City of Brighton
Downtown Development Authority
Special Meeting Minutes
August 28, 2014

The Board for the Downtown Development Authority (DDA) held a regular meeting on Thursday, August 28, 2014 at the City of Brighton Council Chambers located at 200 N. First Street, Brighton, MI.

1. Call to Order – Chairperson Herbst called the meeting to order at 7:30 a.m.

Members Present:
Mark Binkley, Tim Corrigan, Phil Garbacz, Scott Griffith, Bob Herbst, Ashley Israel, Pam McConeghy, Jim Muzzin and Shawn Pipoly

Members Absent: Dave Beauchamp, Linda Botka, Lisa Nelson, Claudia Roblee

Motion by Mr. Corrigan, supported by Mr. Pipoly, to excuse the absences of Linda Botka, Dave Beauchamp, Lisa Nelson and Claudia Roblee. Motion carried 9-0-4.

Also present:
Mr. Doug Cameron, DDA Attorney, Mr. Piet Lindhout, Lindhout Associates, Mr. Dana Foster, Brighton City Manager, and Mr. Matt Modrack, DDA Executive Director/Community Development Director, City of Brighton, and an audience of 10.

2. <u>Approval of August 28 2014 Agenda</u>
Motion by Ms. McConeghy, supported by Mr. Griffith, to approve the August 28, 2014 special meeting agenda as presented. Motion carried 9-0-4.

3. <u>Call to the Public</u> was made at 7:16 a.m. Bob Pettengill, who owns 225 N. Third Street, stated that he made an offer on the 608-610 W. Main property on July 23, 2014 and his initial contact with the Carpenters was in 2013. On August 21, 2014 he was notified by Stan Carpenter that Stan was pursuing an offer from the Downtown Development Authority (DDA). Mr. Pettengill noted that his intent was to convert the building to a single family residence and make it his principal residence. He quoted passages from Brighton's Master Plan adopted in 2012 and noted that the DDA plan seems to be contrary to the Master Plan since single family residences are a high priority in the Master Plan. He also noted that the property is outside the DDA district, that the project would have negative implications for property values and wanted to know what the complete process is for approval of this project.

Jim Fowkes, 130 N. Third Street, stated that he purchased and renovated his home at 130 N. Third Street, which has passed all inspections. He moved to Brighton because of the small town feel and believes that removal of an historic home would be detrimental to property values. He also noted that removal of several large trees on the property would be necessary to build the parking lot, which is contrary to Brighton's designation as a "Tree City". He noted that our parking lots never seem full and asked if other alternatives were available. He also pointed out that if the property was purchased by the DDA that approximately $4,000 would be lost in tax revenue once it was removed from the tax roll.

Sue Ellen Ikens, 125 N. Fourth St. and also owns 702 State St., noted that she only found about the DDA's intent to purchase the 608-610 W. Main property on Tuesday, but she was able to obtain signatures from people in the neighborhood on a petition which she provided to the DDA. She said that she talked to everyone who signed the petition and they are not happy with the prospect of the DDA putting in a parking lot in a residential area. She noted that the DDA members are not elected and they have to stay within their mandate. She is asking the DDA to reconsider the parking lot project and noted that everyone who signed the petition do not want to see commercial activity on the west side of the railroad tracks. She requested that the DDA

Board postpone its decision for a couple of weeks and she would have over 100 signatures on the petition.

Muriel Kaier, 910 W. Main St., noted the current downtown atmosphere of the neighborhood and the need to cherish our older homes. In her opinion, Mr. Pettengill would increase the value of the neighborhood by refurbishing the existing house whereas a parking lot would decrease property values. She noted that the house could be beautiful with improvements. She stated that the parking lot doesn't fit the area and agrees with the other speakers this morning.

Hugh Munce, 125 N. Third St., stated that the DDA has done a lot of good work, but in his opinion putting in a parking lot on this property would be a mistake. He noted that we need delineation between residential and downtown. He noted that the Second Street parking lot is never full except for special events and asked what happened to the parking structure idea. In his opinion, the Johnson property is a better location for a parking lot or structure. He noted that Council made a mistake long ago when the Dr. Paris property was allowed to be commercial use instead of residential, and he urges the DDA not to pursue construction of a parking lot on this property.

Bob Melvin, 603 Franklin, has concerns about the future of the city. He has been involved in various capacities with the city for 34 years and restored a 100 year old house on Franklin. He said the current entrance to the city is beautiful and a parking lot would destroy that. He noted that other locations are available and noted that the Second Street lot is rarely used. He questioned the cost of putting a lot in at 608 W. Main. He also noted that if the spaces were adequately marked that there could be an additional 25 on-street parking spaces. In his opinion, there are better places for the DDA to spend money to continue all their good work in the city.

Rebecca Munce, 125 N. Third Street, questioned how the DDA board is appointed. Jim Muzzin replied that DDA Board members are appointed by the Mayor and approved by City Council. There was discussion about whether the board members have to live in the City, and Jim Muzzin noted that this is the only board that does not have a residency requirement but that all members must have a business interest in the DDA district. Rebecca noted that the DDA has done marvelous work as has the Chamber with their festivals but asked the board to please don't build a parking lot in a residential area. The residents have spent a lot of money upgrading and maintaining their homes and don't want a parking lot. She suggested the DDA work on the theater instead.

Renee Pettengill, 225 N. Third Street, asked the board to consider all the comments from the people here today representing the neighborhood before the board makes a decision on the parking lot.

Diane Fowkes, 130 N. Third Street, stated that she loves Brighton but doesn't want to walk out of her house and see a parking lot. She is also concerned that her house would lose value if a parking lot were put on that property.

