

CITY OF BRIGHTON
CITY COUNCIL MEETING
CITY HALL
July 19, 2012

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. Consider approval of the Agenda
5. [Approval of minutes: Regular Meeting & Closed Session of June 21, 2012](#)
6. Mayor's Reading of Citizen Inquiries received since the last City Council Meeting
7. Call to the Public

Consent Agenda

8. Consider [site plan approval for the McDonald's Façade and site Improvements](#) as recommended by the Planning Commission
9. Approval of the Mayor's recommended reappointments to the Planning Commission
10. Consider approval of an interlocal agreement with Hamburg Township for the mutual operation of a police special response team
11. Consider approval of a [resolution establishing a Receiving Board](#) for all elections starting with the August, 2012 primary election

Policy Development & Customer Communications' action item

12. Conduct [public hearing and second reading of a proposed ordinance to amendments to Chapter 98, Article XXV Temporary Land Uses, Section 98-700](#) and then consider approval of the amendments
13. Conduct [public hearing and second reading of a proposed ordinance to amendments to Chapter 98, Article XXI LIP Districts](#) and then consider approval of the amendments
14. Conduct [public hearing regarding a staff recommended temporary land use permit application for fresh produce sales at the Ciao Amici restaurant building site](#) , and then Consider a motion to approve the temporary land use permit application
15. Consider approval of ballot proposal language & related recommendations from the City's Bond Counsel for a possible Community Improvements Bond Issue Proposal election in November of 2012

Other Business

16. Information for City Customers
17. Receive updates from Council Member Liaisons to other Boards and Commissions
18. Conduct closed session to receive an Attorney-Client privilege opinion
19. Call to the Public
20. Adjournment

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON JUNE 21, 2012 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 Muzzin, Mayor Pro-Tem Cooper Councilmembers Bohn, Schillinger, Pipoly and Roblee. The Council reviewed the agenda items.

REGULAR SESSION

Mayor Muzzin called the regular meeting to order at 7:31 p.m. Following the Pledge of Allegiance, the roll was called, there being present were Mayor Muzzin, Mayor Pro-Tem Cooper, Councilmembers Pipoly, Roblee, Schillinger and Bohn. Also in attendance were Attorney Paul Burns and Staff members Dana Foster, Jennifer Burke, Amy Cyphert, Matt Schindewolf and Tom Wightman an audience of 3. Press and Media included Tom Tolen from WHMI, Nicole Krawcke from Patch.

It was moved by Councilmember Roblee to excuse Council Member Bandkau from this evening's meeting. Motion passed 6-0-1.

AGENDA APPROVAL

It was moved by Councilmember Pipoly, seconded by Roblee to approve the Agenda as amended. Move from Consent Agenda to Action Agenda item #8 Brighton Mall West End Cap. Move from Action Agenda to Consent Agenda item #13, Michigan Tax Tribunal litigation. Motion passed 6-0-1.

MINUTES APPROVAL

It was moved by Councilmember Roblee, seconded by Schillinger to approve the Regular Meeting minutes of June 7, 2012 as presented. Motion passed 5-0-1-1 with Mayor Muzzin abstaining.

CITIZEN INQUIRIES

Susan Walters-Steinacker – The Principal Shopping District sponsored an interactive workshop at City Hall. As the monies paid were “captured tax dollars”. Please state the total amount(s) paid and a break down of where monies were paid to.

Mayor Muzzin stated Nancy Johnson from the Small Business & Technology Center at the Chamber conducted a merchant presentation on Monday, June 4, at the request of the PSD Board regarding demographic information from a “Tapestry” study that could be used for marketing purposes. No monies (captured tax dollars or other) were paid to anyone for this presentation.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:35 p.m. Hearing none, the Call to the Public was closed.

CONSENT AGENDA

It was moved by Councilmember Cooper, seconded by Pipoly to approve the Consent Agenda as presented. Motion passed 6-0-1.

The following items were approved on the Consent Agenda:

1. Closed session regarding pending Michigan Tax Tribunal litigation.

CONDITIONAL SITE PLAN APPROVAL FOR THE BRIGHTON MALL WEST END CAP

Ashley Israel, Brighton Mall Associates gave a brief overview of the proposed project stating renovations will commence by end of November 2012. Mr. Israel thanked the City Staff for the expedited service.

It was moved by Mayor Pro-Tem Cooper, seconded by Schillinger to recommend approval of the Brighton Mall End Cap #12-009 as depicted on plans prepared by Alpine Engineering, job no. 12-010, sheet 1-10, last dated 6-6-12, plans prepared by Allen Design, project no. 10047, sheet L1 last dated 6-6-12, plans prepared by Visual. Drawing no GBA12-42284-V1, sheet 1, last dated 6-1-12 and plans prepared by IDI Architects, last dated 6-6-12, sheets A1.0 and A1.1 subject to the following:

1. That all signage comply with applicable Ordinances or variances are obtained.
2. That item #2 raised in the City Engineer's letter 6-13-12 is addressed during the construction review.
3. That the applicant address any outstanding Fire Code requirements with the Fire Department during the construction review.

Motion passed 6-0-1.

POSSIBLE BALLOT PROPOSAL LANGUAGE

City Manager, Dana Foster gave a brief overview of the two Bond Proposals. Mr. Foster stated Bond Proposal #2 (Quality of Life Projects List) has changed with the replacement of item #1 (possible overhead pedestrian bridge which is part of the Mill Pond Master Plan Update) to the Mill Pond Band Shell Area Improvements, which will consist of the same cost of \$720,000. Mr. Foster stated new sidewalks are being proposed to connect all residential areas of the City to and from all businesses in the City.

Pat McGow, Miller Canfield gave an overview on the ballot and exhibit language. Mr. McGow stated he drafted ballot language and split them into two different proposals and highlighted that you cannot tie bar the two proposals together, each proposal will stand on its own.

It was moved by Councilmember Roblee, seconded by Cooper to consider one bond issue proposal which will consist of all items listed on Bond Proposal #1 and to include items 1, 2 & 3 from Bond Proposal #2, with the caveat that the City Manager and Staff will evaluate numbers and come back to City Council on July 19, 2012 and advise how it will effect the millage, and with total dollar amount to be no more than \$6 million. A roll call was taken. Yes: Bohn, Cooper, Muzzin, Roblee, Pipoly. No: Schillinger. Motion passed 5-1-1.

9-1-1 DISPATCH OPERATION

Tom Wightman, Police Chief gave a brief presentation on 911 dispatch process and what occurs when you call for emergency and non-emergency situations. Chief Wightman also highlighted that emails and text messages are ineffective as it delays the response time and reduces quality of information relayed to the officer.

Councilmember Roblee asked that a press release be sent out to the public regarding this process.

CITY CUSTOMER INFORMATION

Councilmember Roblee gave an update on the Mill Pond Master Plan Committee. She wished everyone a happy 4th of July.

Mayor Muzzin gave an update on the DDA Meeting and the recent purchase of Virginia's Salon by the owners of AA Muffler, Tom & Mary Mitchell. Demolition to occur in the very near future. Mayor Muzzin accompanied a group of firefighters to inspect the new ladder truck in Appleton Wisconsin. He thanked City Staff Members, Matt Modrack, Amy Cyphert and Lauri French as they hosted a downtown redevelopment liquor license workshop, which was very successful and he received positive feedback. Mayor Muzzin also thanked Manager Foster for his 21 years of service.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 9:50 p.m. Hearing no comment, the Call to the Public was closed.

COLLECTIVE BARGAINING WRITTEN OPINION CLOSED SESSION

It was moved by Mayor Pro-Tem Cooper, seconded by Councilmember Roblee to go into Closed Session to discuss Collective Bargaining written opinion at 9:11 p.m. A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Roblee, Pipoly. No: none. Motion passed 6-0.

The Council convened into Closed Session at 9:16 p.m.

The Council reconvened the Regular Session at 9:50

ADJOURNMENT

It was moved by Councilmember Cooper, seconded by Pipoly to adjourn the meeting at 9:52 p.m. Motion passed 6-0-1.

