regarding Council Meeting Rules of Procedure and Council Meeting Agenda format

**Other Business**

22. Information for City Customers
23. Receive updates from Council Member Liaisons to other Boards and Commissions
24. Call to the Public
  
25. Conduct closed session at the request of the City Labor Attorney to receive an update regarding pending collective bargaining labor negotiations
  
26. Consider possible motions or actions as may be recommended by the City Labor Attorney regarding pending collective bargaining negotiations
  
27. Conduct closed session to receive advice from the City Attorney
  
28. Adjournment

**MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON**  
**HELD ON AUGUST 18, 2011 AT THE BRIGHTON CITY HALL**  
**200 N. 1ST STREET, BRIGHTON, MICHIGAN**

**BLUE SKY SESSION**

The Council conducted a Blue Sky Session at 7:00 p.m. Present were Mayor Bandkau, Mayor Pro-Tem Bohn, Councilmembers Schillinger, Muzzin, Roblee, Cooper and Pipoly. The Council reviewed the agenda items.

**REGULAR SESSION**

Mayor Bandkau called the regular meeting to order at 7:30 p.m. Following the Pledge of Allegiance, the roll was called, there being present were Mayor Bandkau, Mayor Pro-Tem Bohn, Councilmembers Schillinger, Muzzin, Roblee, Cooper and Pipoly. Also in attendance were Attorney Paul Burns, Engineer Gary Markstrom and Staff members Dana Foster, Diana Lowe, Jennifer Burke, Amy Cyphert, Dave Blackmar, Tom Wightman, Kelly LaLonde and an audience of 24. Press and Media included Jim Totten from the Press & Argus, Tom Tolen from WHMI and Jacob Kanclerz from the Patch.

**MINUTES APPROVAL**

It was moved by Councilmember Roblee, seconded by Bohn to approve the Regular Meeting minutes of August 4, 2011 as presented. Motion passed 7-0.

It was moved by Councilmember Muzzin, seconded by Bohn to approve the Closed Session minutes of August 4, 2011 as presented. Motion passed 7-0.

**EAGLE SCOUT PROCLAMATIONS**

Mayor Bandkau read and presented an Eagle Scout Proclamation to Justin Feiler.

Justin Feiler stated his Eagle Scout project was to build a composting station for the St. Patrick's school.

Mayor Bandkau read and presented an Eagle Scout Proclamation to Zachary Bedell.

Zachary Bedell stated his Eagle Scout project was to build raised beds and composting bins for a charity organization that grows food for Gleaners Food Bank.

**IMAGINATION STATION UPDATE**

City Engineer, Gary Markstrom discussed the Imagination Station and the preservative used on wood for playgrounds. He stated they would be having a meeting with the DEQ to tour the Imagination Station for further guidance. He related that samples were taken from the Imagination Station and surrounding areas which were tested for arsenic. He displayed a slide regarding the results from the Arsenic tests and a reference EPA website that has additional information regarding this type of contamination.

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City Manager, Dana Foster stated the Press Release from last week included the Engineer's report and we will put the slides displayed at the Council meeting tonight on the City's website. The DEQ has concurred with our temporary closure of the Imagination Station.

### **AGENDA APPROVAL**

It was moved by Councilmember Schillinger, seconded by Muzzin to approve the Consent and Action Agenda as amended: Delete item #11, Quarterly Expenditure Summary and the Action Agenda as amended: Delete item #21, Collective Bargaining update, item #22, Collective Bargaining actions and item #23, City Attorney advise Closed Session. Motion passed 7-0. The following items were approved:

1. Approved a contract extension for building services with Livingston County effective for one year from September 16, 2011. This approval will continue the monthly payments of \$2,083.33 made to Livingston County for the provided services.
2. Appointed C.J. Tehan to the Arts & Culture Advisory Commission.
3. Approved the City Attorney's recommendation for the Nu-Vest vs. City of Brighton MTT Case.

### **CALL TO THE PUBLIC**

Mayor Bandkau gave a Call to the Public at 8:08 p.m. The following comments were heard:

Susan Walters-Steinacker submitted a Detroit newspaper regarding a "Cottage Remodel Undoes a Township" article. She suggested the City end the Bonner litigation.

John Holton, Shelby Township, discussed the hazards of exposure to Wireless Smart Meters.

Judy Smith, homeowner in Howell, stated Wireless Smart Meters are dangerous.

Sally Ritkowski stated Italy has Wireless Smart Meters, but without the radiation. They can emit radiation up to a two-mile radius.

Ray Smith, 1444 Crest Road, Howell, stated if you have proper signage stating not to change the meter, they will not be able to change your meter to a Wireless Smart Meter.

Keith Karp, 421 Millpond Lane, thanked Council and Staff for taking care of the garbage problem at the Millpond area. He asked that the City move swiftly to fix the Imagination Station.

Cheryl Kemerling, Jack's Custard, thanked Council for having the bathrooms cleaned at the Millpond Pavilion and asked the City to move swiftly to fix the Imagination Station.

Pat Cole stated no one should have a problem with the information given at the Call to the Public at the last meeting from Mary Holliday and Lynn Rosen.

Hearing no further comment, Mayor Bandkau closed the Call to the Public at 8:33 p.m.

Councilmember Cooper stated the City Manager works on behalf of the City Council. He stated he did not submit all of the meetings he attended last fiscal year for his yearly per diem payment.

### **CITIZEN INQUIRIES**

Mayor Bandkau read a letter from Jeff Kelly, Great Harvest Bread, expressing his concerns regarding the use of the Municipal Pavilion's current unused booth, which may hurt surrounding businesses.

Mary Holliday - Please explain what was meant by Councilman Muzzin's statement at the last meeting "If you don't like how policy is set, vote with your pen. If you'd like before November, you can vote with your feet".

Susan Walters-Steinacker - Are council members paid for "non" public meetings? If the meetings are not public, how is their attendance verified? Are council members paid for "non" city sanctioned meetings? Council members Roblee and Cooper billed the tax payers for more meetings than any other council members, including the mayor. How is this possible? Will the city put the council submitted for payment documents on line so that the tax payers can view them?

Patricia Cole - I am asking Mr.Muzzin to explain the meaning of his statement: "Vote with your pen or vote with your feet. If you don't know what that means, I apologize."

Councilmember Muzzin stated the Council is voted in to represent the citizens and he serves on the Council because he loves this City and not for the money. Voters can go to the poles to vote for who they want to represent them or they can run for Council themselves. City Staff including Dana Foster is doing a great job and I hope the complaints by a few select citizens does not discourage City Staff and they continue to do outstanding work.

It was moed by Councilmember Muzzin, seconded by Cooper to direct Staff and the City Attorney to pull together the documents for the rules of procedure that were adopted in 2005, regarding having one Call to the Public at the end of the Council meetings and clarification of the passing of attendees five minutes to another attendee at Call to the Public. Motion passed 6-1 with Councilmember Bohn voting 'no'.

### **NO SMOKING ZONE FOR THE MUNICIPAL PAVILION AND IMAGINATION STATION**

Manager Foster stated he had given direction to the Department of Public Services to put up "No Smoking" signs to help improve the cleanliness of the Municipal Pavilion.

It was the consensus of Council to leave the "No Smoking" signs up and discuss at the Fall Retreat.

### **MUNICIPAL PAVAILION'S UNUSED BOOTH SPACE**

Councilmember Roblee stated this subject go back to the PSD for further discussion such as a rotating schedule of businesses taking turns attending the booth. Mr. Karp suggested doing this to have a presence in the Pavilion area and not to make money.

### **POSSIBLE PROPOSED BUDGET AMENDMENTS**

City Manager, Dana Foster asked Council for a list of possible budget amendments per his suggested budget amendments process and timeline given to Council at the August 4<sup>th</sup> Council meeting that Council agreed to.

Mayor Pro-Tem Bohn stated suggestions included road and sidewalk repairs, replacement vehicles for the Police Department, funding depreciation going forward and coming up with a formula to use as a guideline each year and adjustments on the revenue side. All other Councilmembers indicated they would send Manager Foster emails with their respective lists of suggestions.

### **ALTERNATIVE PRELIMINARY CAPITAL IMPROVEMENTS FUNDING BOND PRESENTATION**

City Manager, Dana Foster discussed and displayed slides of the Schedule of Principal and Interest and Millage Rate Requirements for voters to decide upon in 2012 and the Estimated Average Annual Debt Millage Tax Bill.

It was moved by Mayor Pro-Tem Bohn, seconded by Muzzin to put the possible alternative preliminary Capital Improvements Funding Bond proposal into two different project years and support going forward to include this information in the Public Information meetings staring this Wednesday. Motion passed 7-0.

### **CITY CUSTOMER INFORMATION**

City Manager, Dana Foster discussed the possible Millpond dredging project stating we are looking for grant opportunities or a State low interest loan possibility. Next Wednesday at 6:30 p.m. at the Brighton Community Center is the first public information meeting regarding public improvements.

Councilmember Cooper stated there is concern regarding the SELCRA articles and what formula is being considered for the funding. He suggested the Envision Brighton newsletter be used as a template going forward for our City. He asked what the Crosswalk lighting costs were and the possibility of alternative solutions. He suggested the Surveys online have a button with additional information and details on each item.

Councilmember Roblee stated the Brighton Arts & Culture Commission donated \$1,000 for the Fine Art & Acoustical Music Festival banners and two pieces of art were installed behind Stout Pub, which were paid for by the MEDC Rural Art Grant Fund, as well as the three new pieces in the St. Paul Street park. The 2011 outdoor exhibit contains 37 pieces and new maps are available to visit all of the sculptures. She thanked Tim Kusick for serving for three years on the Art Commission. She displayed the new PSD Board banner with the new logo. They received a Retail Success Summit presentation. The Board committed \$1500 for marketing for the Poweraid Invitational Soccer Tournament at the Scranton and Sloan Field August 26-28, which will bring a

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potential 5,000 people to our City. The Parking Strategy Subcommittee completed their recommendations, which will be presented to the DDAS in September. Look for a two-page ad featuring 12 downtown restaurants in the Clipper Magazine.

Councilmember Schillinger gave a Planning Commission update regarding two new businesses and the Brighton High School banners. The 9\11 Memorial Service is taking shape for dedication of a piece of the World Trade Center, which will be held September 11<sup>th</sup>.

Councilmember Pipoly gave a DDA update. He stated his heart and prayers go out to the family of Clarence Seigle who was a 34-year veteran of the Brighton Police Department.

City Attorney, Paul Burns stated the attorneys are close to finishing the SELCRA funding formula.

### **CALL TO THE PUBLIC**

Mayor Bandkau gave a Call to the Public at 9:48 p.m. The following comment was heard:

Keith Karp, Oh My Lolli, stated the “No Smoking” signs have made a difference in the Millpond Pavilion area and the proposal regarding the concession stand has nothing to do with money. It is about the community and having a presence in that area.

Sally Ritkowski stated the Smart Meter violates our 4<sup>th</sup> Amendment and they are not hiring qualified electricians to install the meters and have caused fires start.

Hearing no further comment, Mayor Pro-Tem Bohn closed the Call to the Public at 9:59 p.m.

### **ADJOURNMENT**

It was moved by Councilmember Cooper, seconded by Muzzin to adjourn the meeting at 10:00 p.m. Motion passed 7-0.

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Diana Lowe, City Clerk

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Ricci Bandkau, Mayor

**POLICE REPORT NO. BPD 11-08**  
**REQUEST FOR TRANSFER OF LIQUOR LICENSES**  
**217 W. MAIN STREET, BRIGHTON**  
**SEPTEMBER 1, 2011**

Prepared by:

Thomas Wightman  
Chief of Police

Reviewed by:

Dana W. Foster  
City Manager

**SSU**

L & R Ciao Amici's, Inc. is requesting City Council approval to transfer all stock interest of a Class C Liquor License and SDM License held at 217 W. Main St., Brighton, Michigan.

**BACROUND**

All stock interest in the business and liquor licenses are currently held by Luca Gjonaj. Upon completion of the transfer, all stock interest will be held by Valenton Vulaj. All existing permits will transfer with the license.

Valenton Vulaj is an attorney and resident of Milford, Michigan. He has not previously been involved in the ownership or operational management of a liquor-licensed establishment. A criminal record check reveals no arrests or convictions of any type.

**BUDGET IMPACT**

None.

**COUNCIL ACTION**

The transfer of the liquor license requires approval of the local legislative body, i.e. – a City Council resolution approving the request.

**STAFF RECOMMENDATION**

The Police Department recommends approval of the Class C liquor license transfer request.

**ATTACHMENTS**

Local Approval Resolution

### RESOLUTION

At a \_\_\_\_\_ meeting of the \_\_\_\_\_  
(Regular or Special) (Township Board, City or Village Council)

called to order by \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ P.M.