Hearing no further comments, call to the public was closed at 8:00 a.m.

4. New Business
   A. Discuss possible acquisition of real property

Matt Modrack reviewed the background of how we got to where we are today on the Carpenter property. He noted that we have been working with the CSX for over a year on the lease terms for the property west of the tracks and that it is within the DDA's mission to improve the CSX property, although some board members are apprehensive about improving leased property. He said that the CSX property survey generated questions from residents adjacent to the property and that is how he found out about the 608 W. Main property being available. He stated that this process will require both site plan approval and rezoning from Planning Commission and City Council with public hearings at each step. The process doesn't start until DDA gains control of the property. There was discussion about the plan for the CSX

property and parking lot alternatives such as a parking deck, its cost and number of spaces it would add. He also reviewed the number of spaces added over the preceding five years and how much those lots cost the DDA since most of them were built using grant money.

Bob Melvin noted that the CSX should be required to maintain their property and they seem to use it as a dumping ground for materials such as rails, etc. Mr. Modrack noted that the CSX would not improve the property before they lease it to us. Mr. Foster stated that the city has not been very successful in dealing with the CSX regarding ordinance infractions. Mr. Binkley asked for confirmation from the residents present that they have no issues and do not object to parking spaces being constructed in the leased CSX property which is currently being used for a "bootleg" parking lot. The residents have no issues, although they would like a berm or buffer at the Third Street end. Jim Fowkes wanted to know if the city had ever considered a "people mover" system such as shuttling people from the Park & Ride lots on Spencer to downtown. Pam McConeghy noted that for the large festivals such as Smokin' Jazz that they use shuttles from the Meijer parking lot and the BECC building parking lot.

Matt Modrack reviewed the Purchase Agreement and terms. Sue Ellen Ikens asked if the DDA should be acquiring land outside of the downtown and developing it for commercial purposes. Mr. Foster asked if that concern should also extend to leasing the CSX property and whether the DDA should be pursuing the property lease with CSX. Ms. Ikens responded that the property is already being used for parking and that the DDA should not be pursuing already beautiful residential property. Bob Melvin noted that in working with the DDA in the past, the railroad track was always their boundary.

Mr. Binkley noted that he is not in favor of the property purchase due to comments he has heard from residents this morning. It is apparent they are passionate about their neighborhood and homes. Mr. Israel commented that he looked at the property and agrees that it could be a beautiful home with some work but also noted the allergy clinic right across the street and noted we have to strike a balance between residential and the need for parking. He noted that after hearing the residents' comments this morning it is apparent that no one wants creeping commercial blight. The acquisition of the 608 W. Main property was a good idea but also has negatives; he agrees with Mr. Binkley and is not supportive of the parking lot.

Mr. Pipoly noted that at some point we are going to run out of "nooks" for parking lots and commented that we can't build a theater without more parking spaces to accommodate it, although not necessarily today. Mr. Modrack stated that from now forward any new parking lots will involve redevelopment – we will have to buy land, demo existing buildings and pave. Mr. Griffith thought the lot was a great idea, that a beautifully landscaped entrance to the parking lot could be an improvement to downtown, but after hearing the comments today, it's clear that the residents don't want the lot. He suggested the DDA keep looking for additional parking. He also stated that we don't want to "push the ball down the court" on this project for Planning Commission and City Council, and Mr. Muzzin stated that in his opinion the project would fail at the next level of approval. Mr. Israel noted that people would rather have to hunt for a space to park rather than being able to park in an empty lot.

Mr. Foster commented that he supported Mr. Modrack's pursuit of the property acquisition and parking lot construction was in part due to the figures in the parking studies conducted by Rich & Associates which showed that for a downtown of our size, we were lower than the 50% public control of available off-street parking benchmark, which is why he gave Mr. Modrack the green light to pursue this opportunity. He also noted that in the recent PSD special assessment process, there were statements made about how successful the city has become and the need to find more parking. He commented that even for the smaller events, such as Ladies Night Out, that it has been brought to his attention that overflow parking was taking place on neighborhood streets, and he is working on addressing the impact for adjoining neighborhoods. Mr. Corrigan noted that a parking shortage is a good problem to have and that he respects residents' opinions. He also noted that down the line some unpopular decisions may have to be made.

Mr. Modrack commented that the other offer on the table would bring the house back to single family, which was a good thing. He also noted that in order to make the CSX West lot work, it has to be double-

loaded to make it worthwhile to put money into. Rebecca Munce asked if Dr. Paris' parking lot could be used for overflow parking, and Mr. Modrack noted that he has not yet talked to Dr. Paris about that possibility. Mr. Binkley thanked Mr. Modrack and his staff for their work on this proposal and also thanked the residents for coming out this morning to voice their opinions to the board.

Motion by Mr. Binkley, supported by Mr. Muzzin, to decline the Purchase Agreement for the purchase of 608 and 610 West Main Street for a total purchase price of $265,000 as presented. A roll call vote was taken as follows:

Mr. Corrigan – Yes
Mr. Pipoly – Yes
Ms. Botka – Absent
Ms. Nelson – Absent
Mr. Binkley – Yes
Mr. Griffith – Yes
Mr. Beauchamp - Absent
Ms. Roblee - Absent
Mr. Garbacz - Yes
Mr. Muzzin - Yes
Mr. Israel - Yes
Ms. McConeghy - Yes
Mr. Herbst - Yes

The motion carried 9-0-4.

5. <u>Adjournment</u>

Motion by Mr. Griffith, supported by Mr. Muzzin, to adjourn at 8:55 a.m. Motion carried 9-0-4.

Respectfully submitted,

Lauri French, Deputy Director
Community Development, Planning & Zoning
August 28, 2014