**POLICY REPORT: MCDONALDS – FAÇADE & SITE IMPROVEMENTS
#12-008**

July 19, 2012

Prepared by:

Amy Cyphert
Planning & Zoning Director

Reviewed by:

Dana Foster
City Manager

ISSUE:

To consider granting conditional site plan approval for the McDonalds – Façade & Site Improvements #12-008 as recommended by the Planning Commission.

STAFF RECOMMENDATION:

Staff concurs with the Planning Commission’s recommendation.

BACKGROUND:

At its meeting of June 18, 2012, the Planning Commission reviewed and discussed a site plan for site and façade improvements at McDonalds at 8515 W. Grand River. The façade improvements include removal of the mansard roof and addition of EIFS, metal louver sunscreen panels, stone veneer, aluminum trellis, new windows, etc. The proposed site plan includes reconfiguring the drive through to permit a second aisle, removal of seven (7) parking spaces, landscape updates and sidewalk 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 the plans be revised to meet the correct soil erosion per Tetra Tech’s letter dated 6-13-12.

For a more detailed review of the site plans, please refer to the attached Planning Report.

BUDGET IMPACT: N/A

RELATIONSHIP TO 2011/2012 GOALS: N/A

COUNCIL ACTION:

Motion by _____ to recommend conditional site plan approval for McDonalds, 8515 W. Grand River #12-008 as depicted on plans prepared by Dorchen/Martin Associates, Inc., job no. 1200020, sheets C1, D1, C4, A1.0, A2.0, A2.1, last dated 6-6-12 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 the plans be revised to meet the correct soil erosion per Tetra Tech's letter dated 6-13-12.

supported by _____.

Attachments:

1. Planning Commission Report
2. Draft Planning Commission Minutes
3. Site Plan

**CITY OF BRIGHTON
PLANNING COMMISSION
PLANNING REPORT**

TO: Planning Commission Members

FROM: Amy Cyphert, Planning & Zoning Director

DATE: June 18, 2012

RE: McDonalds – Façade & Site Improvements #12-008

Background

McDonalds is proposing façade improvements and site improvements to the existing site on W. Grand River. The façade improvements include removal of the mansard roof and addition of EIFS, metal louver sunscreen panels, stone veneer, aluminum trellis, new windows, etc. The proposed site plan includes reconfiguring the drive through to permit a second aisle, removal of seven (7) parking spaces, landscape updates and sidewalk improvements.

Parking & Drive Requirements

Sheet C1 states that the restaurant use requires 56 parking spaces.

The addition of a second drive through lane and the removal of seven (7) parking spaces results in the site providing 60 parking spaces.

The dual drive through concept can be viewed at the McDonalds on Lee Road or the McDonalds right off the I-96, Milford/New Hudson exit.

Site Modifications

Landscaping:

- The proposed site plan includes the installation of 75 new shrubs, grasses and a new crabapple trees.
- The majority of the new landscaping occurs by the drive through.
- All landscape areas are proposed to be irrigated.

Signage:

- Wall signage on the west and south elevation is also shown.
- The signage will be reviewed with the submittal of sign permits and must meet the requirements of the Sign Ordinance.

Utilities

Tetra Tech reviewed the site plan and provided comments pertaining to the site plan in their letter dated May 25, 2012. The letter discussed additional details and revisions that were needed. The

applicant has revised the drawings; Tetra Tech reviewed the revised drawings and there is only one outstanding requirement per their letter dated June 13, 2012, regarding a soil erosion notation.

Fire Department

The Brighton Area Fire Authority reviewed the site plan and provided comments pertaining to the requirements of the current International Fire Code. The letter dated May 30, 2012 from the BAFA requested detail of the address on the building, a knox box location and they verbally requested no parking signs along the east property line. The applicant has addressed the three requests on the revised site plan before you.

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 improvements to the existing building will update the building exterior. The improvements to the site will improve traffic circulation by getting drive through traffic through the site faster.

Since it appears that the site plan is supported by the adopted Master Plan 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 McDonalds, 8515 W. Grand River #12-008 as depicted on plans prepared by Dorchen/Martin Associates, Inc, job no. 120020, sheets C1, D1, C4, A1.0, A2.0, A2.1, last dated 6-6-12 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 the plans be revised to meet the correct soil erosion requirements per Tetra Tech's letter dated 6-13-2012.

supported by _____.

Attachments:

1. Tetra Tech letter dated 6-13-12
2. Site Plan

tenants for 75,000 square feet. This site plan for the end cap includes 10,500 square feet and there are two potential tenants, a dental business and a sandwich place. Mr. Israel noted the space will be easy to rent as these are "high rent" tenants. The plan will reconfigure parking, adding 60 spaces and upgrading modernizing the site with 100% occupancy. The interior demolition has started and build-out could take up to nine months. The space allows a maximum of eight tenants but it could be less depending on lease negotiations.

Ms. Cyphert noted that the dentist and restaurant have been accounted for in the parking calculations. Mr. Wirth asked a question regarding the stockpile area on Sheet 7 of the site plan. Mr. Weinbaum noted it is for salt storage for the parking lot; it has been on-site all along but has a very low profile and is hard to see unless you're looking for it.

Motion by Mr. Schillinger, supported by Mr. Petrak, to recommend conditional site plan for Brighton Mall End Cap #12-009 as depicted on plans prepared by Alpine Engineering, job no. 12-010, sheet 1-10, last dated 6-6-12, plans prepared by Allen Design, project no. 10047, sheet L1 last dated 6-6-12, plans prepared by Visual Drawing no. GBA 12-42284-V1, sheet 1, last dated 6-1-12 and plans prepared by IDI Architects, last dated 6-6-12, sheets A1.0 and A1.1 subject to the following:

1. That all signage comply with applicable Ordinances or variances are obtained.
2. Item number 2 as address in City engineer's letter dated 6-13-12 is addressed during the construction review.
3. That the applicant addresses any outstanding Fire Code requirements with the Fire Department during the construction review.

The motion carried 8-0-1.

7. McDonalds – Façade and Site Improvements - #12-008

Ms. Cyphert reviewed the applicant's request and noted that the applicant was in the audience if the board members had any questions. Frank Martin from Dorchen/Martin reviewed McDonalds' five-year renovation plan. They are in the third year of a five year program and the Brighton store is on the schedule for the third year. They are re-vamping the old stores to make them look like the new stores. One improvement is the double drive-through, when the property is big enough or they won't do it. Drive-through is now 70-75% of their business; kitchens take up two-thirds of the buildings with less inside seating. Mr. Martin noted it would take 45-60 days for construction and the store would remain open. He has already changed the plan to address item 1. in Tetra Tech's 6-13-12 letter.

There was discussion about whether there would be a stacking issue even with two lanes for the drive through and whether there would be clear delineation for cars trying to get around the drive through lanes. Mr. Martin stated there would be clear delineation and this should not be an issue. Mr. McLane asked if there would be backlighting behind the louvers on the building. Mr. Martin said they will be using LED lighting throughout the building to reduce their energy costs. The windows will remain under the louvers so some light will project through the louvers. Mr. Wirth asked if 50% more customers could be serviced with the double drive through. Debbie, who is in Operations at the Brighton McDonalds, responded that they estimate they could handle one-third more with a double drive through.

Motion by Mr. Wells, supported by Mr. Bryan, to recommend conditional site plan approval for McDonalds, 8515 W. Grand River #12-008 as depicted on plans prepared by Dorchen/Martin Associates, Inc., job no. 1200020, sheets C1, D1, C4, A1.0, A2.0, A2.1, last dated 6-6-12 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 the plans be revised to meet the correct soil erosion per Tetra Tech's letter dated 6-13-12.

The motion carried 8-0-1.