The following resolution was offered:

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

**That the request from L & R CIAO AMICI'S, INC. TO TRANSFER ALL STOCK INTEREST IN 2011 RESORT CLASS C LICENSED BUSINESS ISSUED UNDER MCL 436.1531(2) WITH ENTERTAINMENT PERMIT AND OFFICIAL PERMIT (ENTERTAINMENT) FOR SUNDAYS, 8:00 AM TO 12:00 PM, LOCATED AT 217 W MAIN, BRIGHTON, MI 48116, LIVINGSTON COUNTY, BY ADDING VALENTON VULAJ AS NEW STOCKHOLDER THROUGH TRANSFER OF 1,000 SHARES OF STOCK FROM EXISTING STOCKHOLDER, LUCA GJONAJ.**

be considered for \_\_\_\_\_  
(Approval or Disapproval)

**APPROVAL**

**DISAPPROVAL**

Yeas: \_\_\_\_\_

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Absent: \_\_\_\_\_

It is the consensus of this legislative body that the application be:

\_\_\_\_\_ for issuance  
(Recommended or Not Recommended)

State of Michigan \_\_\_\_\_)

County of \_\_\_\_\_)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the \_\_\_\_\_ at a \_\_\_\_\_  
(Township Board, City or Village Council) (Regular or Special)

meeting held on \_\_\_\_\_  
(Date)

(Signed) \_\_\_\_\_  
(Township, City or Village Clerk)

SEAL

\_\_\_\_\_  
(Mailing address of Township, City or Village)

**POLICY REPORT: SITE PLAN EXTENSION – BRIGHTON AREA  
SCHOOLS BANNERS  
#11-006**

**September 1, 2011**

Prepared by:

Amy Cyphert  
Acting Planning & Zoning  
Director

Reviewed by:

Dana Foster  
City Manager

**ISSUE:**

To consider granting a two year site plan extension for the BAS Banners as recommended by the Planning Commission.

**STAFF RECOMMENDATION:**

Staff concurs with the Planning Commission's recommendation.

**BACKGROUND:**

At its meeting of August 15, 2011, the Planning Commission reviewed and discussed a site plan extension for the Brighton Area Schools banner.

The Planning Commission recommended site plan approval with the following conditions:

1. That no sponsor signage or names are added to the banners that are located within the public right-of-way.

**For a more detailed review of the site plans, please refer to the attached Planning Report and DRAFT meeting minutes.**

**BUDGET IMPACT: N/A**

**RELATIONSHIP TO 2010/2011 GOALS: N/A**

**COUNCIL ACTION:**

Motion by \_\_\_\_\_ to approve a site plan amendment for a two year extension for the Brighton Area Schools 36 Light Pole Banners located along W. Main Street and a portion of Grand River subject to the following:

2. That no sponsor signage or names are added to the banners that are located within the public right-of-way.

and seconded by \_\_\_\_\_.

**Attachments:**

1. Planning Commission Report
2. DRAFT Planning Commission Meeting Minutes
3. Site Plan

**CITY OF BRIGHTON  
PLANNING COMMISSION  
PLANNING REPORT**

**TO:** Planning Commission Members

**FROM:** Amy Cyphert, Acting Planning & Zoning Director

**DATE:** August 15, 2011

**RE:** **Site Plan Amendment – Brighton Area Schools 36 Light Pole Banners  
#11-006**

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**BACKGROUND**

As the Planning Commission might remember, a site plan was approved on February 23, 2009, that allowed the Brighton Area Schools to place 36 banners on the existing cobra head light poles on Main Street and a portion of Grand River. The banner text includes the bulldog logo, “Brighton Pride” and “Go Dogs.” The approval period was for September 2009 until June 2010.

In June 2010, the Planning Commission and City Council extended the banner display for another year until summer 2011.

Please see the attached letter from John Thompson, CMAA on behalf of the Brighton Area Schools which details their request.

**DISCUSSION**

- Community Development Staff contacted members of the DPS Department, as well as the Police Chief regarding the current banners. Neither of the departments have had any issues or complaints regarding the existing BAS banners.
- Last year, City Council suggested a possible two-year extension. If Planning Commission is inclined to grant a two-year extension the below motion should be amended.

**STAFF RECOMMENDATION**

Staff has no objections to the issuance of another one-year extension or a two-year extension.

**COMMISSION ACTION**

Motion by \_\_\_\_\_ to recommend site plan amendment for a one year extension (or

two year) for the Brighton Area Schools 36 Light Pole Banners located along W. Main Street and a portion of Grand River subject to the following:

1. That no sponsor signage or names are added to the banners that are located within the public right-of-way.

Seconded by \_\_\_\_\_.

**Attachments:**

1. Letter from BAS
2. Planning Commission Minutes from Feb. 23, 2009

**DRAFT**  
**City of Brighton**  
**Planning Commission**  
**Minutes**  
**August 15, 2011**

**DRAFT**

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

Chairperson Monet called the meeting to order at 7:32 pm. The following were present:

John Wells	Steve Monet
Al Wirth	Dave Petrak
Bill Bryan	Matt Smith
Larry Schillinger	Robert Pawlowski
David McLane	

Also present were Amy Cyphert and Lauri French from Staff, Piet Lindhout and Jason McIntyre from Lindhout Associates, applicant Mark Kruger, owner of 209 W. Main St., applicant John and Matthew Becker, owner and tenant, respectively, for 500 W. Main St., and an audience of six.

**2. Call to the Public**

The call to the public was made at 7:32 p.m. Marilyn Krieger, 225 Madison, has a question for the applicant concerning the Pink Hotel and whether there is a provision being made for the current residents; are there alternatives available or will they just get tossed out? Hearing no further response, Chairperson Monet closed the call to the public. He advised Ms. Krieger that her question would be addressed in the meeting at the appropriate time.

**3. Approval of the July 18, 2011 Regular Meeting Minutes**

**Motion** by Mr. Schillinger, supported by Mr. Pawlowski, to approve the July 18, 2011 regular meeting minutes as presented. **The motion carried 7-0-2, with Commission Members Monet and Bryan abstaining.**

**4. Approval of the August 15, 2011 Agenda**

**Motion** by Mr. Smith, supported by Mr. McLane, to approve tonight's agenda as presented. **The motion carried 9-0.**

**Old Business** - None

**New Business**

**5. Site Plan Amendment – Brighton Area Schools Banner #11-006**

Amy Cyphert, Acting Planning & Zoning Director for the City of Brighton, gave an overview of the applicant's request to extend the Brighton Area Schools banner display. She noted that City Council suggested a possible two-year extension when they approved the one-year extension at last year's meeting, and Staff has no objection if the Planning Commission opts for a two-year extension.

**Motion** by Mr. Wells, supported by Mr. Schillinger, to recommend site plan amendment for a two-year extension for the Brighton Area Schools 36 Light Pole Banners located along W. Main Street and a portion of Grand River subject to the following:

1. That no sponsor signage or names are added to the banners that are located within the public right-of-way.

**The motion carried 9-0.**

**5. Site Plan – The White Dress – 209 W. Main Street #11-009**

Mr. McLane excused himself from the dais at 7:38 p.m. He explained that he is the architect for The White Dress and would be doing part of the presentation at tonight's meeting. The White Dress is a wedding boutique to be located at 209 W. Main St. Mr. McLane introduced Mr. Mark Kruger. Mark explained that he recently purchased the building and will be the owner while his daughter will own The White Dress. Mr. Kruger is a commercial/industrial general contractor whose customers include VG& and General Motors. He anticipates that his company will do the interior and exterior work for the building. Mr. Kruger reviewed the site plan and explained some of the changes that will take place to the building, notably transom windows in the front, addition of clerestories to the top of the building and the brick will be painted gray. The rear of the building will also see improvements such as an awning with The White Dress logo, planters and landscaping. In addition, the brick will be painted gray to match the front of the building. Mr. Kruger noted that Shine Salon will remain as a tenant in the lower level and they do not have immediate plans for any new tenants.

Mr. Kruger reviewed the floor plan for the lower and upper levels and noted there would be carpeting and wood floors with several large racks in the store. His daughter hopes to display up to 150 wedding and bridesmaid dresses. He noted they hope to have a soft-opening on October 15 with a grand opening at the end of October. He also stated they would like to add condos on the top floor at some point in the future if feasible.

Commission member Smith asked for clarification about whether the awning logos would be part of the sign square footage. Ms. Cyphert noted that this item is covered under Condition #1 under Commission Action and the motion for granting site plan approval.

**Motion** by Mr. Bryan, supported by Mr. Wirth, to recommend site plan amendment for The White Dress at 209 W. Main Street #11-007 as depicted on plans prepared by Ted Hu Associates, Inc, sheets CVR, A-1, A-2, & A-3, last dated 8-1-11 subject to the following:

1. That all signage comply with applicable Ordinances or variances obtained.
2. That right of way permits be obtained from the Department of Public Services for work within the right of way.
3. That any damages done to the existing sidewalk be repaired to current condition.
4. Lighting details be reviewed during the building permit process.
5. The use of wood and E.I.F.S is reviewed and approved by City Council, if deemed to enhance the building.

**The motion carried 8-0-1, with Mr. McLane abstaining.**

Mr. McLane came back to the dais at 7:58 p.m. and rejoined the Planning Commission meeting.

**6. Site Plan – Western House Brewery – 500 W. Main Street #11-010**

Piet Lindhout from Lindhout Associates is the architect for the proposed Western House Brewery at 500 W. Main Street. He introduced owner John Becker and his son, Matthew Becker, who will be the brew master. Mr. Lindhout reviewed the site plan for the building and highlighted several improvements such as removing existing quarters+asphalt up to the railroad tracks and replacing it with grass; adding stamped concrete for the loading/unloading area; and proposed fencing. Mr. Lindhout noted they would rely heavily on the Second Street lot for parking spaces. He discussed the current building tenants and

**POLICY REPORT: SITE PLAN EXTENSION – THE WHITE DRESS –  
209 W. MAIN STREET  
#11-009**

**September 1, 2011**

Prepared by:

Amy Cyphert  
Acting Planning & Zoning  
Director

Reviewed by:

Dana Foster  
City Manager

**ISSUE:**

To consider granting conditional site plan approval for The White Dress located at 209 W. Main Street as recommended by the Planning Commission.

**STAFF RECOMMENDATION:**

Staff concurs with the Planning Commission's recommendation.

**BACKGROUND:**

At its meeting of August 15, 2011, the Planning Commission reviewed and discussed a site plan for The White Dress located at 209 W. Main Street. The applicant and owner of the building is proposing interior and façade improvements to the existing building. The majority of the first floor of the building will be occupied by a bridal store. The existing salon is proposed to remain in the lower level and the remainder of the lower level and 700 square feet of the first floor is proposed for office or retail, but no specific tenants have been selected.

The Planning Commission recommended site plan approval with the following conditions:

1. That all signage comply with applicable Ordinances or variances obtained.
2. That right of way permits be obtained from the Department of Public Services for work within the right of way.
3. That any damages done to the existing sidewalk be repaired to current condition.
4. Lighting details be reviewed during the building permit process.
5. The use of wood and E.I.F.S is reviewed and approved by City Council, if deemed to enhance the building.

**For a more detailed review of the site plans, please refer to the attached Planning Report and DRAFT meeting minutes.**

**BUDGET IMPACT: N/A**

**RELATIONSHIP TO 2010/2011 GOALS: N/A**

**COUNCIL ACTION:**

Motion by \_\_\_\_\_ to approve the site plan for The White Dress at 209 W. Main Street #11-007 as depicted on plans prepared by Ted Hu Associates, Inc, sheets CVR, A-1, A-2, & A-3, last dated 8-1-11 subject to the following:

1. That all signage comply with applicable Ordinances or variances obtained.
2. That right of way permits be obtained from the Department of Public Services for work within the right of way.
3. That any damages done to the existing sidewalk be repaired to current condition.
4. Lighting details be reviewed during the building permit process.
5. The use of wood and E.I.F.S is reviewed and approved by City Council, if deemed to enhance the building.

and seconded by \_\_\_\_\_.

**Attachments:**

1. Planning Commission Report
2. DRAFT Planning Commission Meeting Minutes
3. Site Plan

**CITY OF BRIGHTON  
PLANNING COMMISSION  
PLANNING REPORT**

**TO:** Planning Commission Members

**FROM:** Amy Cyphert, Acting Planning & Zoning Director

**DATE:** August 15, 2011

**RE:** **The White Dress – 209 W. Main Street #11-009**

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## **Background**

The building at 209 W. Main Street was recently sold and vacated by the majority of the tenants. The existing salon remains in operation in a portion of the lower level. The first floor was previously occupied by retail establishments.

The applicant is proposing to occupy the majority of the first floor of the building for a bridal store. The existing salon is proposed to remain and the remainder of the lower level and 700 square feet of the first floor is proposed for office or retail.

The renovations include changes to the interior and exterior of the building. The building materials for the exterior of the building include: brick, wood millwork, E.I.F.S, existing fypon molding, architectural clerestory accent structures, canvas awnings and decorative lighting.

## **Parking & Drive Requirements**

The cover sheet states that the proposed tenant uses require 50 parking spaces. This property is within the DBD which states that uses within the DBD zoning district that require less than 65 parking spaces are exempt from the regulations and requirements of the parking article. So the property owner is not required to provide parking spaces.

## **Site Modifications**

### Landscaping:

- The proposed site plan does not include any proposed changes to the rear entrance planters.

### Dumpster:

- The site includes an existing dumpster.
- The site plan is proposing the staining of the existing dumpster gates.

### Signage:

- Wall signage on the north and south elevation are shown.

- The signage will be reviewed with the submittal of sign permits and must meet the requirements of the Sign Ordinance.

#### DBD Requirements:

- Transparency:
  - o Per the site plan, the front façade along W. Main Street, has 74.5% window transparency.
  - o The DBD ordinance requires the building transparency between 2' and 8' to be 70%.
- Roof Top Mechanical equipment:
  - o No new roof top units are being proposed.
- Building Materials:
  - o The DBD standards requires all facades that face a frontage line or alley to have the following building materials: glass, brick, cut stone, cast stone, coarsely textured stucco, or molded polymer panels (i.e. Fypon). E.I.F.S. (exterior insulation finish system, i.e. Dryvit), is not allowed on wood structures. Exterior finish applications of wood, vinyl, or E.I.F.S. may only be permitted subject to City Council review and approval, if deemed to enhance a building.
  - o The building materials include brick, wood millwork, E.I.F.S, existing fypon molding, and architectural clerestory accent structures..
- The DBD states that building walls visible from a public street shall be broken up with varying building materials and detailing, windows and architectural accents.
  - o The north elevation is broken up by windows, varying building materials and architectural accents. The south elevation includes windows and fabric awnings.

## **Utilities**

Tetra Tech did not provide a review on this proposal because they found no engineering review was needed.

## **Fire Department**

The Brighton Area Fire Department reviewed the site plan and provided comments pertaining to the requirements of the current International Fire Code. The letter dated July 26, 2011 from the BAFD requested a detail of the address on the building, a knox box on the building, and hydrant location. Per the applicant, he has addressed the Fire Department requests on the revised site plan before the Planning Commission tonight.

## **STAFF RECOMMENDATION**

The following are goals from the City of Brighton Master Plan: *encourage the development of new businesses and the redevelopment of existing sites which will enhance the tax base and meet service needs of present residents without requiring extensive city services.* The building will allow a new business to occupy a first floor of a building that is located on a very visible City street. The proposed site plan includes additional space for other new businesses. The improvements to the building and the occupancy of the space will enhance the tax base.

The DBD zoning ordinance requires that new buildings/facades provide distinct and prominent architectural features that reflect the importance of the building's location and may create a visual landmark. Such distinct and prominent features may include appropriate use of masonry brick, facade design that provides texture, rhythm, and ornament to a wall, and the use of natural colors that are harmonious with the natural and manmade environment. Staff believes that those requirements have been met with the design of the building facades that are before the Board this evening.

Since it appears that the site plan is supported by the adopted Master Plan, DBD article and it complies with the pertinent City ordinances, it is recommended that the site plan be approved, subject to the conditions below.

### **COMMISSION ACTION**

Consider granting site plan approval for the project with the following motion:

Motion by \_\_\_\_\_ to recommend site plan amendment for The White Dress at 209 W. Main Street #11-007 as depicted on plans prepared by Ted Hu Associates, Inc, sheets CVR, A-1, A-2, & A-3, last dated 8-1-11 subject to the following:

1. That all signage comply with applicable Ordinances or variances obtained.
2. That right of way permits be obtained from the Department of Public Services for work within the right of way.
3. That any damages done to the existing sidewalk be repaired to current condition.
4. Lighting details be reviewed during the building permit process.
5. The use of wood and E.I.F.S is reviewed and approved by City Council, if deemed to enhance the building.

supported by \_\_\_\_\_.

#### **Attachments:**

1. Site Plan

1. That no sponsor signage or names are added to the banners that are located within the public right-of-way.

**The motion carried 9-0.**

**5. Site Plan – The White Dress – 209 W. Main Street #11-009**

Mr. McLane excused himself from the dais at 7:38 p.m. He explained that he is the architect for The White Dress and would be doing part of the presentation at tonight's meeting. The White Dress is a wedding boutique to be located at 209 W. Main St. Mr. McLane introduced Mr. Mark Kruger. Mark explained that he recently purchased the building and will be the owner while his daughter will own The White Dress. Mr. Kruger is a commercial/industrial general contractor whose customers include VG& and General Motors. He anticipates that his company will do the interior and exterior work for the building. Mr. Kruger reviewed the site plan and explained some of the changes that will take place to the building, notably transom windows in the front, addition of clerestories to the top of the building and the brick will be painted gray. The rear of the building will also see improvements such as an awning with The White Dress logo, planters and landscaping. In addition, the brick will be painted gray to match the front of the building. Mr. Kruger noted that Shine Salon will remain as a tenant in the lower level and they do not have immediate plans for any new tenants.

Mr. Kruger reviewed the floor plan for the lower and upper levels and noted there would be carpeting and wood floors with several large racks in the store. His daughter hopes to display up to 150 wedding and bridesmaid dresses. He noted they hope to have a soft-opening on October 15 with a grand opening at the end of October. He also stated they would like to add condos on the top floor at some point in the future if feasible.

Commission member Smith asked for clarification about whether the awning logos would be part of the sign square footage. Ms. Cyphert noted that this item is covered under Condition #1 under Commission Action and the motion for granting site plan approval.

**Motion** by Mr. Bryan, supported by Mr. Wirth, to recommend site plan amendment for The White Dress at 209 W. Main Street #11-007 as depicted on plans prepared by Ted Hu Associates, Inc, sheets CVR, A-1, A-2, & A-3, last dated 8-1-11 subject to the following:

1. That all signage comply with applicable Ordinances or variances obtained.
2. That right of way permits be obtained from the Department of Public Services for work within the right of way.
3. That any damages done to the existing sidewalk be repaired to current condition.
4. Lighting details be reviewed during the building permit process.
5. The use of wood and E.I.F.S is reviewed and approved by City Council, if deemed to enhance the building.

**The motion carried 8-0-1, with Mr. McLane abstaining.**

Mr. McLane came back to the dais at 7:58 p.m. and rejoined the Planning Commission meeting.

**6. Site Plan – Western House Brewery – 500 W. Main Street #11-010**

Piet Lindhout from Lindhout Associates is the architect for the proposed Western House Brewery at 500 W. Main Street. He introduced owner John Becker and his son, Matthew Becker, who will be the brew master. Mr. Lindhout reviewed the site plan for the building and highlighted several improvements such as removing existing quarters+asphalt up to the railroad tracks and replacing it with grass; adding stamped concrete for the loading/unloading area; and proposed fencing. Mr. Lindhout noted they would rely heavily on the Second Street lot for parking spaces. He discussed the current building tenants and

# THE WHITE DRESS BRIDAL BOUTIQUE

209 MAIN STREET

BRIGHTON, MICHIGAN 48116

## PROJECT: TENANT SPACE REMODEL - MAIN FLOOR & MAIN STREET ELEVATION

### PROJECT TEAM

**OWNER / APPLICANT**  
MARK KRUEGER  
16320 Knob Hill  
Linden, Michigan 48451  
Phone:  
e-mail: markk@eandgroup.com

**CONTRACTOR**  
E & L CONSTRUCTION GROUP  
2830 Lippincott Blvd.  
P.O. Box 418  
Flint, Michigan 48501  
Phone: 810.744.4300  
Fax: 810.744.1735

**ARCHITECT**  
TED HU ASSOCIATES, INC.  
6-8285 S. Saginaw Street  
Grand Blanc, Michigan 48439  
Phone: 810.953.0400  
Fax: 810.953.0640  
Architect: DAVID McLANE, AIA, NCARB  
Cell: 810.569.1082  
e-mail: davidmclane@tedhuassociates.com

### APPROVAL AGENCIES

**LOCAL MUNICIPALITY**  
CITY OF BRIGHTON  
200 North First Street  
Brighton, Michigan 48116  
Phone: 810.227.1911  
City Manager: DANA FOSTER  
**COMMUNITY DEVELOPMENT DEPARTMENT:**  
DDA & CD Director: MATTHEW MODRACK  
Planning & Zoning Director: AMY CYPHERT  
**BUILDING DEPARTMENT:**  
Building Official: JIM ROWELL

**FIRE DEPARTMENT:**  
Brighton Area Fire Department  
615 West Grand River  
Brighton, Michigan 48114  
Phone: 810.229.6640

### VICINITY MAP

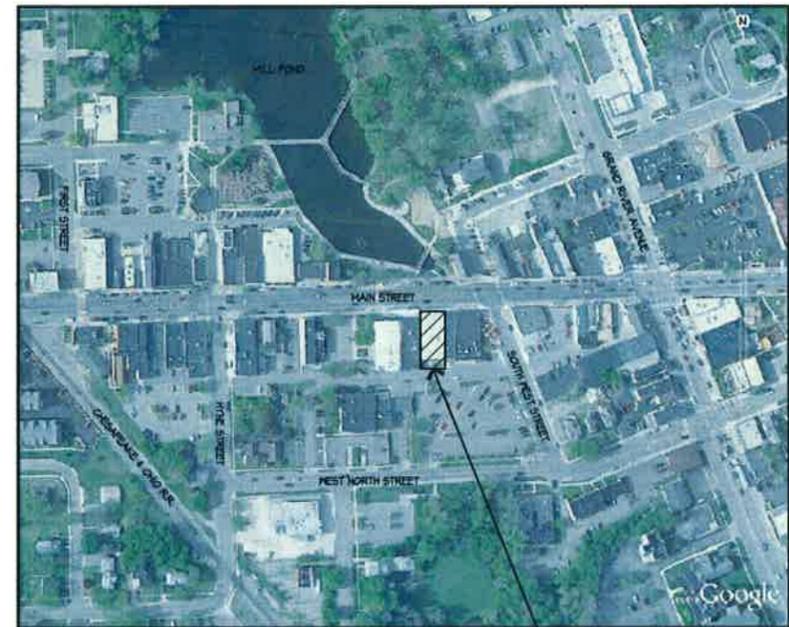


VICINITY MAP

SCALE: NONE

PROJECT LOCATION

### LOCATION MAP



LOCATION MAP

SCALE: NONE

PROJECT LOCATION

### GENERAL NOTES / CODE REVIEW

- BUILDING CODES:**
- 1) MICHIGAN BUILDING CODE - 2009
  - 2) CITY OF BRIGHTON ZONING ORDINANCE
  - 3) MICHIGAN BARRIER FREE - ICC/ANSI A117.1 - 2003
  - 4) MICHIGAN MECHANICAL CODE - 2003
  - 5) MICHIGAN PLUMBING CODE - 2003
  - 6) MICHIGAN ELECTRICAL CODE (NATIONAL ELECTRIC CODE (NEC) - 2002 w/ PART 8 AMENDMENTS)
  - 7) INTERNATIONAL FIRE CODE - 2006

**USE GROUP:** M - MERCANTILE (SECTION 309)

**CONSTRUCTION TYPE:** TYPE VB (SECTION 602 & TABLE 601)

**ZONING:** DOWNTOWN BUSINESS DISTRICT (DBD)

**PARCEL #:** 4718-30-308-004

**BUILDING CHARACTERISTICS:** BUILDING: EXISTING (MIXED USE - CURRENTLY LOWER LEVEL TENANT)  
BUILDING MAINFRAME TYPE:

- 12" MASONRY FIRE WALL EAST @ WEST WALLS.
- 8" MASONRY EAST WALL w/ BRICK FACADE.
- CONVENTIONAL WOOD FRAMED NORTH WALL w/ BRICK FACADE.
- CONVENTIONAL WOOD FRAMED FLOOR SYSTEM.
- LONG SPAN STEEL JOIST ROOF & METAL DECK.

**NUMBER OF STORIES:** 1

**TOTAL BUILDING AREA (GFA):** 5330 S.F.

**TOTAL TENANT SPACE AREA (GSA):**

-LOWER LEVEL: 4,820SF + 510SF. CORRIDOR/STAIRS

-MAIL LEVEL: 4,710SF + 540SF. CORRIDOR/STAIRS

**TOTAL LAND AREA:** 7,161SF (0.16 ACRES)

**TOTAL LINEAR FRONTAGE ON MAIN STREET:** 54'-4"

**PROPERTY DEPTH:** 132'-0"

**PRINCIPAL HEATING TYPE:** NATURAL GAS

**TYPE OF MECHANICAL:** FORCED AIR

**TYPE OF WATER HEATER:** ELECTRIC

**NUMBER OF PARKING SPACES:** SEE ORDINANCE REVIEW

**FIRE PROTECTION:** EXISTING BUILDING IS NOT SPRINKLED (NOT REQUIRED PER SECTION 903.2.6)

**MEANS OF EGRESS:** EGRESS WIDTH: 72" (EXISTING DBL. 36" DOOR FRONT & REAR ENTRY).

LIGHTING/SIGNAGE: EXISTING (SECTION 1006)

PANIC HARDWARE: PROVIDED.

EXIT ACCESS TRAVEL DIST.: EXISTING < 200' MAX. (TABLE 1016.1)

**ACCESSIBILITY:** ENTRANCE: EXISTING PROVIDED.

ROUTE: PROVIDED (EXISTING CONDITIONS PROVIDE REQUIRED ACCESSIBILITY TO THE BUILDING).

TOILET: PROVIDED.

SIGNAGE: PROVIDED.