8. Discussion on Amendments to Chapter 98 addressing Parolee Housing

Ms. Cyphert explained that Council requested that Planning Commission review the existing ordinance to determine if changes were required to address the subject of parolee housing. She noted that as everyone is aware, there are two houses on N. Second St. (R-1 zoning) which are housing two parolees each through a state-funded program with Washtenaw Catholic Social Services. The current definition of family permits two people in each unit on N. Second. She reviewed the 21 requirements in the parolees' contract. This is a temporary housing program; the organization pays on a month-to-month basis for up to 6 months. The parolees have to follow all rules and seek employment; per the contract the requirement is to apply for 30 jobs per month. Once they have found a job, they have 45 days to move out. Ms Cyphert cautioned that other organizations may come into the City of Brighton providing parolee housing with different conditions than Catholic Social Services. She noted that Wyoming, MI is the only community with an ordinance that defined parolee housing and these types of housing are only allowed in an Industrial Zone with a special land use permit.

Planning Commission requested Ms. Cyphert and Mr. Maynes look into the current ordinance requirements that apply to the different zoning districts that prevent more or larger parolee housing buildings. An example would be if there something in the IA zoning district that prohibits the conversion of the existing Homewood Suites into a large parolee housing complex or something in the ordinance that prohibits someone from converting a large single family home into a multi unit parolee housing building. The Planning Commission requested we bring this information back to them at the July meeting.

They also asked if someone from Catholic Social Services could attend the meeting in July and give a short presentation on the program and answer any questions the board may have. They also asked if Police Chief Wightman could also be invited to attend the July meeting. The Planning Commission members expressed an interest to move slowly on this issue, and they did not ask Staff to draft any ordinance amendments at this time.

Other Business

9. Staff Updates

a. Award Discussion – Ms. Cyphert noted that this topic has been discussed at the last two meetings but that no decision had been made about renaming the Siford award since not all members of the Planning Commission were present. Staff's research revealed that Sally Noeker served the longest continuous term on Planning Commission. Chairperson Monet stated that the consensus is to keep all three awards and rename the Siford award to the Noeker award. Staff was directed to contact the Noeker family to get their approval to rename the Siford award to the Noeker award.

Ms. Cyphert advised that there will be a meeting in July.

10. Commissioner Concerns

11. Call to the Public

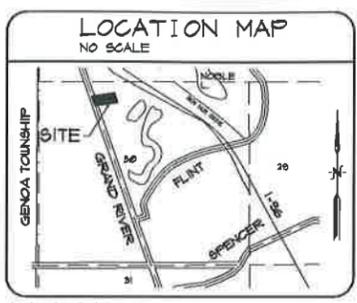
The call to the public was made at 8:55 p.m. Hearing no response, call to the public was closed.

EXISTING SITE NOTE:
 EVERYTHING SHOWN ON THIS SITE PLAN IS EXISTING EXCEPT THAT AREA YOUNDED FOR DRIVE-THRU ORDERING MODIFICATIONS, EXTERIOR RENOVATIONS OR UNLESS OTHERWISE NOTED.

PROPERTY OWNER
 McDONALD'S USA
 1021 KARL GREIMEL DRIVE
 BRIGHTON, MICHIGAN 48116
 CONTACT MICHAEL KAZANIAN,
 CONSTRUCTION MANAGER
 PH: (734) 335-9000

APPLICANT
 DORCHEN/MARTIN ASSOCIATES, INC.
 25855 GREENFIELD ROAD
 SUITE 101
 SOUTHFIELD, MICHIGAN 48076
 CONTACT FRANK MARTIN, ARCHITECT
 PH: (248) 551-1062

LEGAL DESCRIPTION
 PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 30, T2N-R6E,
 CITY OF BRIGHTON, LIVINGSTON COUNTY,
 MICHIGAN BEGINNING AT A POINT DISTANT NORTH 18°29'28" EET
 AND S 81°33'00" W 426.74 FEET FROM THE SE CORNER
 OF THE NW 1/4 OF THE NW 1/4 OF SAID SECTION 30,
 THENCE S 81°33'00" W 350.36 FEET TO
 CENTERLINE OF GRAND RIVER AVE, THENCE
 S 19°30'00" E 180.00 FEET ALONG SAID CENTERLINE,
 THENCE N 81°33'00" E 350.36 FEET
 THENCE N 19°30'00" W 180.00 FEET TO BEGINNING
 CONTAINING 1.03 ACRES AND SUBJECT TO EASEMENTS OF RECORD,
 PARCEL ID: 4710-30-100-039



- GENERAL NOTES**
1. McDONALD'S SIGN: EXISTING, TO REMAIN.
 2. N/A
 3. LOT LIGHTING FIXTURES: EXISTING TO REMAIN.
 4. EACH DRIVE-THRU WINDOW TO BE PROVIDED WITH DETECTOR LOOP. VERIFY IN FIELD THE EXISTENCE OF THE DETECTOR LOOPS. REMOVE EXISTING SLAB AND PROVIDE NEW WHERE NECESSARY. TIE INTO EXISTING ELECTRICAL LOOP DETECTOR SYSTEM. PER McDONALD'S DRIVE-THRU STANDARDS AND GUIDELINES.
 5. ALL LANDSCAPE AREAS SHALL BE BROUGHT TO 2" BELOW TOP OF ALL WALKS AND CURBS. FINISH GRADING, LANDSCAPING AND IRRIGATION SYSTEMS ARE PAID FOR BY THE OWNER/OPERATOR. SEE LANDSCAPE PLAN, SHEET C4.
 6. GENERAL CONTRACTOR SHALL CONTACT "MISS DIG" 1-800-482-7171 (72) HOURS PRIOR TO CONSTRUCTION TO ALLOW FOR ACCURATE LOCATION OF ALL UNDERGROUND UTILITIES. REFER TO CIVIL ENGINEERING DRAWINGS FOR EXISTING AND PROPOSED UTILITIES, GRADING, PAVING SECTIONS, SOIL EROSION AND DETAILS.
 7. N/A
 8. EXISTING BRUSH CORDON TO REMAIN AND MATCH BUILDING FRONT COLOR.
 9. ALL RADEI NOT CALLED OUT ON SHEET C1 SHALL BE A MINIMUM OF 2'-0"
 10. BARRIER FREE RAMP TO BE 6'-0" LONG WITH A MAXIMUM SLOPE OF 1:12 AND HAVE A NON-SLIP SURFACE - TYPICAL.
 11. ALL PAINTED LINES, DIRECTIONAL ARROWS AND SYMBOLS TO BE WHERE AND TO BE PROVIDED BY OPERATOR AND PLACED PER PLAYS AND McDONALD'S DRIVE-THRU BRANDING SPECIFICATIONS.
 12. "NO PARKING FIRE-LANE" SIGNS TO BE LOCATED PER FIRE MARSHAL'S DIRECTION.
 13. PROVIDE "NO FIRE ENRER" SIGN PER MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES CODE 205-1, WHEN SIGNS ARE REQUIRED, AS NOTED ON SITE PLAN.

LAND/BUILDING/PARKING DATA AND NOTES

LAND AREA	52,844 S.F. OR 1.21 ACRES
GROSS AREA	44,904 S.F. OR 1.03 ACRES
NET AREA (MINUS RIGHT OF WAY)	
ZONING CLASSIFICATION:	C2 GENERAL BUSINESS
ADJACENT ZONING:	C1 COMMUNITY SHOPPING CENTER C2 GENERAL BUSINESS
GROSS BUILDING AREA:	5,615 S.F.
LOT COVERAGE:	12.5%
BUILDING SETBACKS REQUIRED:	
FRONT YARD SETBACK:	0 FEET
SIDE YARD SETBACK:	8 FEET
REAR YARD SETBACK:	0 FEET
BUILDING SETBACKS PROVIDED:	
FRONT YARD SETBACK:	51 FEET, 7 INCHES
SIDE YARD SETBACK:	84 FEET
SIDE YARD SETBACK:	45 FEET, 2 INCHES
REAR YARD SETBACK:	84 FEET, 4 INCHES

PARKING REQUIRED:

1 SPACE / 100 S.F. GROSS FLOOR AREA	5,615 S.F. / 100 = 56 SPACES
TOTAL PARKING REQUIRED:	56 SPACES
NUMBER OF H.C. SPACES REQUIRED = 3 SPACES	
PARKING PROVIDED:	
STANDARD SPACES PROVIDED	57 SPACES
NUMBER OF H.C. SPACES PROVIDED	3 SPACES
TOTAL SPACES PROVIDED	60 SPACES
STACKING PROVIDED:	
STANDARD SPACES PROVIDED	15 SPACES

LOADING / UNLOADING AREA REQUIRED:

(1) 10' x 40'	400 S.F.
TOTAL LOADING / UNLOADING AREA REQUIRED:	400 S.F.
LOADING / UNLOADING AREA PROVIDED:	
(1) 10' x 50'	500 S.F.
TOTAL LOADING / UNLOADING AREA PROVIDED:	500 S.F.