**PLUMBING:** BARRIER FREE: PROVIDED.

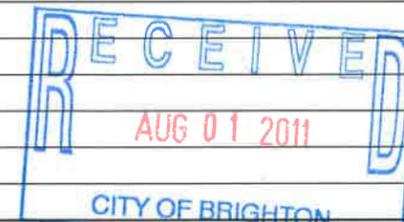
### GENERAL NOTES / ORDINANCE REVIEW

#### BUILDING CHARACTERISTICS:

- BUILDING PLACEMENT:** EXISTING.
- LOT COVERAGE:** EXISTING (NO PROPOSED BUILDING FOOTPRINT INCREASE).
- PRINCIPLE PEDESTRIAN ENTRY:** EXISTING FRONT ENTRY FROM MAIN STREET (NO PROPOSED CHANGE).
- BUILDING HEIGHT:** (SEC. 98-462 (4c)) 30' MAX - EXISTING IS 16'-0" +/- (NO PROPOSED CHANGE).
- STORIES @ SIDEWALK LEVEL:** (SEC. 98-462 (4c3)) 4' MIN. A.F.F. TO FINISH CEILING (PROPOSED: 10'-0").
- PARKING SPACES:** (SEC. 98-83, 98-84, 98-85)
- MAIN LEVEL: PROPOSED RETAIL (GFA: 4,630SF) = 1 PER 300SF OF GFA = 16 SPACES.
  - MAIN LEVEL: FUTURE OFFICE/GENERAL BUSINESS (GFA: 700SF) = 1 PER 200SF OF GFA = 4 SPACES.
  - LOWER LEVEL: SALON (GFA: 1,445SF) = 3 PER HAIR/NAIL CHAIR (6 CHAIRS) = 18 SPACES.
  - LOWER LEVEL: FUTURE RETAIL (GFA: 3,375) = 1 PER 300SF = 12 SPACES.
  - TOTAL SPACES REQUIRED: 30
- PARKING SPACE LOCATIONS:** EXISTING PUBLIC PARKING.
- DELIVERIES:** (SEC. 98-462 (4c3)) DELIVERIES, UNLOADING, LOADING @ REAR OF EXISTING BUILDING.
- PARKING LOT LIGHTING:** (SEC. 98-83(9)) EXISTING.
- PARKING LOT LANDSCAPING:** (SEC. 98-86) EXISTING.
- GENERAL LANDSCAPING:** EXISTING (NO NEW PROPOSED).
- DUMPSTER ENCLOSURE:** EXISTING ENCLOSURE & GATE (STAIN EXISTING PROPOSED).
- SIGNAGE:** (SEC. 66-44(4b))
- MAIN STREET BLDG. ENTRY: MAX. AREA: 325F + 45F = 365F (PROPOSED: 255F)
  - REAR PARKING LOT ENTRY: SECONDARY MAX. 50% OF MAIN ENTRY: 18 SF (14.55F EXISTING)
- FACADE TRANSPARENCY:** (SEC. 98-462(4)) MIN. 10% TRANSPARENCY BETWEEN 2' & 8' (PROPOSED: 14.5%)
- SIGN LIGHTING:** BACK-LIT GRAPHIC & LETTERS PROPOSED (MAIN STREET FACADE).
- GENERAL LIGHTING:**
- MAIN STREET - PROPOSED GOOSENECK LIGHTING.
  - REAR ENTRY - EXISTING.
- BUILDING ADDRESS:** MINIMUM 6" HIGH LETTERS, CONTRASTING COLORS, CLEARLY VISIBLE FROM STREET

### SCHEDULE OF DRAWINGS

CVR	COVER SHEET
A-1	EXISTING CONDITIONS (SITE / MAIN FLOOR / ELEVATIONS)
A-2	EXISTING CONDITIONS (LOWER LEVEL / ROOF PLAN)
A-3	PROPOSED FLOOR PLAN & ELEVATIONS



A = ARCHITECTURAL S = STRUCTURAL C = CIVIL M = MECHANICAL E = ELECTRICAL P = PLUMBING

### MATERIAL SYMBOLS



### KEY SYMBOLS



SEAL

TED HU ASSOCIATES, INC.  
ARCHITECT  
Telephone: 810 - 953 - 0400  
810 - 953 - 0640  
810 - 953 - 0640



DATE: \_\_\_\_\_  
DATE: \_\_\_\_\_

PROJECT: TENANT SPACE RENOVATION FOR THE WHITE DRESS BRIDAL BOUTIQUE  
209 WEST MAIN STREET  
BRIGHTON, MICHIGAN 48116

#### REVISIONS

BY	DATE	ISSUED FOR
DM	T/S	PLAN REVIEW
DM	0/1	REVISED

DRAWN BY: DM

TRACES BY:

CHECKED BY:

APPROVED BY:

DATE: 06/28/11

SHEET:

SHEET TITLE:

COVER SHEET

SHEET NO.:

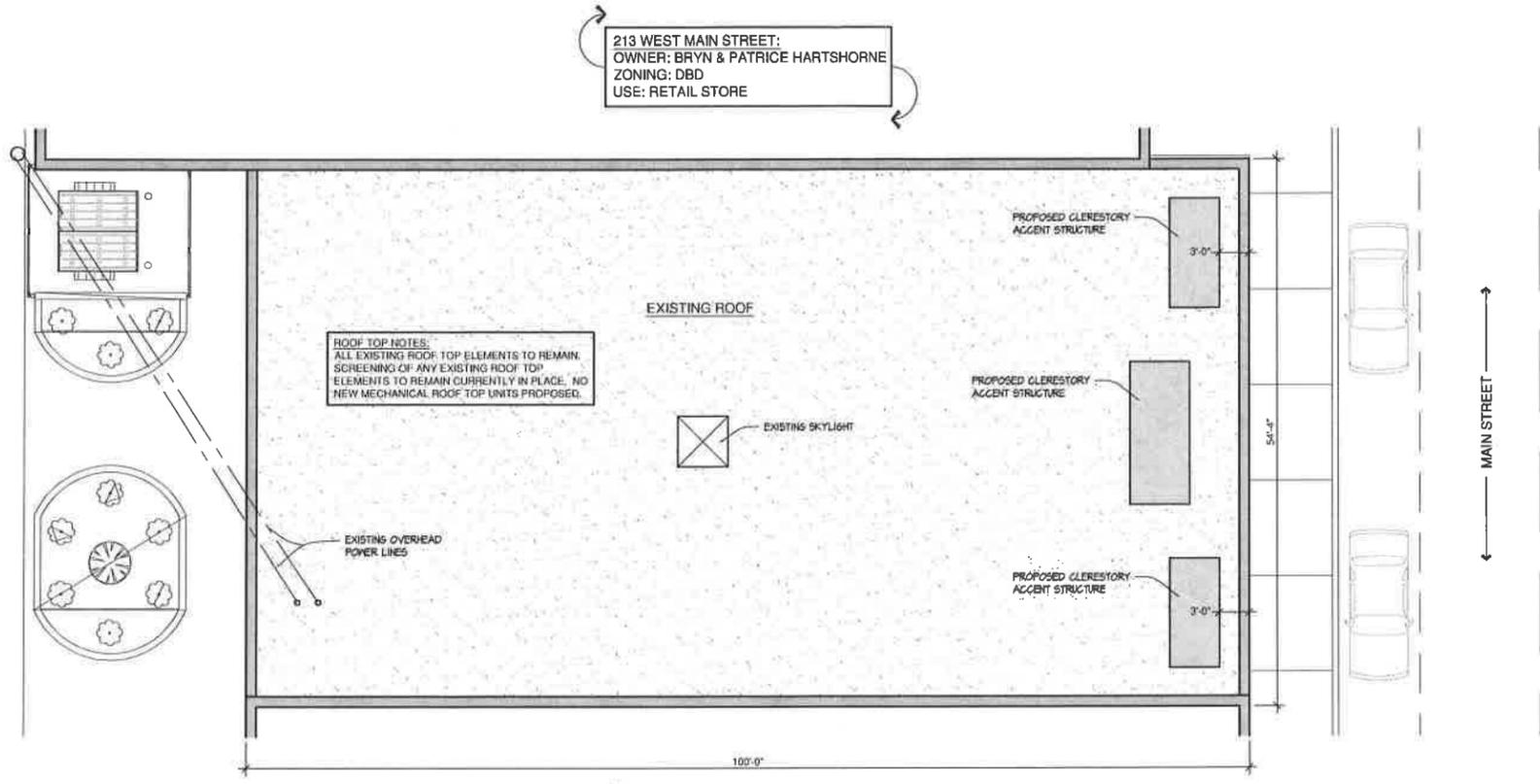
CVR

PROJECT NO.:

2011-15

DATE: 2011-15

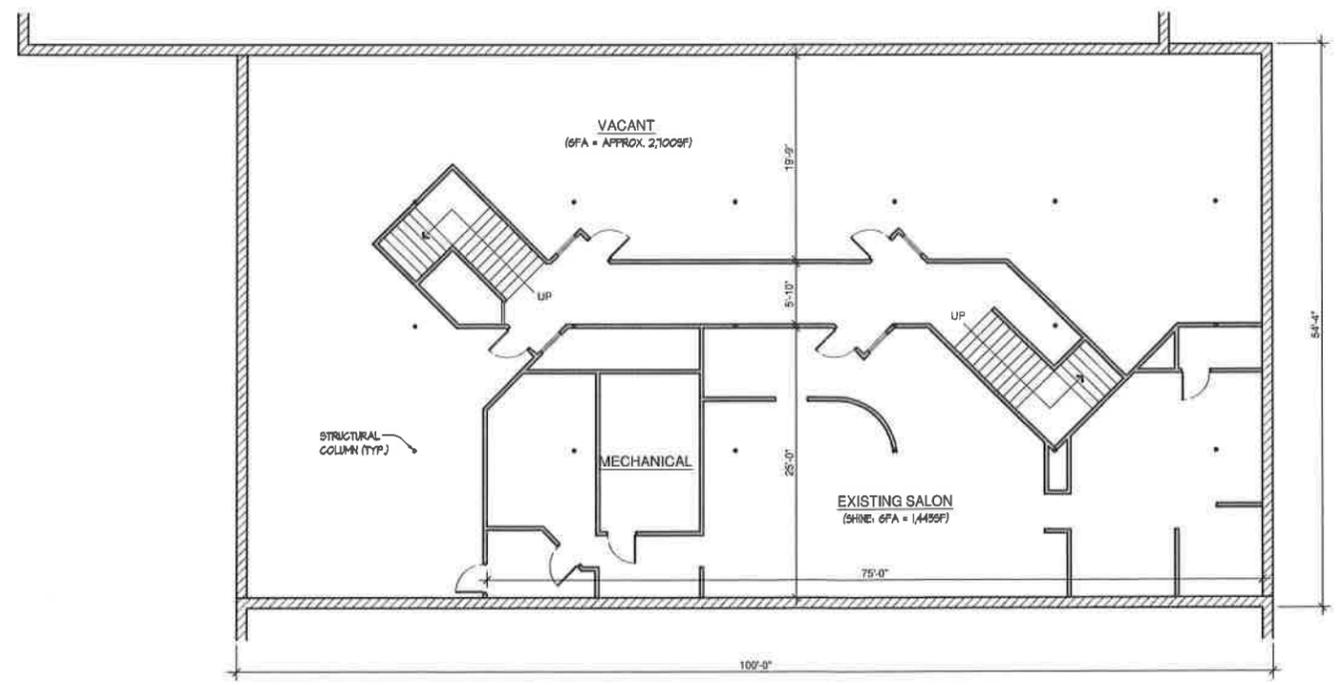
DATE: 2011-15



ROOF PLAN - EXISTING / PROPOSED  
SCALE: 1/8" = 1'-0"

EXTERIOR GRADE MECHANICAL EQUIPMENT NOTE:  
THERE ARE NO NEW GRADE PAD MOUNTED MECHANICAL  
UNITS PROPOSED.

205 WEST MAIN STREET:  
OWNER: JOHN & SHIRLEY JARVIS  
ZONING: DBD  
USE: RETAIL STORE



FLOOR PLAN - EXISTING LOWER LEVEL  
SCALE: 1/8" = 1'-0"

SEAL

TED HU ASSOCIATES, INC.  
ARCHITECT  
6-885 S. Saginaw, Suite #9  
Grand Haven, Michigan 49428  
Telephone: 616 - 963 - 0640  
Fax: 616 - 963 - 0640

PROJECT: THE WHITE DRESS BRIDAL BOUTIQUE  
204 WEST MAIN STREET  
BRIGHTON, MICHIGAN 48116

REVISIONS	DATE	ISSUED FOR
DM	1/15	PLAN REVIEW
DM	8/1	REVISED

DRAWN BY: DM  
CHECKED BY:  
APPROVED BY:  
DATE: 06.28.11  
ISSUED:

SHEET TITLE:  
EXISTING  
CONDITIONS

SHEET NO:  
A-2

PROJECT NO:  
2011-14

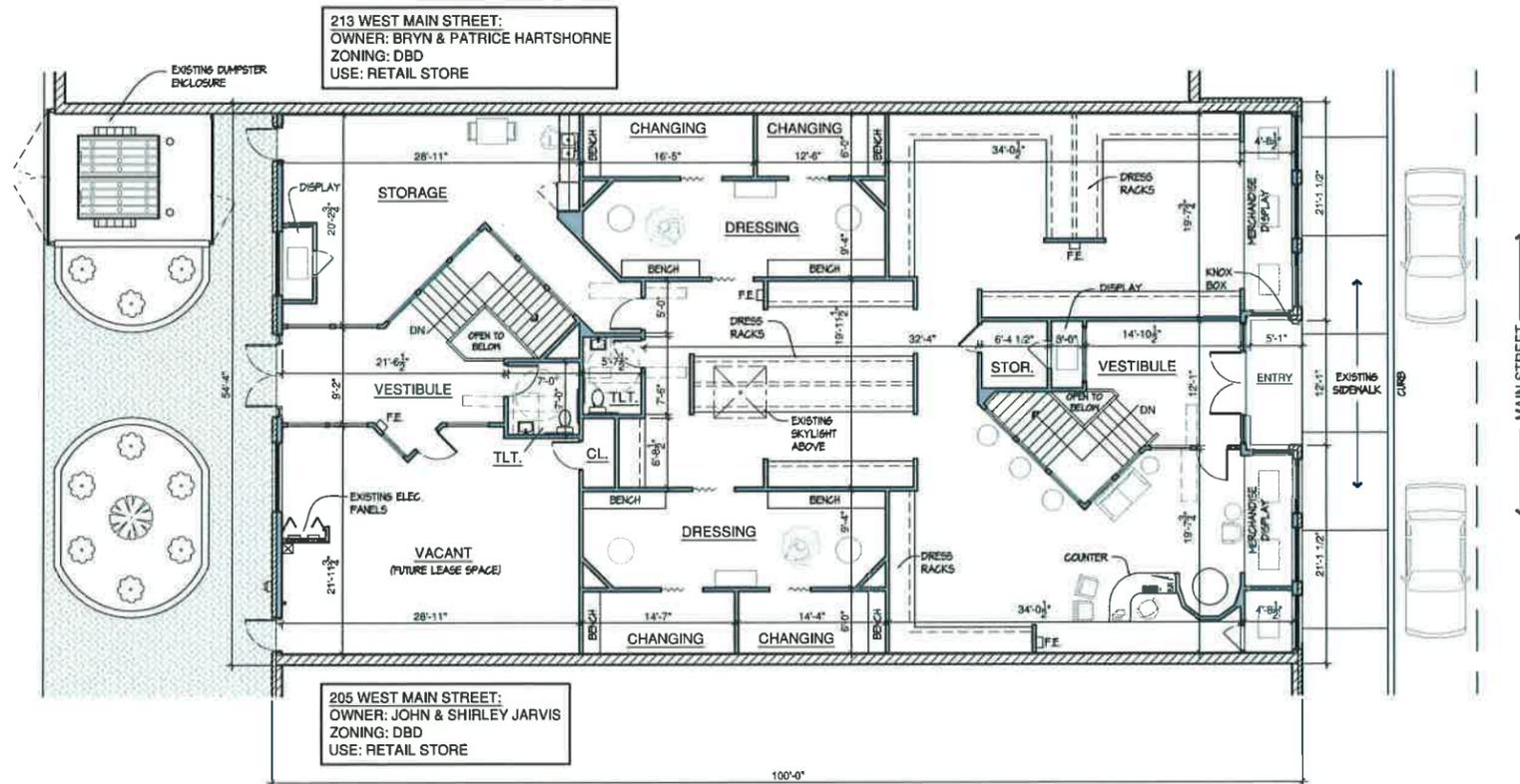
SCALE:  
PR



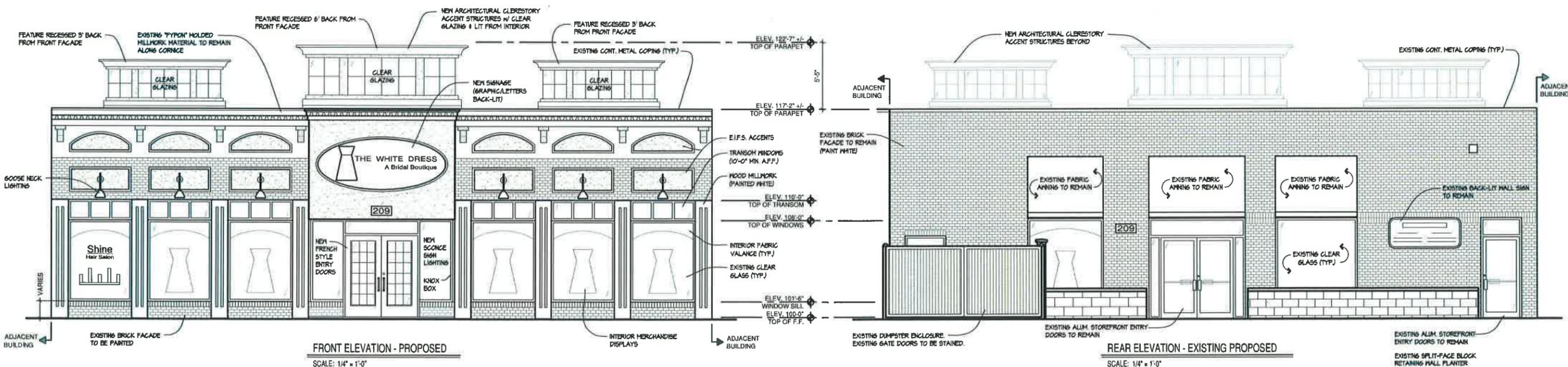
MAIN STREET ELEVATION - PROPOSED COLORS  
SCALE: NONE



COLOR PALETTE



FLOOR PLAN - PROPOSED  
SCALE: 1/8" = 1'-0"



FRONT ELEVATION - PROPOSED  
SCALE: 1/4" = 1'-0"

REAR ELEVATION - EXISTING PROPOSED  
SCALE: 1/4" = 1'-0"

FACADE TRANSPARENCY (SEC. 98-462(4)):  
WALL AREA BETWEEN 2' & 8' ABOVE GRADE: 386SF  
TRANSPARENT AREA BETWEEN 2' & 8' ABOVE GRADE: 287 SF  
WINDOW/DOOR TRANSPARENCY AREA: 74.5% (MIN. REQ'D 70%)

SIGNAGE: (SEC. 96-94(4b))  
MAIN STREET BLDG. ENTRY: MAX. AREA: 325F + 45F = 365F (PROPOSED: 355F)  
REAR PARKING LOT ENTRY: SECONDARY MAX. 50% OF MAIN ENTRY = 18 SF (14.5SF EXISTING)

SEAL

TED HU ASSOCIATES, INC.  
ARCHITECT  
C-2825 S. Saginaw, Suite #9  
Grand Blanc, Michigan 48839  
Telephone: 810 - 863 - 0640  
Fax: 810 - 863 - 0640

PROJECT: THE WHITE DRESS BRIDAL BOUTIQUE  
204 WEST MAIN STREET  
ERIKSTON, MICHIGAN 48816

NO.	DATE	ISSUED FOR
DM	7/15	PLAN REVIEW
DM	8/1	REVISED

DESIGNED BY: DM  
CHECKED BY:  
APPROVED BY:  
DATE: 06.28.11  
SHEET TITLE: COVER SHEET  
SHEET NO.: A-3  
PROJECT NO.: 2011-11

**POLICY REPORT: SITE PLAN EXTENSION – WESTERN HOUSE  
BREWERY – 500 W. MAIN STREET  
#11-010**

**September 1, 2011**

Prepared by:

Amy Cyphert  
Acting Planning & Zoning  
Director

Reviewed by:

Dana Foster  
City Manager

**ISSUE:**

To consider granting conditional site plan approval for the Western House Brewery located at 500 W. Main Street as recommended by the Planning Commission.

**STAFF RECOMMENDATION:**

Staff concurs with the Planning Commission's recommendation.

**BACKGROUND:**

At its meeting of August 15, 2011, the Planning Commission reviewed and discussed a site plan for the Western House Brewery located at 500 W. Main Street. The applicant is proposing to convert the building to a brewery and tasting facility. This proposal includes the use of the existing building and an addition to the north elevation. Interior changes and exterior repair work are proposed for the existing building. The proposed site plan also includes site improvements.

The Planning Commission recommended site plan approval with the following conditions:

1. That all signage comply with applicable Ordinances or variances obtained.
2. That right of way permits be obtained from the Department of Public Services for work within the right of way.
3. That any damages done to the existing sidewalk be repaired to current condition.
4. Lighting details be reviewed during the building permit process.
5. The use of wood and E.I.F.S is reviewed and approved by City Council, if deemed to enhance the building.

**For a more detailed review of the site plans, please refer to the attached Planning Report and DRAFT meeting minutes.**

**BUDGET IMPACT: N/A**

**RELATIONSHIP TO 2010/2011 GOALS: N/A**

**COUNCIL ACTION:**

Motion by \_\_\_\_\_ to approve a conditional site plan for the Western House Brewery at 500 W. Main #11-010 as depicted on plans prepared by Lindhout Associates, sheets C1.1, A1.1, and A2.1 project no. 1152, last dated 8-1-11 subject to the following:

1. Lighting details be reviewed during the building permit process.
2. That all signage comply with applicable Ordinances or variances obtained.
3. That City Council grant a variance from the transparency requirement due to the “special architectural features” of the façade.
4. The use of wood is reviewed and approved by City Council, if deemed to enhance the outdoor patio area.
5. That right of way permits be obtained from the Department of Public Services for work within the right of way.
6. That any damages done to the existing sidewalk be repaired to current condition or DDA standards as noted on the plans.
7. The items raised in the City Engineer’s letter are addressed.

supported by \_\_\_\_\_.

**Attachments:**

1. Planning Commission Report
2. DRAFT Planning Commission Meeting Minutes
3. Engineer’s Letter
4. Site Plan

**CITY OF BRIGHTON  
PLANNING COMMISSION  
PLANNING REPORT**

**TO:** Planning Commission Members

**FROM:** Amy Cyphert, Acting Planning & Zoning Director

**DATE:** August 15, 2011

**RE:** Western House Brewery - 500 W. Main Street #11-010

---

## **Background**

Currently, the building located at 500 W. Main Street is utilized for office space on the first floor and small residential rental units on the second and third floors. The applicant is in the process of purchasing the building.

The applicant is proposing to convert the building to a brewery and tasting facility. This proposal includes the use of the existing building and an addition to the north elevation. Interior changes and exterior repair work are proposed for the existing building. The proposed site plan also includes site improvements. The property is zoned DBD – Downtown Business District.

The building materials proposed for the addition are brick, windows, a metal canopy and polymer cornice.

## **Parking & Drive Requirements**

The existing building requires 22 parking spaces, 10 for the first floor office space and 12 for the 2<sup>nd</sup> and 3<sup>rd</sup> floor residential units. The building is roughly 6,186 square feet.

The proposed changes to the interior space and the addition will result in a 9,484 square foot building. The 2,999 square foot basement area used for brewery operations requires 5 parking spaces. The 1<sup>st</sup> and 2<sup>nd</sup> floor require 60 parking spaces and the 3<sup>rd</sup> floor/mezzanine requires 5 parking spaces, resulting in 70 total required parking spaces. The site provides 11 parking spaces. For uses which exceed the parking exemption set forth herein, the parking requirements shall be calculated by deducting 65 parking spaces from the parking calculation set forth in sections 98-83 through 98-85 of this article. The reduction of the 11 on-site spaces results in a parking space requirement of 59 spaces.

The City of Brighton Zoning Ordinance states that uses within the DBD zoning district that require less than 65 parking spaces are exempt from the regulations and requirements of the parking article. Therefore, the property owner is not required to provide parking spaces.

A 2,056 square foot outdoor seating area is proposed. The City parking ordinance does not require outdoor patios/areas that are used on a seasonal basis to be counted as part of the parking space calculation.

## **Site Modifications**

### Dumpster:

- The site plan includes a new 8'4" x 14' dumpster enclosure.
- The enclosure is proposed to be constructed of brick to match the building addition, metal caps and aluminum gates.

### Signage:

- Roof signage is shown on the site plan.
- Roof signage is prohibited in the sign ordinance.
- The site plan notes "final ZBA approval required for historically accurate rooftop signs."

### Outdoor Seating Area:

- The site plan includes 2,056 square foot outdoor seating area along the west elevation (railroad tracks).
- This area is proposed to be enclosed by a 4-6 foot ornamental fence.

### Landscaping:

- The existing site has minimum landscaping elements, with the exception of a large tree along W. Main Street.
- The applicant is proposing to leave the existing tree along Main Street and the addition of 14 deciduous or evergreen trees.
- 65 other types of shrubs are proposed for the site.
- All landscape areas are proposed to be irrigated.

### DBD Requirements:

- Transparency:
  - Per the site plan, the front façade, along W. Main Street, has 21% window transparency.
  - The side façade along N. First Street has 24% window transparency.
  - The DBD ordinance states, "in cases where a nonretail building is located on a corner, one of the facades of the building must have transparent window and door areas, equal to 70 percent of that portion of the façade measured between two and eight feet from grade."
  - Since the 70% transparency requirement is not met, City Council has the ability to grant adjustments to the ground floor facade window and door transparency requirements due to the special architectural features of the building.
- Roof Top Mechanical equipment:
  - Roof top mechanical equipment is required to be screened or shielded to prevent viewing from public right-of-ways and city owned parking lots.
  - The roof top equipment is proposed to be mounted to the roof of the new addition.
  - The site plan proposes screening the roof top equipment with an extended parapet.
- Building Materials:
  - The DBD standards requires all facades that face a frontage line or alley to have the following building materials: glass, brick, cut stone, cast stone, coarsely textured stucco, or molded polymer panels (i.e. Fypon). E.I.F.S. (exterior insulation finish

system, i.e. Dryvit), is not allowed on wood structures. Exterior finish applications of wood, vinyl, or E.I.F.S. may only be permitted subject to City Council review and approval, if deemed to enhance a building.