SIGNAGE PERMITTED:

PERMITTED: (1) BLDG. SIGN, 25 SF FACING GRAND RIVER AVENUE	25 S.F.
PERMITTED: (1) BLDG. SIGN, 50 SF @ MAIN ENTRANCE (SOUTH FACE)	50 S.F.
STORAGE PROVIDED:	
PROVIDED: (1) BLDG. SIGN, 14 SF FACING GRAND RIVER AVENUE	14 S.F.
PROVIDED: (1) BLDG. SIGN, 14 SF @ MAIN ENTRANCE (SOUTH FACE)	14 S.F.
PROVIDED: TOTAL SIGNAGE ON BUILDING =	28 S.F.

DRIVE-THRU SIGNAGE PROVIDED:

DRIVE-THRU SIGNAGE IS EXISTING AND INCLUDES (2) MENU BOARDS, (2) C.O.D.'s, (2) C.O.D.'s w/COPIES AND ARE TO BE RELOCATED WITHIN THE NEW SIDE-BY-SIDE DRIVE-THRU CONFIGURATION.

PARKING INFORMATION

TOTAL SPACES	60
52 SPACES	8' X 19'-10" @ 60'
3 B.F.	SPACES 8' X 17'-10" @ 60'
5 SPACES	20' X 9'-0" @ 90'
	SPACES X' X X' @ 0

ARCHITECT/PLANNER
 Dorchen/Martin Associates, Inc.
 Architects/Planners
 25855 Greenfield Rd., Suite 107
 Southfield, Michigan 48076
 (248) 557-1062
 Fax: (248) 557-1231
 e-mail: dmo@dorchenmartin.com
 www.dorchenmartin.com

SURVEYOR
 CIVIL ENGINEER

SITE LOCATION

PROJECT STREET ADDRESS	8515 WEST GRAND RIVER AVENUE
CITY	BRIGHTON
STATE	MICHIGAN
COUNTY	LIVINGSTON
REGIONAL DWG. NO	DET-00
SITE LOCATION CODE NO.	021-0198

McDonald's

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF McDONALD'S CORPORATION AND SHALL NOT BE REPRODUCED WITHOUT THEIR WRITTEN PERMISSION.

OFFICE: MICHIGAN
 ADDRESS: 1021 KARL GREIMEL DR., BRIGHTON, MI 48116
 PH: (734) 335-9000

DATE	DESCRIPTION
11-13-11	PRELIM CITY REVIEW
11-13-11	SPA SUBMITTAL
11-13-11	FINAL BRAND REVIEW SUBMITTAL
11-13-11	SUBMIT FOR PLANNING COMMISSION MEETING

PLAN APPROVALS

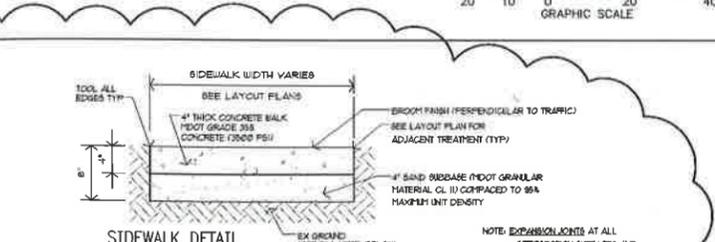
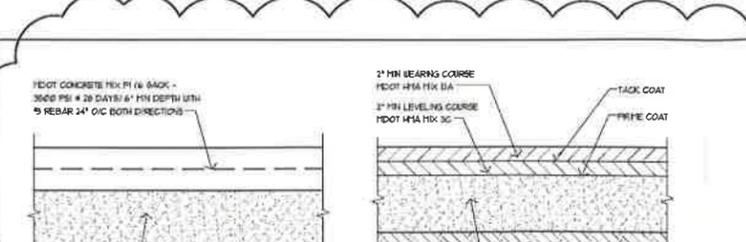
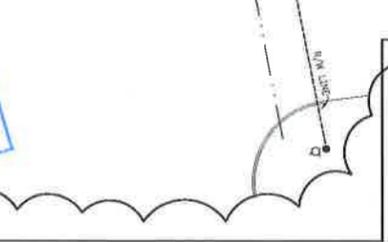
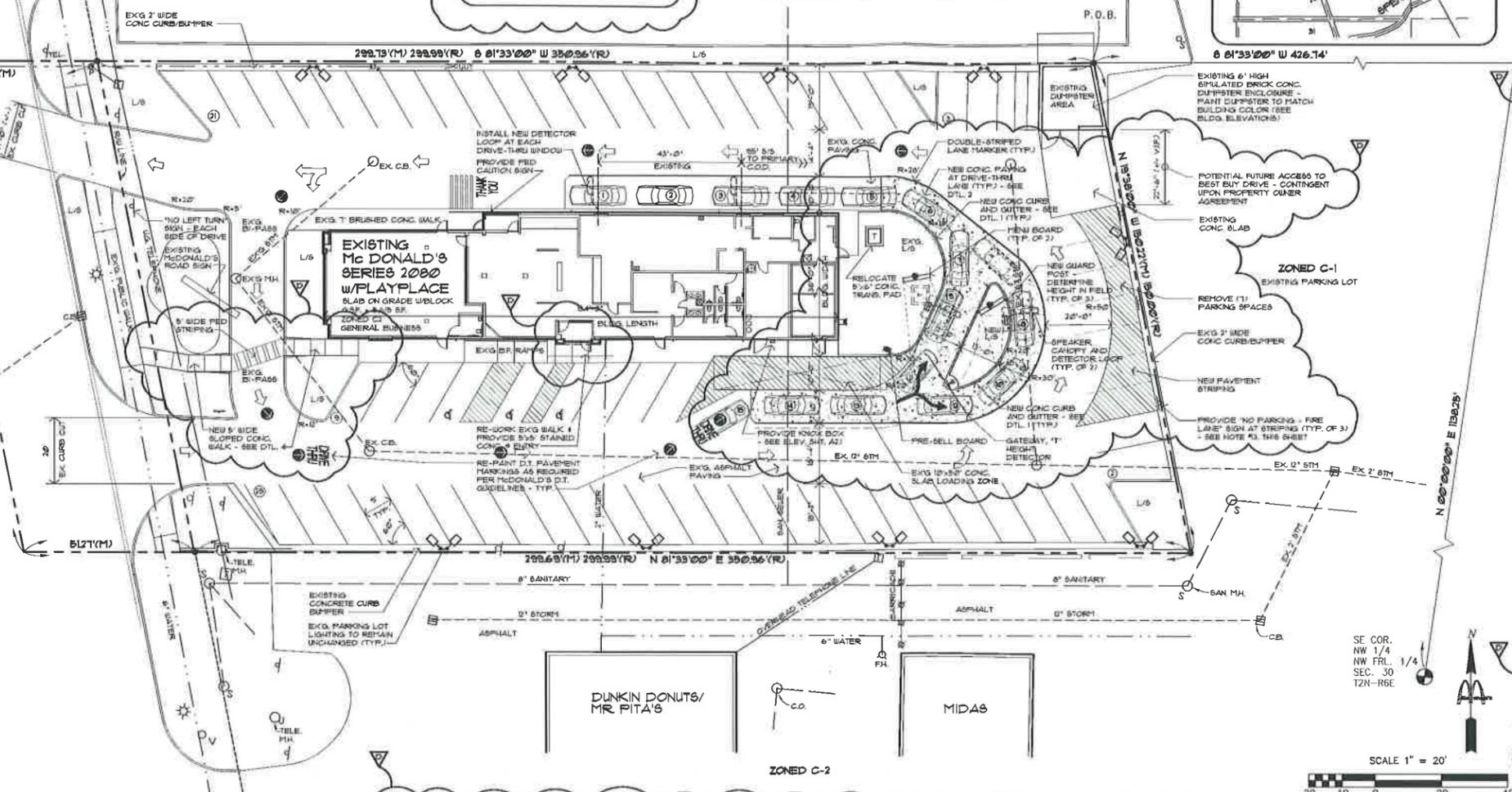
DATE	NAME	REGIONAL MGR.	CONST. MGR.	OPERATIONS DEPT.	REAL ESTATE DEPT.