- The building materials include brick, windows, a metal canopy and polymer cornice.
- The use of wood must be reviewed and approved by City Council, if deemed to enhance the building. Minimum amounts of woods are proposed for the outdoor patio area.
- The DBD states that building walls visible from a public street shall be broken up with varying building materials and detailing, windows and architectural accents.
  - All the building elevations can be seen from public streets. All the elevations are broken up by windows, depressions in the brick, arch work and entry doors.

## **Utilities**

Tetra Tech reviewed the site plan and provided comments pertaining to the site plan in their letter dated August 1, 2011. The City Utilities Department also reviewed the site plan and provided comments at the site plan review meeting. The letter requested revisions to the dumpster enclosure, concrete details, spot elevations, and site drainage information. Per the architect, they included Tetra Tech's requests in the submittal before you this evening. Staff left the compliance with the City Engineer's letter as a site plan approval requirement, since the City Engineer has not had a chance to review the revised plans.

## **Fire Department**

The Brighton Area Fire Department reviewed the site plan and provided comments pertaining to the requirements of the current International Fire Code. The letter dated July 25, 2011 from the BAFA requested the location of the closet fire hydrant, installation of a sprinkler system in the building, and a knox box on the building. The architects included the BAFD requests in the submittal before you this evening. Additional fire code review and review of the automatic sprinkler system will be done by the BAFA during the construction review.

## **DDA Review**

Lindhout Associates is the architect for the site plan. DDA comments were made by the DDA Director, Matt Modrack and addressed on the revised site plan before the Board.

## **STAFF RECOMMENDATION**

The following are goals from the City of Brighton Master Plan: *encourage the development of new businesses and the redevelopment of existing sites which will enhance the tax base and meet service needs of present residents without requiring extensive city services.* The building will allow a new business to occupy a building that is located on a very visible City street. The improvements to the building and will enhance the tax base.

The DBD zoning ordinance requires that new buildings/facades provide distinct and prominent architectural features that reflect the importance of the building's location and may create a visual landmark. Such distinct and prominent features may include appropriate use of historic detailing, appropriate use of masonry brick, use of pillars and arches, and the use of architectural styles associated with events significant in Brighton's history. Staff believes that those requirements have been met with the design of the building addition that is before the Board this evening. The repair of the exterior of the existing building is needed to ensure the building stands strong for the next 100 years. The proposed addition will provide the updated bathroom and elevator space needed for the function of the building. The architect has taken into account the existing building when designing the addition.

Since it appears that the site plan is supported by the adopted Master Plan and DBD article, and it complies with the pertinent City ordinances, it is recommended that the site plan be approved, subject to the conditions below.

### **COMMISSION ACTION**

Consider granting site plan approval for the project with the following motion:

Motion by \_\_\_\_\_ to recommend conditional site plan approval for the Western House Brewery at 500 W. Main #11-010 as depicted on plans prepared by Lindhout Associates, sheets C1.1, A1.1, and A2.1 project no. 1152, last dated 8-1-11 subject to the following:

1. Lighting details be reviewed during the building permit process.
2. That all signage comply with applicable Ordinances or variances obtained.
3. That City Council grant a variance from the transparency requirement due to the "special architectural features" of the façade.
4. The use of wood is reviewed and approved by City Council, if deemed to enhance the outdoor patio area.
5. That right of way permits be obtained from the Department of Public Services for work within the right of way.
6. That any damages done to the existing sidewalk be repaired to current condition or DDA standards as noted on the plans.
7. The items raised in the City Engineer's letter are addressed.

supported by \_\_\_\_\_.

### **Attachments:**

1. Tetra Tech letter dated 7/25/11
2. Lindhout Letter Addressing TT Letter 8/1/11
3. Rendering
4. Site Plan

1. That no sponsor signage or names are added to the banners that are located within the public right-of-way.

**The motion carried 9-0.**

**5. Site Plan – The White Dress – 209 W. Main Street #11-009**

Mr. McLane excused himself from the dais at 7:38 p.m. He explained that he is the architect for The White Dress and would be doing part of the presentation at tonight's meeting. The White Dress is a wedding boutique to be located at 209 W. Main St. Mr. McLane introduced Mr. Mark Kruger. Mark explained that he recently purchased the building and will be the owner while his daughter will own The White Dress. Mr. Kruger is a commercial/industrial general contractor whose customers include VG& and General Motors. He anticipates that his company will do the interior and exterior work for the building. Mr. Kruger reviewed the site plan and explained some of the changes that will take place to the building, notably transom windows in the front, addition of clerestories to the top of the building and the brick will be painted gray. The rear of the building will also see improvements such as an awning with The White Dress logo, planters and landscaping. In addition, the brick will be painted gray to match the front of the building. Mr. Kruger noted that Shine Salon will remain as a tenant in the lower level and they do not have immediate plans for any new tenants.

Mr. Kruger reviewed the floor plan for the lower and upper levels and noted there would be carpeting and wood floors with several large racks in the store. His daughter hopes to display up to 150 wedding and bridesmaid dresses. He noted they hope to have a soft-opening on October 15 with a grand opening at the end of October. He also stated they would like to add condos on the top floor at some point in the future if feasible.

Commission member Smith asked for clarification about whether the awning logos would be part of the sign square footage. Ms. Cyphert noted that this item is covered under Condition #1 under Commission Action and the motion for granting site plan approval.

**Motion** by Mr. Bryan, supported by Mr. Wirth, to recommend site plan amendment for The White Dress at 209 W. Main Street #11-007 as depicted on plans prepared by Ted Hu Associates, Inc, sheets CVR, A-1, A-2, & A-3, last dated 8-1-11 subject to the following:

1. That all signage comply with applicable Ordinances or variances obtained.
2. That right of way permits be obtained from the Department of Public Services for work within the right of way.
3. That any damages done to the existing sidewalk be repaired to current condition.
4. Lighting details be reviewed during the building permit process.
5. The use of wood and E.I.F.S is reviewed and approved by City Council, if deemed to enhance the building.

**The motion carried 8-0-1, with Mr. McLane abstaining.**

Mr. McLane came back to the dais at 7:58 p.m. and rejoined the Planning Commission meeting.

**6. Site Plan – Western House Brewery – 500 W. Main Street #11-010**

Piet Lindhout from Lindhout Associates is the architect for the proposed Western House Brewery at 500 W. Main Street. He introduced owner John Becker and his son, Matthew Becker, who will be the brew master. Mr. Lindhout reviewed the site plan for the building and highlighted several improvements such as removing existing quarters+asphalt up to the railroad tracks and replacing it with grass; adding stamped concrete for the loading/unloading area; and proposed fencing. Mr. Lindhout noted they would rely heavily on the Second Street lot for parking spaces. He discussed the current building tenants and



noted that first floor tenant Ameriprise has recently signed a lease for space on the second floor of the CW Interiors building. In response to Ms. Krieger's question at Call to the Public, Mr. Lindhout stated that the Beckers have been in contact with local agencies and will work with them to relocate and find alternative housing for the second floor tenants. He also noted that since this is a brewery and the Michigan Liquor Control Commission (MLCC) restricts food service at breweries, that they would only serve snacks, not meals. Mr. Lindhout reviewed the second floor site plan; grain will be delivered on the first floor and transported by elevator to the second floor for storage. He also advised that under MLCC requirements, a percentage of Western House products will be sold by a distributor.

Mr. Lindhout introduced Jason McIntyre from his office, who will be working on this project. Mr. McIntyre advised they plan to restore degraded brickwork if possible and replace windows with historically accurate wood windows. The building addition will also have a new entranceway and complementary cornices to the main building. There will be large windows for the fire stairs, a tasting bar and beer garden on the first floor with grain storage, more seating and a second tasting bar on the second floor. A mezzanine will be constructed from the third floor overlooking the second floor.

John Becker, owner of the building, stated that they are trying to keep the building as historically close as they can, as the historical aspect is one of the reasons he bought the building. He introduced his son, Matt, who will be the tenant and brew master. Matt also stressed that history is important to him and that he has talked to the Brighton Area Historical Society about the building. He plans to possibly have a BAHS display on the second floor. Matt also discussed the brewing process and the various types of beer he would be producing at the brewery.

Commission Member Schillinger asked if there was a parking agreement with the bank and title company next door. John Becker responded that the previous owner had a reciprocal easement agreement where parking was allowed by both parties on each other's lots. In response to a question regarding when the brewery would open, Matt Becker said he would like to be open by February but Piet Lindhout says it would be April next year.

**Motion** by Mr. Pawlowski, supported by Mr. Wells, to recommend conditional site plan approval for the Western House Brewery at 500 W. Main #11-010 as depicted on plans prepared by Lindhout Associates, sheets C1.1, A1.1, and A2.1 project no. 1152, last dated 8-1-11 subject to the following:

1. Lighting details be reviewed during the building permit process.
2. That all signage comply with applicable Ordinances or variances obtained.
3. That City Council grant a variance from the transparency requirement due to the special architectural features of the façade.
4. The use of wood is reviewed and approved by City Council, if deemed to enhance the outdoor patio area.
5. That right of way permits be obtained from the Department of Public Services for work within the right of way.
6. That any damages done to the existing sidewalk be repaired to current condition or DDA standards as noted on the plans.
7. The items raised in the City Engineer's letter are addressed.

**The motion carried 9-0.**

### **Other Business**

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

- a. Downtown Business District (DBD) Signage Ordinance . As Amy Cyphert mentioned at the Blue Sky session, Planning Commission members are requested to review the proposed sign ordinance prior to the September Planning Commission meeting. The proposed ordinance



**TETRA TECH**

July 25, 2011

Ms. Amy Cyphert  
City of Brighton  
200 N. First Street  
Brighton, MI 48116

**Re: Western House Brewery  
Site Plan Review  
City of Brighton Utilities**

Dear Ms. Cyphert:

As requested, we have reviewed the above referenced site plan dated July 18, 2011, as prepared by Lindhout Associates, Architects AIA PC. The petitioner is proposing the restoration of the existing 3 story, 2158 sq. ft. office/apartment building, at 500 Main Street into the Western House Brewery, including a new 937 sq. ft., 2 story addition, and parking area improvements. We offer the following comments for your consideration:

**GENERAL**

1. Northeast corner paving limits extend across the property line. Petitioner will need to acquire an easement for this improvement or revise the limit of paving.
2. No dimensions are given for the dumpster pad surface and apron. This should also be sloped so that water doesn't pond within the enclosure. The detail shows a concrete footing and note calling for a 12" dia. conc. foundation - should this read thickness?
3. Concrete detail should include sidewalk cross slope specifications, and details for the proposed ramp should be included to meet ADA standards.
4. Existing site inlets need to have the proper erosion control BMP's during construction, such as an inlet fabric drop.

**SITE LAYOUT, DRAINAGE & GRADING**

1. Paved area to be removed and converted to grass adjacent to the railroad right of way needs to be shown graded so that all site drainage is maintained on site. Existing and proposed spot elevations and grading contours should be added.
2. All new curb and gutter should be shown with spot elevations or grades showing proper drainage of the pavement. The existing asphalt is noted to replace the top 3" layer; this new pavement needs to be shown to go back in with all drainage directed to the existing catch basins, with the developer to take corrective actions for any existing surfaces that currently don't drain properly.

**Tetra Tech**

123 Brighton Lake Road, Suite 203, Brighton, MI 48116  
Tel 810.220.2112 Fax 810.220.0094 [www.tetrattech.com](http://www.tetrattech.com)

**TRAFFIC AND PAVING**

1. The area in the southwest of the site is to be paved with a new patio concept. A detail showing the cross section for construction including drainage method should be included.

**UTILITIES**

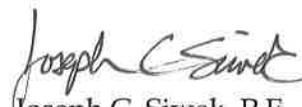
1. The site drainage is accommodated by two existing catch basins shown to discharge to a pipeline bearing to the northeast. The size and direction of flow for the existing pipeline should be shown and the approximate grades need to be obtained, particularly for the segment of pipe beneath the proposed dumpster pad, to ensure that the 3'6" deep footing and associated excavation doesn't damage the pipe.

We recommend the developer look closely at the existing and proposed grades on the entire site and determine if all generated runoff will be properly collected and controlled so as to not impact neighboring parcels. Additional information on the existing utilities should be provided in areas that may be impacted by construction. Additional details for the patio area, and other items not currently on the drawings should be included.

If you have any questions, please call us at (517) 394-7900.

Sincerely,

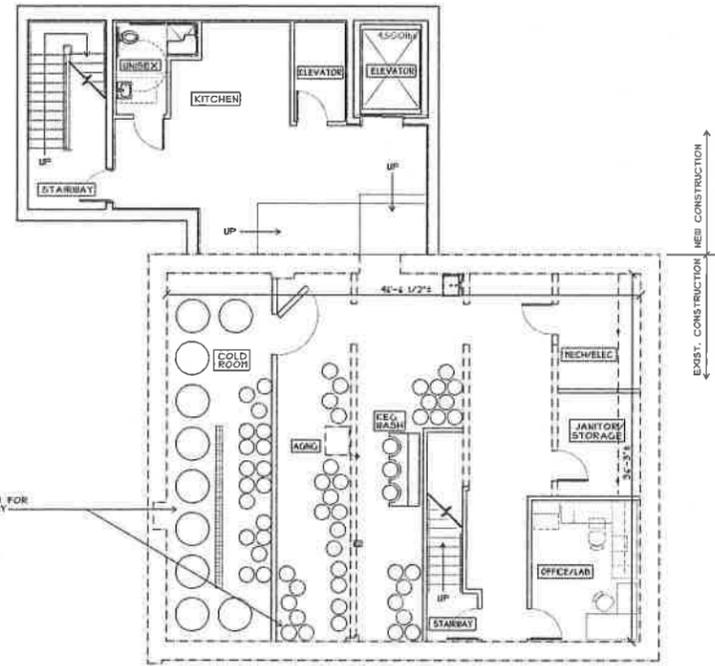
  
Gary J. Markstrom, P.E.  
Unit Vice President

  
Joseph C. Siwek, P.E.  
Project Engineer

Copy: Donald McIntyre, Lindhout Associates



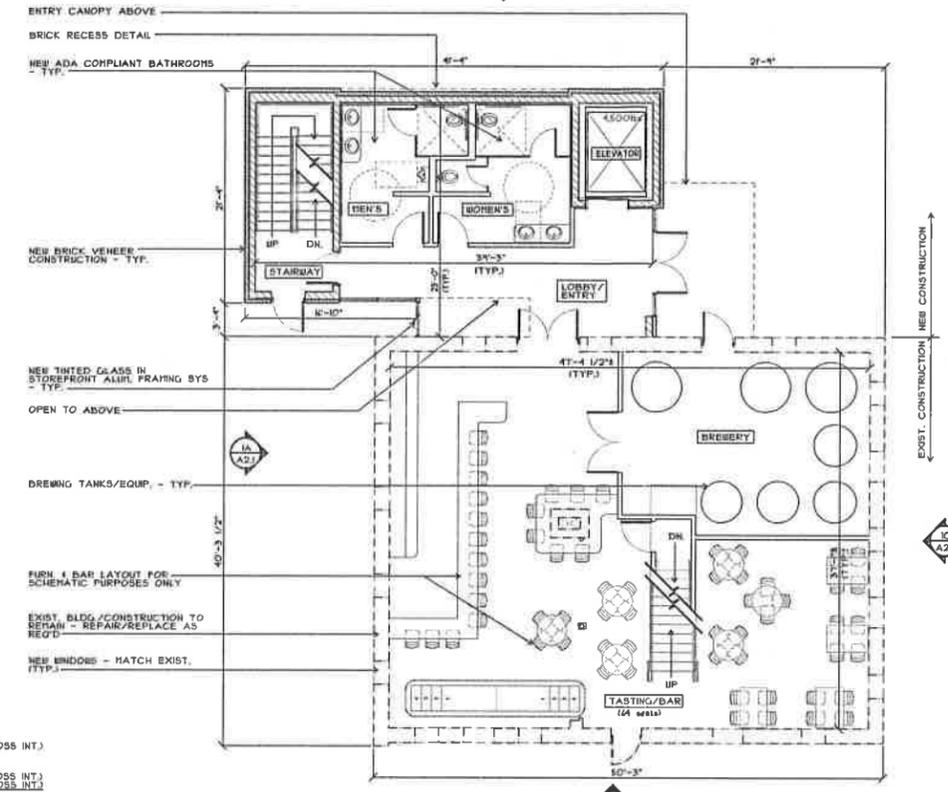
FILE LOCATION: H:\1152 - Water Home Brewery\dwg\1152-A1.plans  
 DATE PLOTTED: 8/2/2011  
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**ADDITION:**  
 BATH, ELEV., LOBBY — 834 S.F. (GROSS INT.)  
**EXISTING BLDG.:**  
 BASEMENT OPERATIONS — 461 S.F. (GROSS INT.)  
 2525 S.F. TOTAL (GROSS INT.)

1 ALL **BASEMENT FLOOR PLAN**

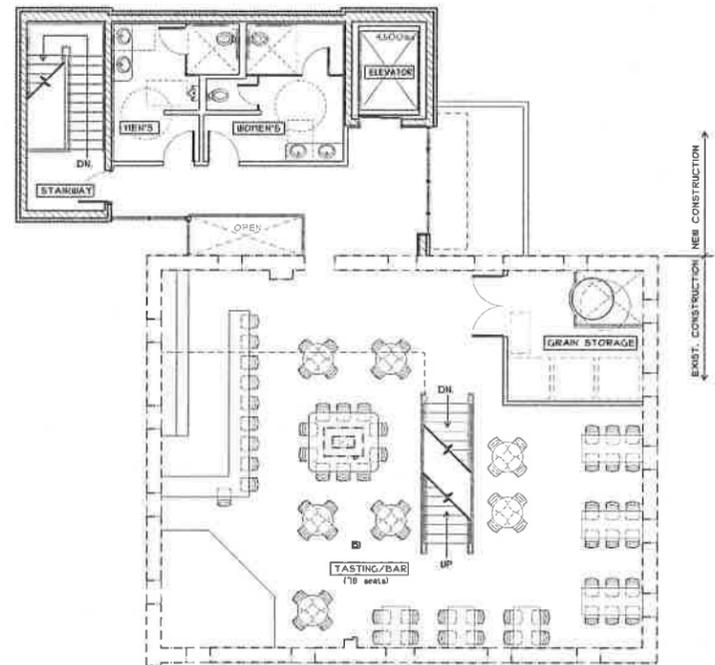
SCALE: N.T.S.



**ADDITION:**  
 BATH, ELEV., LOBBY — 834 S.F. (GROSS INT.)  
**EXISTING BLDG.:**  
 BREWERY — 425 S.F. (GROSS INT.)  
 TASTING/BAR — 1332 S.F. (GROSS INT.)  
 2591 S.F. TOTAL (GROSS INT.)

2 ALL **FIRST FLOOR PLAN**

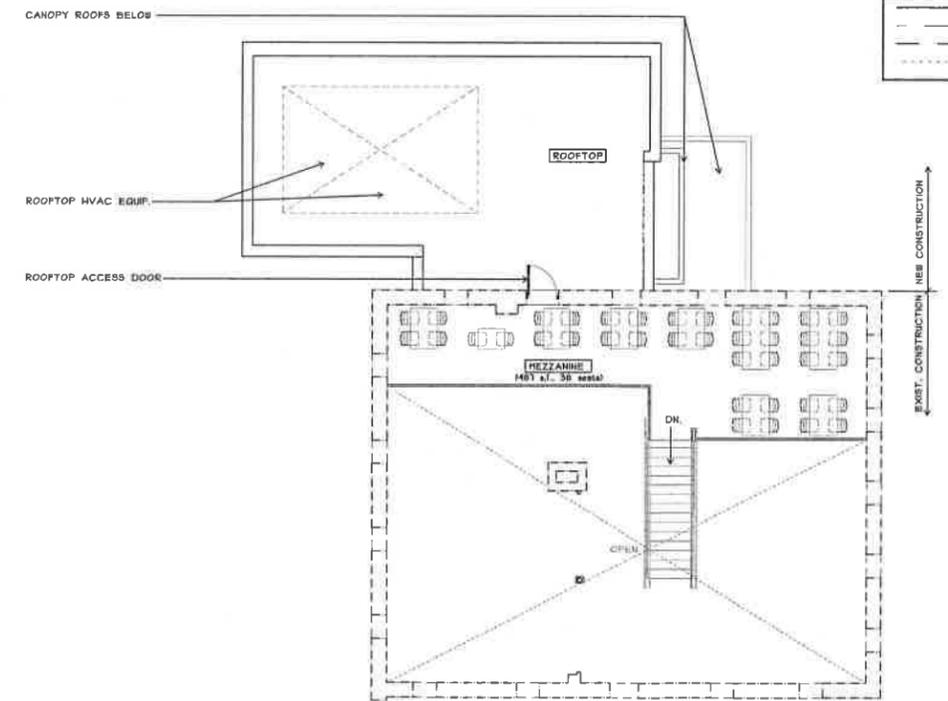
SCALE: N.T.S.



**ADDITION:**  
 BATH, ELEV., LOBBY — 712 S.F. (GROSS INT.)  
**EXISTING BLDG.:**  
 BREWERY — 172 S.F. (GROSS INT.)  
 TASTING/BAR — 165 S.F. (GROSS INT.)  
 2549 S.F. TOTAL (GROSS INT.)

1 ALL **SECOND LEVEL PLAN**

SCALE: N.T.S.



**EXISTING BLDG.:**  
 MEZZANINE — 481 S.F. (GROSS INT.)

2 ALL **MEZZANINE PLAN**

SCALE: N.T.S.

LINE LEGEND	
	NEW CONSTRUCTION
	EXISTING TO REMAIN
	HIDDEN WORK
	EXISTING TO BE REMOVED



**Lindhout Associates**  
**architects aia pc**  
 10465 citation drive, brighton, michigan 48116-9510  
 www.lindhout.com (810)227-5666 fax: (810)227-5955

SITE PLAN RESUBMISSION  
 DATE: 08-01-2011  
 CHECKED BY: [initials]  
 DATE: 07-18-2011  
 ISSUED FOR: [initials]

RENOVATION and ADDITION for:  
**BRAUEREI BECKER**  
 BRIGHTON, MICHIGAN  
**FLOOR PLANS**

**A1.1**  
**1152**

FILE LOCATION: H:\N152 - West - House Brewer\dwg\N152-A2-02.elevation.dwg  
 DATE PLOTTED: 8/1/2011  
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**A WEST ELEVATION**  
 410 S.F. (DR./WIN. AREA)/211 S.F. (TOT. SUR. AREA) = 21%



**B SOUTH ELEVATION**  
 410 S.F. (DR./WIN. AREA)/2240 S.F. (TOT. SUR. AREA) = 20%



**C EAST ELEVATION**  
 521 S.F. (DR./WIN. AREA)/211 S.F. (TOT. SUR. AREA) = 24%



**D NORTH ELEVATION**  
 123 S.F. (DR./WIN. AREA)/2045 S.F. (TOT. SUR. AREA) = 4%

NEW 4" S.P. PARAPET RTD. SIGNAGE - DESIGN AND LOCATIONS TO MATCH HISTORIC "WESTERN HOTEL" SIGNS  
 FINAL PERM APPROVAL REQ'D FOR HISTORICALLY ACCURATE ROOFTOP SIGNS AND QUANTITY (S) VARIANCE

PREFINISHED MET. PANEL  
 NEW BRICK CONSTRUCTION

NEW PERGOLA

SURFACE RTD. MET. ADDRESS NUMBERS (TYP.)  
 LITE TINTED GLASS IN ALUM. STOREFRONT ENTRY  
 SURFACE RTD. LIGHT FIXT.

EXIST. BRICK CONSTRUCTION TO REMAIN - TEMPORARILY SHORE & REPAIR/REPLACE AS REQ'D (MATCH EXIST. TYP.)  
 BASEMENT LEVEL BEYOND (TYP.)

NEW SIGNAGE BEYOND

PAINTED POLYMER CORNICE (TYP.)  
 NEW PARGED BRICK SILL & HEAD DETAIL THROUGHOUT (TYP.)

PREFINISHED MET. PANEL

ROOFTOP MECH. EQUIP. SCREENED BY EXTENDED PARAPET - SEE MEZZANINE PLAN

NEW FIXED WINDOWS THROUGHOUT EXIST. BLDG. - MATCH EXIST. (TYP.)  
 LIGHTLY TINTED GLASS IN ALUM. STOREFRONT FRAMING

NEW MET. ENTRY CANOPY  
 SURFACE RTD. LIGHT FIXT. (TYP.)  
 SPECIFIC PRODUCT SELECTION SHALL BE DEFERRED UNTIL BLDG. PERMIT APPLICATION PROCESS

NEW DOORS THROUGHOUT - MATCH EXISTING  
 1/2 UTILITIES LOCATION

BRICK RECESS DETAIL &/ PARGED BRICK SURROUND DETAIL (TYP.)

RECESSED "KNOX" LOCK-BOX  
 HISTORIC RECONSTRUCTION: IMPILL EXIST. DOOR OPENING W/ NEW WINDOW & BRICK CONSTR.

**NOTE:**

- ALL PROPOSED BLDG./SURFACE RTD. LIGHTING FIXTURES SHALL BE DEFERRED UNTIL BLDG. PERMIT PROCESS.
- REPLACEMENT/REPAIR OF EXISTING BRICK SHALL OCCUR THROUGHOUT THE BLDG. EXTERIOR AS REQ'D. ALL NEW BRICK SHALL MATCH EXISTING.
- EXISTING DOORS AND WINDOWS SHALL BE REPLACED THROUGHOUT BLDG. EXTERIOR W/ HISTORICALLY ACCURATE DOORS AND WINDOWS (S.O.N.).



**Lindhout Associates**  
 architects aia pc  
 10465 citation drive  
 brighton, michigan 48116-9510  
 www.lindhout.com (810)227-5668 fax: (810)227-5855



08-01-2011  
 01-18-2011  
 01-15-2011  
 date  
 SITE PLAN RESUBMISSION  
 SITE PLAN SUBMISSION  
 OWNER REVIEW  
 issued for

dr: dpc  
 ck: dpc  
 app: dpc

RENOVATION and ADDITION for:  
**BRAUEREI BECKER**  
 BRIGHTON, MICHIGAN  
**EXTERIOR ELEVATIONS**

**A2.1**  
**1152**

**POLICY REPORT NO. DPS –11-11  
DEPARTMENT OF PUBLIC SERVICE**

**Tridge or Treat Halloween Spooktacular Civic Event**

**Prepared by:**      **Reviewed**

**by:**

\_\_\_\_\_  
**Matthew J. Schindewolf**  
**Public Service Director**

\_\_\_\_\_  
**City**

\_\_\_\_\_  
**Dana W. Foster**  
**Manager**

**ISSUE:** To consider the approval of the Tridge or Treat Halloween Spooktacular Civic Event.

**STAFF RECOMMENDATION:** Approval of the Tridge or Treat Halloween Spooktacular Civic Event as recommended by the Civic Event Committee.