CO-SIGN SIGNATURES

CONTRACTOR	OWNER



BURGER KING
ZONED C-2



1 CONC. CURB/GUTTER W/REVERSE GUTTER

2 CONC. PAVEM'T SECTION IN PARKING LOT

3 BITUMINOUS PAVEM'T SECT. FOR PARKING LOT

NOTES

1. AGGREGATE BASE COURSE AND THE SUBBASE SHALL BE COMPACTED TO A MINIMUM OF 95% OF THE MAXIMUM UNIT DENSITY AS DETERMINED BY THE MODIFIED PROCTOR TEST (ASTM D-1557).
2. HMA WEARING AND LEVELING COURSES SHALL BE COMPACTED TO A MINIMUM OF 93% OF THE MAXIMUM UNIT WEIGHT DETERMINED BY THE MARSHALL METHOD.
3. MATERIAL DESIGNATIONS REFER TO MICHIGAN DEPARTMENT OF TRANSPORTATION 2003 STANDARD SPECIFICATIONS FOR CONSTRUCTION AND ALL SUPPLEMENTAL SPECIFICATIONS. CONSTRUCTION OF THE PAVEMENT AND THE RELATED EARTHWORK SHALL BE PERFORMED IN ACCORDANCE WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION 2003 STANDARD SPECIFICATIONS FOR CONSTRUCTION UNLESS OTHERWISE NOTED HEREIN.
4. THE CONTRACTOR SHALL SUBMIT A MARSHALL MIX DESIGN FOR THE HMA WEARING AND LEVELING COURSES FOR APPROVAL PRIOR TO THE START OF CONSTRUCTION.

4 CONCRETE SIDEWALK DETAILS

NOTE: BUTTABLE FILL MATERIAL (MDOT GRANULAR MATERIAL CL 11) OR EXISTING GROUND COMPACTED TO 95% MAXIMUM UNIT DENSITY. WHERE 95% MAXIMUM UNIT DENSITY CANNOT BE ACHIEVED OR WHERE UNSUITABLE SUBGRADE SOILS EXIST, THE UNSUITABLE MATERIAL SHALL BE REMOVED AND REPLACED WITH SELECTED FILL MATERIAL COMPACTED TO 95% MAXIMUM UNIT DENSITY.



**POLICY REPORT
RECEIVING BOARD FOR ELECTIONS
JULY 19, 2012**

PREPARED BY:

REVIEWED BY:

**Diana Lowe
City Clerk**

**Dana Foster
City Manager**

ISSUE:

To approve the following Resolution to establish a Receiving Board for all future elections beginning with the August 2012 Primary Election.

STAFF RECOMMENDATION:

Recommend to approve the Resolution to Establish a Receiving Board for Elections.

BACKGROUND:

Receiving Boards are responsible for ensuring that 1) all ballot containers delivered to the clerk after the polls close are properly sealed 2) all seal numbers are properly recorded and 3) the number of names entered in the Poll Book balances with the number of ballots counted in the precinct.

The use of Receiving Boards provide an effective way to promote the “recountability” of precincts in the event a recount is requested after the election.

BUDGET IMPACT:

None.

COUNCIL ACTION:

To approve the Resolution to Establish a Receiving Board for all future Elections.

**Resolution
To Establish a Receiving Board for Elections**

WHEREAS, Michigan Election Law provides in MCL 168.679a that the legislative body of a city, township or village may, by Resolution, provide that one or more additional boards of election inspectors be appointed to serve as a Receiving Board of election inspectors at an election at which the ballots are counted and certified at the precinct; and

WHEREAS, not less than two election inspectors in a precinct, representing each of the major political parties, shall deliver to the Receiving Board for that precinct a transfer case, the poll book and statement of votes; and

WHEREAS, the Receiving Board shall verify that the seal number of the transfer case is recorded accurately and review the statement of returns to determine that the number of individuals voting recorded in the poll book equals the number of ballots issued to electors, as shown by the statement of votes; and

WHEREAS, the Election Commission shall appoint a Receiving Board consisting of not less than two inspectors, with an equal number of inspectors from each major political party; and

WHEREAS, the City Clerk, as chair of the Election Commission of the City of Brighton, recommends that a Receiving Board be established for all future elections, beginning with August 2012;

NOW THEREFORE, BE IT RESOLVED that the Brighton City Council authorizes a Receiving Board for all future elections beginning with the August 2012 Primary Election.

Diana Lowe, City Clerk

Dated: July 19, 2012

I, Diana Lowe, City Clerk of the City of Brighton, hereby certify that the foregoing is a true and complete copy of a Resolution was adopted by the Brighton City Council at the regular meeting held on July 19, 2012.

Diana

Lowe, City Clerk

**POLICY REPORT: CHAPTER 98, ARTICLE XXV. TEMPORARY LAND USE,
SECTION 98-700 - AMENDMENTS**

July 19, 2012

Prepared by:

Amy Cyphert
Planning & Zoning Director

Reviewed by:

Dana Foster
City Manager

ISSUE:

Conduct second read and make a decision on the proposed amendments to Chapter 98, Article XXV. Temporary Land Use, Section 98-700 pursuant to the Planning Commission recommendation on March 19, 2012.

STAFF RECOMMENDATION:

Staff concurs with the Planning Commission's recommendation.

BACKGROUND:

On January 1, 2012, Public Act 256 of 2011 went into effect. This public act repealed laws that regulated the purchase, sale, possession and use of fireworks and put into effect new regulations.

Public Act 56 of 2011 permits the purchase, sale, possession and use of fireworks with regulations established in the public act. In addition, the public act states the following:

- Sec. 7. (1) Except as provided in this act, a local unit of government shall not enact or enforce an ordinance, code, or regulation pertaining to or in any manner regulating the sale, display, storage, transportation, or distribution of fireworks regulated under this act.
- (2) A local unit of government may enact an ordinance regulating the ignition, discharge, and use of consumer fireworks. However, an ordinance enacted under this subsection shall not regulate the use of consumer fireworks on the day preceding, the day of, or the day after a national holiday.

The above statement requires a change to the existing Temporary Land Use, which currently prohibits the sale of fireworks. Attached you will find the proposed amendment removing the fireworks language from the section to bring our zoning ordinance into conformance with Public Act 256 of 2011.

DISCUSSION

Attached are the proposed ordinance to amendments to Chapter 98, Article XXV. Temporary Land Use, Section 98-700.

BUDGET IMPACT: N/A

RELATIONSHIP TO 2011/2012 GOALS: N/A

COUNCIL ACTION:

Conduct a public hearing and one of the following:

1. Consider second reading and adoption of Ordinance Number _____, and publish as appropriate.

Or

2. Consider second reading and denial of the proposed amendments Chapter 66, Article I, Section 66-2, Definitions, Section 66-4, Exempt Signs and the addition of 66-100, Downtown Business District (DBD) signage requirements.

Or

3. Consider second reading and remand the proposed amendments back to Planning Commission with guidance on how City Council would like the Planning Commission to address signage in a future zoning ordinance amendment.

Attachments:

1. Proposed amendments to Chapter 98, Article XXV. Temporary Land Use, Section 98-700
2. Planning Commission Meeting Minutes

Article XXV. Temporary Land Uses

Formatted: Left: 0.8", Right: 0.8", Bottom: 0.8"

Sec. 98-700. - Temporary land uses.