**BACKGROUND:** SELCRA would like to hold an event on Halloween from 6 pm to 9 pm. Kids will follow a route to collect candy from downtown shops along the Tridge and the cemetery, there will be Halloween-based activities and costume contests. At 7:45 pm they will play a movie on an inflatable screen at the Millpond. They are not requesting any road closures for this event.

**RELATIONSHIP TO 2011/2012 GOALS:** Continued allowance of various Civic Events under controlled conditions to promote the Downtown City of Brighton area.

**COUNCIL ACTION:** Approval of the Tridge or Treat Halloween Spooktacular Civic Event as proposed and approved by the Civic Event Committee.

**Attachments:**

Civic Event Application

**POLICY REPORT NO. DPS –11-12  
DEPARTMENT OF PUBLIC SERVICE**

**Brighton’s Musically Talented Youth Civic Event**

**Prepared by:**

**Reviewed by:**

\_\_\_\_\_  
**Matthew J. Schindewolf**  
**Public Service Director**

\_\_\_\_\_  
**Dana W. Foster**  
**City Manager**

**ISSUE:** To consider the approval of the Brighton’s Musically Talented Youth Civic Event.

**STAFF RECOMMENDATION:** Approval of the Brighton’s Musically Talented Youth Civic Event as recommended by the Civic Event Committee.

**BACKGROUND:** Bo-Dacious Music would like to hold a Civic Event in the Millpond Gazebo area wherein 5-7 local bands will perform from 5:30 pm to 10:30 pm on Friday, September 23, 2011. The concert will be free and there will be no outside vendors. The only goods being sold will be the bands’ CD’s, T-shirts, stickers, posters, etc. They are expecting approximately 100 – 200. They requested the street to be closed; however, the Civic Event Committee did not feel a street closure was warranted.

The Committee is recommending approval of the event, conditioned upon receipt of an insurance certificate from the organization, no street closure, and signs will be able to be placed on City property one day prior to the event and must be removed the following day.

**RELATIONSHIP TO 2011/2012 GOALS:** Continued allowance of various Civic Events under controlled conditions to promote the Downtown City of Brighton area.

**COUNCIL ACTION:** Approval Brighton’s Musically Talented Youth Civic Event as proposed and approved by the Civic Event Committee.

**Attachments:**  
Civic Event Application

Attn: Patty Thomas - Insurance info to follow



**Civic Event Application**  
**City of Brighton**  
200 N. 1<sup>st</sup> Street  
Brighton, Michigan 48116  
(810) 227-1911

**OFFICE USE ONLY**  
Date Received \_\_\_\_\_  
By \_\_\_\_\_

**\*\* APPLICATIONS MUST BE FILLED OUT COMPLETELY BEFORE THEY WILL BE CONSIDERED FOR REVIEW \*\***

9-23-11 Bo-Dacious Music Brighton's Musically Talented Youth Michelle Reppen & Bus 21 Band  
Application Date Name of Organization Name of Applicant

5622 Richardson Rd Brighton MI 48843  
Street Address City State Zip

810-623-3470 ← alternate after 8pm 734-648-8009  
Cell Phone Home Phone Work Phone Fax

Michelle.reppen@faurecia.com Deleted: \_\_\_\_\_  
Email Address Deleted: \_\_\_\_\_

Bo-Dacious Music presents Brighton's Musically Talented Youth  
Event Title  
Gazebo & Downtown Brighton  
Event Location

**EVENT DAYS / TIMES** (Please stipulate the following information for each date of event)

DATE	Day of Week	Beginning Time	Ending Time
<u>9-23-11</u>	<u>Friday</u>	<u>5:30 pm</u>	<u>10:30 pm</u>
_____	_____	_____	_____

9/23 5:00 pm 11:00 pm 9/23 October date if available  
Set up Time/Day Tear down Time / Day\* Rain Date (if applicable)

\* Tear down time will be strictly enforced. It is the applicant's responsibility to ensure the teardown of all materials with their on-site vendors, sponsors, etc. is complete by the teardown time given above.

**ORGANIZATION / APPLICANT INFORMATION**

Applications for Civic Events in the City of Brighton shall NOT be approved for applicants in default to the City. Therefore, each Application for Civic Events shall be routed to the Finance Department for a determination of any defaults to the City. In the event a default to the City exists, the Application shall be disapproved by the Finance Department, with the nature of the default described as the reason of the disapproval.

TAX IDENTIFICATION NUMBER: \_\_\_\_\_

BRIEF DESCRIPTION OF ORGANIZATION'S PURPOSE AND/OR FUNCTION:

To promote <sup>local</sup> musically talented youth

IS THE ORGANIZATION NON-PROFIT? YES  NO

If yes, attach a copy of the organizations Sales Tax Exempt Certificate.

DOES YOUR GROUP PRESENTLY HAVE LIABILITY INSURANCE? YES  NO

*but will purchase for this event.*

GENERAL LIABILITY INSURANCE IS REQUIRED NAMING THE CITY OF BRIGHTON AS ADDITIONAL INSURED. IF FOOD IS BEING SERVED, PRODUCT LIABILITY MUST BE INCLUDED. LIMITS OF LIABILITY SHOULD BE NO LESS THAN \$1,000,000 COMBINED SINGLE LIMIT FOR BODILY INJURY AND PROPERTY DAMAGE.

PLEASE GIVE A DESCRIPTION OF THE PROPOSED CIVIC EVENT. (Attach additional pages if necessary)

5-7 Local Youth bands to perform and  
Showcase their own original music and cover  
tunes

ANNUAL EVENT: Is this event expected to occur next year? YES  NO

If Yes, you can reserve a date for next year with this application). To reserve dates for next year, please provide the following information:

Normal Event Schedule (e.g., third weekend in July): \_\_\_\_\_

or  
Next year's specific date(s): Prefer August or September date

PROCEEDS OF THIS EVENT WILL BE USED FOR:

no proceeds, show for free but expect  
this event will bring hundreds of  
adults and youth who will patronize local businesses.

IF THE PROPOSED CIVIC EVENT IS A PARADE OR RUN/WALK EVENT, PLEASE LIST THE POINT OF ORIGIN, PATH, TERMINATION POINT, NUMBER OF ENTRIES AND TRAFFIC CONTROL PLAN AS NECESSARY. (Use attached map to clarify the route)

N/A.

ARE YOU PLANNING TO CHARGE AN ADMISSION FEE?

YES

NO

IF YES, WHAT KIND AND HOW MUCH?

\_\_\_\_\_

DO YOU PLAN ON UTILIZING VENDORS AND/OR EXHIBITORS FOR SALES OF ANY KIND?

YES

NO

Just a table for bands to sell,

CDs, shirts  
wristbands + stickers  
and autograph posters

IF YES, COMPLETELY FILL OUT THE ATTACHED VENDOR CONTACT INFORMATION SHEET(S).

WHAT IS THE FEE CHARGED FOR EACH VENDOR? \_\_\_\_\_

DO YOU PLAN TO CONTRIBUTE REVENUES RECEIVED FROM THIS EVENT TO LOCAL ORGANIZATIONS AND/OR COMMUNITY GROUPS? YES NO

IF YES, TO WHOM AND HOW MUCH?

\_\_\_\_\_

WHAT IS THE EXPECTED ATTENDANCE FOR THIS EVENT?

100+

DO YOU PLAN ON SUPPLYING ADDITIONAL RESTROOM FACILITIES? YES

NO

NUMBER OF VOLUNTEERS / STAFF? 10

HOW WILL THIS EVENT BENEFIT THE RESIDENTS AND/OR IMPROVE THE QUALITY OF LIFE IN THE CITY OF BRIGHTON?

Revenue to local businesses and promotes local talent, newspaper & tv will be contacted for exposure.

ELECTRICAL SERVICES REQUIRED (Please Be as Accurate as Possible)

Electrical for Power Amps, mixer, speakers, sound equipment, mics all of this equipment supplied

OTHER UTILITIES REQUIRED (Please Be as Accurate as Possible)

CITY FACILITIES REQUESTED (Please Be as Accurate as Possible)

Restrooms & drinking fountains available

DO YOU PLAN TO UTILIZE OFF-SITE PARKING FACILITIES YES

NO

IF SO, WHAT LOCATION IS PLANNED? Just downtown parking

WHAT IS YOUR PLAN FOR TRANSPORTATION FROM THE PARKING AREA TO THE EVENT LOCATION?

N/A.

SIGNAGE REQUESTED (Detail sign locations on the attached map and provide sign renderings)

Number of Signs 60 maximum

Types of Signs Event posters

Locations of Signs by approval of local businesses

Date Signs Posted 1st week in September to event date.

Date Signs Removed week following event.

PLEASE ATTACH LIST OF EQUIPMENT; STAGE, TENTS, VEHICLES, ETC., THAT YOU PROPOSE TO USE IN THE EVENT OR BRING ONTO CITY PROPERTY, STREETS OR PARK AREAS - (ALL SUBJECT TO APPROVAL).

Just personal vehicles, some with small trailers to haul equipment

**STREET CLOSURE**

ARE YOU REQUESTING A STREET CLOSURE FOR YOUR EVENT?  YES  NO  
If yes, detail the street(s) you would like closed, and the location of the closure(s) on the attached map.

Would like to if possible

**ALCOHOL**

DO YOU WANT TO SELL AND/OR SERVE ALCOHOL? YES   NO

IF YES, PLEASE SEE THE ATTACHED SHEET TITLED "ALCOHOL" AND FILL IN THE QUESTIONS COMPLETELY AND IN DETAIL.

**SECURITY**

If the event requires the overnight setup or storage of goods, equipment, etc. security is the responsibility of the event applicant.

IF YOUR EVENT REQUIRES OVERNIGHT SECURITY, PLEASE PROVIDE THE FOLLOWING DETAILS OF YOUR SECURITY PLAN:

ON SITE REPRESENTATIVES NAMES AND CONTACT NUMBERS:

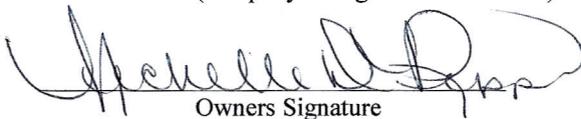
<u>Name</u>	<u>Contact number</u>
_____	_____
_____	_____
_____	_____

No overnight security required - had talked to Officer Meldrum of Brighton PD & for BHS to see if he would assist if needed as he knows the youth of Brighton well.

## Owner(s) Affidavit\*

I, Bo-Dacious Music, have authorized Michelle Reppen as My  
(company or organization owner) (Civic Event Applicant)

Representative for the purpose of obtaining a Civic Event permit(s) from the City of Brighton Public  
Services Department for my organization located at 5622 Richardson Rd, Howell, MI 48843 (Genoa Township)  
(company or organization address)

  
Owners Signature

8-18-11

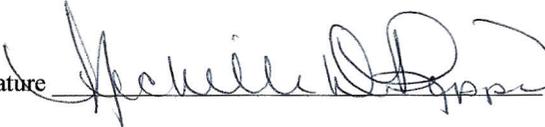
Date

# INDEMNIFICATION AGREEMENT

The Bo-Dacious Music agree(s) to defend, indemnify, and hold harmless the City of  
(business/organization)

Brighton, Michigan, from any claim, demand, suit, loss, cost of expense, or any damage that may be  
asserted, claimed or recovered against or from the Bo-Dacious Music and/or the City of  
(business/organization)

Brighton, by reason of any damage to property, personal injury or bodily injury, including death,  
sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or  
in any way connected with the performance of this contract, and regardless of which claim, demand,  
damage, loss, cost of expense is caused in whole or in part by the negligence of the City of Brighton or  
by third parties, or by the agents, servants, employees or factors of any of them.

Signature  Date 8-18-11

Witness \_\_\_\_\_ Date \_\_\_\_\_

**ALCOHOL**

N/A

PLEASE GIVE A BRIEF DESCRIPTION OF THE TYPE OF ALCOHOL TO BE SOLD / SERVED

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WHO WILL BE THE ALOCHOL LICENSE HOLDER?

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ON THE ATTACHED MAP, DETAIL THE LOCATIONS WHERE ALOCHOL WILL BE SOLD / SERVED.

DESCRIBE IN DETAIL YOUR ALCOHOL MANAGEMENT PLAN

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**\*\* IF ALCOHOL SALES OR SERVICE IS APPROVED BY THE CITY COUNCIL AS PART OF THIS EVENT, THE APPLICANT MUST ALSO RECEIVE APPROVAL FROM THE LIQUOR CONTROL COMMISSION**

**\*\* IF ALOCHOL SALES OR SERVICE IS APPROVED, EVENT INSURANCE MUST INCLUDE AN ADDITIONAL INDEMINATION FOR ALOCHOL**