The city council shall only have the authority to grant permits authorizing temporary land uses for the sale of produce, firewood and ~~Christmas trees~~ subject to the following conditions:

Deleted: c

- (1) The sale of the products shall be restricted to nonresidential zoning districts. The sale of products shall not be permitted in residential transitional districts.
- (2) The owner of the property shall apply for the temporary use permit on a form to be provided by the City of Brighton. The application shall include a drawing, in triplicate, drawn to scale, which depicts the following:
 - a. The shape, location and dimensions of the lot.
 - b. The shape, size, and location of all buildings or other structures existing on the lot.
 - c. A layout of existing and proposed off-street parking.
 - d. The location of designated fire lanes.
 - e. The shape, size and location of all temporary facilities to be erected or located upon the lot, including all tents, tables, stands, or display racks.
 - f. The materials to be utilized in the construction of any temporary facilities.
 - g. The proposed flow of automobile and pedestrian traffic to and from the lot and any adjacent thoroughfares.
- (3) A temporary use permit for the sale of ~~Christmas trees and related items~~ shall be effective for thirty days or less. No more than one temporary use permit for the sale of ~~Christmas trees or related items~~ shall be issued for any given location within a single calendar year.
- (4) A temporary use permit for the sale of produce, firewood, or other similar products shall be effective for 90 days or less. No more than one temporary use permit for such products shall be issued for any given location within a single calendar year.
- (5) A temporary use permit shall only be granted if the city council determines as follows:
 - a. That there is adequate automobile and pedestrian traffic flow.
 - b. That there is adequate off-street parking.
 - c. That there is adequate access for fire and police protection.
 - d. That the use is compatible with the physical character of the surrounding neighborhood.
 - e. That the use complies with all zoning regulations for the district in which the use is located, including all requirements pertaining to lot size, height, set-back, open space ratio, maximum percentage of covered lot area, and off-street parking.
- (6) The temporary use permit shall be in writing and shall stipulate all of the conditions of issuance such as, the term of the permit, the nature of the permitted use and the manner in which any facilities located on the lot shall be removed upon termination of the temporary use permit.
- (7) Prior to granting a temporary use permit, the city council shall hold a public hearing. Notice of the public hearing shall be given to owners to real property located within 300 yards of the property upon which the temporary use is proposed. The notice to the adjoining lot owners shall be in writing, by regular mail and shall be mailed at least ten calendar days prior to the scheduled public hearing. Additionally, the notice of the public hearing shall be published in the Brighton Argus at least one week prior to the scheduled public hearing.

Deleted: c

Deleted: c

Article XXV. Temporary Land Uses

(8) The person(s) to whom the permit has been issued must comply with the terms and conditions of the permit and all applicable ordinances and state statutes. Failure to comply with the terms and conditions of the permit, ordinances of the City of Brighton, and statutes of the State of Michigan shall result in revocation of the permit by the city manager or his designee. Notice of revocation of the permit shall be given in writing and shall either be posted at the site of the temporary land use or shall be personally served upon the person(s) to whom the permit was issued. The use shall terminate immediately upon posting of the notice of revocation of the permit or upon personal service of the notice of revocation of the permit. In the event the use is not immediately terminated upon notice of revocation, the city manager or his designee shall be permitted to enter upon the site and close the temporary use.

(9) No temporary use permit shall be issued for the sale of ~~appliances, furniture, artwork, crafts,~~ clothing or other similar products.

Deleted: fireworks,

(Ord. No. 424, § I, 5-21-98)

Sec. 98-701. - Exemptions.

Exempted from the requirements of this article are the following:

- (1) Outside sales of products approved by the city council as part of site plan approvals;
- (2) All civic events approved by the city council, including, but not limited to the Farmer's Market, Art Fair and sidewalk sales; and
- (3) Sale of products by the owner of a business which is incidental to their principal business and occurs within 15 feet of the building in which the business is operated.
- (4) The sale of hot dogs, hamburgers, snow cones, peanuts, chips and/or other non-alcoholic beverages or other similar products as determined by the city manager or his/her designee from a temporary/portable stand. The sale of such products must comply with all requirements of the Livingston County Health Department.

(Ord. No. 424, § I, 5-21-98; Ord. No. 434, § 1, 7-15-99)

Sec. 98-702. - Prohibition of premanufactured buildings or sales trailers.

The use of premanufactured buildings or trailers as temporary sales offices is prohibited.

(Ord. No. 424, § I, 5-21-98)

Secs. 98-703—98-720. - Reserved.

Memorial, last dated 4-3-2012, as drawn by Lindhout Associates, job #1229, subject to the following conditions:

1. That irrigation is provided for the new planting beds.
2. That right of way permits be obtained from the Department of Public Services, if applicable.
3. That any damages done to the existing public sidewalk be repaired to current condition.
4. That an engineering review be conducted during the building permit process, if applicable.

Motion carried 6-0-3.

9. Master Plan Review and Possible Motion to Send to City Council for Distribution

Ms. Cyphert reviewed the background of this project as discussed in Blue Sky. As discussed, this topic is not on the City Council agenda until May 3 (instead of April 19), so the timing on the Master Plan Adoption Schedule will be adjusted as required. She thinks it could be approved in early August 2012. There was discussion about how changes could be communicated; Ms. Cyphert asked that any changes be sent in an email to her. She noted that Planning Commission would be voting to send a draft Master Plan to City Council for distribution to the surrounding governments, county, public utility companies and railroads and that there is a 63 day comment period. She recommended that any comments received during the comment period be read into the Planning Commission public hearing. She also indicated that she would distribute the draft Master Plan Update in electronic format instead of printing copies.

Motion by Mr. Pawlowski, supported by Mr. Petrak, to request City Council approve the distribution of the DRAFT document in an electronic format to the surrounding governments, county, public utility and railroads. **Motion carried 6-0-3.**

10. Discussion and Possible Setting of a Public Hearing Date for Amendments to Chapter 98, Article XXV, Temporary Land Uses

As discussed in Blue Sky, Ms. Cyphert noted that a new State law, Public Act 56 of 2011, permits the purchase, sale, possession and use of fireworks with regulations established in the public act. This legislation requires a change to the existing Temporary Land Use, which currently prohibits the sale of fireworks. The proposed amendment, removing the fireworks language from the section, will bring our zoning ordinance into conformance with Public Act 256 of 2011.

Motion by Mr. Bryan, supported by Mr. Wells, to accept the changes to the proposed amendments and set a public hearing date for May 21, 2012. **Motion carried 6-0-3.**

11. Discussion and Possible Setting of a Public Hearing Date for Amendments to Chapter 98, Article XXI, LIP Districts

As discussed in Blue Sky, Ms. Cyphert noted that a new State law, Public Act 56 of 2011, permits the purchase, sale, possession and use of fireworks with regulations established in the public act. This legislation requires a change to the existing LIP, Light Industrial Park District, which currently prohibits fireworks or explosive manufacturing or storage. The proposed amendment, removing the fireworks language from the section, will bring our zoning ordinance into conformance with Public Act 256 of 2011.

Motion by Mr. Schillinger, supported by Mr. Pawlowski, to accept the changes to the proposed amendments by adding #29, Fireworks or explosive manufacturing and #30, Explosive storage except fireworks, and set a public hearing date for May 21, 2012. **Motion carried 6-0-3.**

DRAFT
City of Brighton
Planning Commission
Minutes
May 21, 2012

1. Call to Order/Roll Call

Chairperson Monet called the meeting to order at 7:30 pm. The following were present:

David McLane	Robert Pawlowski
Steve Monet	John Wells
Dave Petrak	Al Wirth
Larry Schillinger	

Absent: Matt Smith. Bill Bryan

Motion by Mr. Wirth, supported by Mr. Wells, to excuse Commission Members Bryan and Smith from tonight's meeting. **Motion carried 7-0-2.**

Also present were Amy Cyphert and Lauri French from Staff.

2. Approval of the April 16, 2012 Regular Meeting Minutes

Ms. Cyphert noted that with the absences of Commission Members Bryan and Smith tonight that there are not enough votes to approve the meeting minutes from April 16. **Motion** by Mr. Pawlowski, supported by Mr. Petrak, to table the April 16, 2012 regular meeting minutes until the June meeting. **The motion carried 7-0-2.**

3. Approval of the May 21, 2012 Agenda

Motion by Mr. McLane, supported by Mr. Wells, to approve tonight's agenda as amended. **The motion carried 7-0-2.**

4. Call to the Public

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

Public Hearings

5. Public Hearing for Possible Action on Amendments to Chapter 98, Article XXV, Temporary Land Uses

Ms. Cyphert noted that a new State law, Public Act 56 of 2011, permits the purchase, sale, possession and use of fireworks with regulations established in the public act. This legislation requires a change to the existing Temporary Land Use, which currently prohibits the sale of fireworks. The proposed amendment, removing the fireworks language from the section, will bring our zoning ordinance into conformance with Public Act 256 of 2011.

Chairperson Monet opened the Public Hearing at 7:34 p.m. Hearing no comments, the public hearing was closed and the regular meeting resumed at 7:34 p.m.

Motion by Mr. Wells, supported by Mr. Pawlowski, to forward the proposed amendments to City Council for their approval and setting of a public hearing date. **Motion carried 7-0-2.**

POLICY REPORT: CHAPTER 98, ARTICLE XXI. LIP DISTRICT, SECTION 98-597 - AMENDMENTS

July 19, 2012

Prepared by:

Amy Cyphert
Planning & Zoning Director

Reviewed by:

Dana Foster
City Manager

ISSUE:

Conduct second read and make a decision on the proposed amendments to Chapter 98, Article XXI. LIP District, Section 98-597 pursuant to the Planning Commission recommendation on March 19, 2012.

STAFF RECOMMENDATION:

Staff concurs with the Planning Commission's recommendation.

BACKGROUND:

On January 1, 2012, Public Act 256 of 2011 went into effect. This public act repealed laws that regulated the purchase, sale, possession and use of fireworks and put into effect new regulations.

Public Act 56 of 2011 permits the purchase, sale, possession and use of fireworks with regulations established in the public act. In addition, the public act states the following:

- Sec. 7. (1) Except as provided in this act, a local unit of government shall not enact or enforce an ordinance, code, or regulation pertaining to or in any manner regulating the sale, display, storage, transportation, or distribution of fireworks regulated under this act.
- (2) A local unit of government may enact an ordinance regulating the ignition, discharge, and use of consumer fireworks. However, an ordinance enacted under this subsection shall not regulate the use of consumer fireworks on the day preceding, the day of, or the day after a national holiday.

The above statement requires a change to the existing Temporary Land Use, which currently prohibits the sale of fireworks. Attached you will find the proposed amendment removing the fireworks language from the section to bring our zoning ordinance into conformance with Public Act 256 of 2011.

DISCUSSION

Attached are the proposed ordinance to amendments to Chapter 98, Article XXI. LIP District, Section 98-597.

BUDGET IMPACT: N/A

RELATIONSHIP TO 2011/2012 GOALS: N/A

COUNCIL ACTION:

Conduct a public hearing and one of the following:

1. Consider second reading and adoption of Ordinance Number _____, and publish as appropriate.

Or

2. Consider second reading and denial of the proposed amendments Chapter 66, Article I, Section 66-2, Definitions, Section 66-4, Exempt Signs and the addition of 66-100, Downtown Business District (DBD) signage requirements.

Or

3. Consider second reading and remand the proposed amendments back to Planning Commission with guidance on how City Council would like the Planning Commission to address signage in a future zoning ordinance amendment.

Attachments:

1. Proposed amendments to Chapter 98, Article XXI. LIP District, Section 98-597 - Amendments
2. Draft Planning Commission Meeting Minutes

Article XXI. – LIP DISTRICTS

Sec. 98-596. - Scope.

The regulations set forth in this article, or set forth elsewhere in this chapter when referred to in this article, are the district regulations in the LIP light industrial park districts.

(Code 1981, § 51.183)

Sec. 98-597. - Use regulations.

A building or premises in the LIP district may be used for any purposes except the following:

- (1) Abattoirs
- (2) Acetylene gas manufacture or storage
- (3) Acid manufacture
- (4) Ammonia, bleaching powder or chlorine manufacture
- (5) Arsenal
- (6) Asphalt manufacture or refining
- (7) Blast furnace
- (8) Boiler works
- (9) Brick, tile or terra cotta manufacture
- (10) Burlap manufacture
- (11) Bag cleaning
- (12) Candle manufacture
- (13) Celluloid manufacture
- (14) Cement, lime, gypsum or plaster of Paris manufacture
- (15) Coke ovens
- (16) Coal tar products manufacture
- (17) Commercial uses, except for integrated automobile sales, service and repair use that have a minimum of 200 feet of frontage on a public street
- (18) Crematory
- (19) Creosote treatment or manufacture
- (20) Disinfectants
- (21) Distillation of bones, coal or wood
- (22) Dwellings, all types
- (23) Dyestuff manufacture
- (24) Exterminator and insect poison manufacture
- (25) Emery cloth and sandpaper manufacture
- (26) Fat rendering
- (27) Fertilizer manufacturing and bone grinding
- (28) Fireworks or explosive manufacture
- (29) Explosive storage, except fireworks
- (30) Fish and meat smoking and curing
- (31) Forge plant
- (32) Gas illuminating or heating manufacture or storage
- (33) Glue, size or gelatine manufacture
- (34) Gunpowder manufacture or storage
- (35) Incineration or reduction of garbage, dead animals, offal or refuse
- (36) Foundries of all types

Formatted: Left: 0.8", Right: 0.8",
Top: 0.9", Bottom: 0.9"

Deleted: or storage

Formatted: Bullets and Numbering

Article XXI. – LIP DISTRICTS

- (37) Lamp black manufacture
- (38) Oil cloth or linoleum manufacture
- (39) Oiled or rubber goods manufacture
- (40) Ore reduction
- (41) Paint, oil, shellac, turpentine or varnish manufacture
- (42) Paper and pulp manufacture
- (43) Petroleum products, refining or wholesale storage of petroleum
- (44) Plating works
- (45) Potash works
- (46) Printing ink manufacture
- (47) Pyroxlin manufacture
- (48) Rock crusher
- (49) Rolling mill
- (50) Rubber or gutta-percha manufacture or treatment
- (51) Salt works
- (52) Sauerkraut manufacture
- (53) Sausage manufacture
- (54) Shoe blacking manufacture
- (55) Smelting, or melting of ferrous or nonferrous metals
- (56) Soap manufacture
- (57) Soda and compound manufacture
- (58) Stockyards or slaughter of animals
- (59) Stone mill or quarry
- (60) Storage or baling of scrap paper, except where connected with a paper mill; iron, bottles, rags or junk
- (61) Except when wholly carried on within a fully enclosed building, the wrecking, dismantling or junking of automobiles and/or other vehicles, the storage of automobiles and/or other vehicles for wrecking, dismantling or junking, or the salvaging or selling of parts therefrom
- (62) Stove polish manufacture
- (63) Tallow, grease or lard manufacture or refining from animal fat, except in connection with the ordinary operation of a retail meat market
- (64) Tanning, curing or storage of rawhides or skins
- (65) Tar distillation or manufacture
- (66) Tar roofing or waterproofing manufacture
- (67) Tobacco (chewing) manufacture or treatment
- (68) Vinegar manufacture
- (69) Wool pulling or scouring
- (70) Yeast plant
- (71) And in general, those uses which have been declared a nuisance in any court of record, or which may be obnoxious or offensive by reason of the emission of odor, dust, smoke, gas, nuclear radiation, noise, fumes, vibration or by reason of the accumulation of unsightly waste material.

(Code 1981, § 51.184)

Memorial, last dated 4-3-2012, as drawn by Lindhout Associates, job #1229, subject to the following conditions:

1. That irrigation is provided for the new planting beds.
2. That right of way permits be obtained from the Department of Public Services, if applicable.
3. That any damages done to the existing public sidewalk be repaired to current condition.
4. That an engineering review be conducted during the building permit process, if applicable.

Motion carried 6-0-3.

9. Master Plan Review and Possible Motion to Send to City Council for Distribution

Ms. Cyphert reviewed the background of this project as discussed in Blue Sky. As discussed, this topic is not on the City Council agenda until May 3 (instead of April 19), so the timing on the Master Plan Adoption Schedule will be adjusted as required. She thinks it could be approved in early August 2012. There was discussion about how changes could be communicated; Ms. Cyphert asked that any changes be sent in an email to her. She noted that Planning Commission would be voting to send a draft Master Plan to City Council for distribution to the surrounding governments, county, public utility companies and railroads and that there is a 63 day comment period. She recommended that any comments received during the comment period be read into the Planning Commission public hearing. She also indicated that she would distribute the draft Master Plan Update in electronic format instead of printing copies.

Motion by Mr. Pawlowski, supported by Mr. Petrak, to request City Council approve the distribution of the DRAFT document in an electronic format to the surrounding governments, county, public utility and railroads. **Motion carried 6-0-3.**

10. Discussion and Possible Setting of a Public Hearing Date for Amendments to Chapter 98, Article XXV, Temporary Land Uses

As discussed in Blue Sky, Ms. Cyphert noted that a new State law, Public Act 56 of 2011, permits the purchase, sale, possession and use of fireworks with regulations established in the public act. This legislation requires a change to the existing Temporary Land Use, which currently prohibits the sale of fireworks. The proposed amendment, removing the fireworks language from the section, will bring our zoning ordinance into conformance with Public Act 256 of 2011.

Motion by Mr. Bryan, supported by Mr. Wells, to accept the changes to the proposed amendments and set a public hearing date for May 21, 2012. **Motion carried 6-0-3.**

11. Discussion and Possible Setting of a Public Hearing Date for Amendments to Chapter 98, Article XXI, LIP Districts

As discussed in Blue Sky, Ms. Cyphert noted that a new State law, Public Act 56 of 2011, permits the purchase, sale, possession and use of fireworks with regulations established in the public act. This legislation requires a change to the existing LIP, Light Industrial Park District, which currently prohibits fireworks or explosive manufacturing or storage. The proposed amendment, removing the fireworks language from the section, will bring our zoning ordinance into conformance with Public Act 256 of 2011.

Motion by Mr. Schillinger, supported by Mr. Pawlowski, to accept the changes to the proposed amendments by adding #29, Fireworks or explosive manufacturing and #30, Explosive storage except fireworks, and set a public hearing date for May 21, 2012. **Motion carried 6-0-3.**

6. Public Hearing for Possible Action on Amendments to Chapter 98, Article XXI, LIP Districts

Ms. Cyphert noted that a new State law, Public Act 56 of 2011, permits the purchase, sale, possession and use of fireworks with regulations established in the public act. This legislation requires a change to

the existing LIP, Light Industrial Park District, which currently prohibits fireworks or explosive manufacturing or storage. The proposed amendment, removing the fireworks language from the section, will bring our zoning ordinance into conformance with Public Act 256 of 2011.

Chairperson Monet opened the Public Hearing at 7:35 p.m. Hearing no comments, the public hearing was closed and the regular meeting resumed at 7:35 p.m.

Motion by Mr. Wirth, supported by Mr. Petrak, to forward the proposed amendments to City Council for their approval and setting of a public hearing date. **Motion carried 7-0-2.**

Unfinished Business

New Business

Other Business

7. Staff Updates

a. Award Discussion – Ms. Cyphert noted that this topic was discussed at last month's meeting but that no decision had been made about renaming the Siford award. Staff's research revealed that Sally Noeker served the longest continuous term on Planning Commission. Ms. Cyphert stated that this could be put on next month's agenda along with several other items. There was discussion about when the Noeker family should be notified if the Commission decides to rename the award. Chairperson Monet stated that the two items that should be discussed regarding this topic at the June meeting are whether to keep all three awards and whether to rename the Siford award to the Noeker award.

Ms. Cyphert advised that City Council approved distribution of the draft Master Plan update for the 63 day comment period to the surrounding townships and other entities. The update is on target for final approval by late summer.

Mr. Wirth asked for an update on Excelda. Ms. Cyphert stated there should be some news within the next few days. Mr. Schillinger stated that Planning Commission should not have to find things out in the media for items which have been approved by the Commission and advised that the Excelda project is temporarily on hold due to some financial issues.

Mr. Wirth asked how the new sign ordinance was working out in regard to sandwich boards. Ms. Cyphert noted that the ordinance just went into effect last week. She is still working on the fee that will be included in the FY 12-13 fee schedule to be approved by Council next month. She is also working on using a sticker for those sandwich boards that have been approved; if there is no sticker, that means they have not submitted an application nor paid the fee.

8. Commissioner Concerns

9. Call to the Public

The call to the public was made at 7:45 p.m. Hearing no response, call to the public was closed.

**POLICY REPORT
TEMPORARY LAND USE
JULY 19, 2012**

PREPARED BY:

Diana Lowe
City Clerk

REVIEWED BY:

Dana Foster
City Manager

ISSUE:

To conduct a public hearing and consider approval of a Temporary Land Use Permit for Nik Gjonaj for a produce stand next to Ciao Amici's on W. Main Street.

STAFF RECOMMENDATION:

Recommend approval based on conditions set forth in the motion below.

BACKGROUND:

Nik Gjonaj applied for a Temporary Land Use Permit for the period of time from July 20, 2012 through October 31, 2012. They have included a sketch of the layout and proposed use including table locations.

All neighboring property owners were notified within 300 yards of the proposed site.

The application has been given favorable recommendation by the City's Police Chief, Building Official, Director of Public Services and Brighton Area Fire Chief.

BUDGET IMPACT:

None.

COUNCIL ACTION:

Consider conducting the Public Hearing and if no objections accept the Staff recommendation to approve the application from Nik Gjonaj dated July 10, 2012 and attached plans for a Temporary Land Use Permit for produce sales from July 20, 2012 through October 31, 2012.

TEMPORARY LAND USE APPLICATION

Date: 7-10-12

Applicant: Vik Gjoring
(Only the Property Owner shall serve as the Applicant)

Driver's License Number: 6520630011660

Address: 48395 Forest Dr Macomb MI 48044

Phone Number: 586-855-1476

Person(s) Conducting Sale: C.J. Turner

Driver's License Number: T 656 119 429 974

Address: 4626 Bentley Lake Rd, Howell

Phone Number: 810-602-1804

Location of Temporary Land Use: 217 W. Main St

Closest Street Intersection: West & Main

Items to be Sold: Produce

(Fireworks, Appliances, Furniture, Artwork, Crafts, Clothing, and other similar products are NOT ALLOWED per City Ordinance)

Requested Dates of Sale: 7.20.12 - 10.31.12

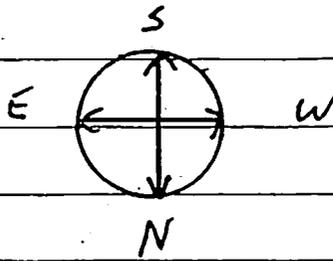
(Christmas Trees maximum 30 days)

(Produce and Firewood maximum 90 days)

List any Temporary Facilities to be Erected or Located upon the Property, i.e. tents, tables, stands, displays: 3- 8' Tables - 1 8' Tent at times

List the materials to be utilized in the construction of any temporary facilities:

1" = 20'



← TRAFFIC

Alley

TRAFFIC →

← 50' →

entrance

CIAD AMICI'S
BUILDING

Garden area

CIAD AMICI'S
PARKING LOT

100'
SIDEWALK

SIDEWALK TO ENTRY

ENTRANCE

Garden
AREA

shaded area is
location of 3-8' TABLES
wood tables

FENCED IN
OUTDOOR PATIO

SIDEWALK

TRAFFIC

Main St.



Parking lot entrance

TRAFFIC