

**City of Brighton**  
**200 N. First St. Brighton, MI 48116**  
**Planning Commission**  
**Regular Meeting Minutes**  
**June 7, 2021**

The Board for the Planning Commission held a Regular Meeting on Monday, June 7, 2021 at 7:00 p.m., conducted virtually.

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

Chairman Smith called the meeting to order at 7:00 p.m.

**Commissioners Present:** Susan Gardner, Matt Smith, Ken Schmenk, Jim Bohn, Steve Monet, Dave Petrak, Bill Bryan and Chuck Hundley. All members participated remotely and disclosed their locations.

**Commissioners Absent:** Mike Schutz

**Also present:** Sarah Gabis, City Attorney; Kari Jozwik, Tetra Tech; Scott Barb, Livingston County Planning; Henry Outlaw, Assistant to the City Manager; Michael Caruso, Community Development Manager; Kelly Haataja, Executive Assistant to Community Development and an audience of forty-seven (47).

**Motion** by Gardner, supported by Schmenk to excuse Commissioner Schutz for personal reasons. **Motion passed unanimously by a roll call vote.**

**2. Consider Approval of Consent Agenda Items**

**Consent Agenda Items**

- a. **Approval of the April 19, 2021 Regular Meeting Minutes**
- b. **Approval of the June 7, 2021 Agenda**
6. **Consider Approval of a One-Year Extension to Site Plan 20-06, The Canopy Lounge, 206 E. St. Paul**

**Motion** by Gardner, supported by Monet to move New Business Item 6 to the Consent Agenda and approve the Consent Agenda as amended. **Motion passed unanimously by a roll call vote.**

**3. Call to the Public**

Chairperson Smith opened the Call to the Public at 7:13 p.m.

**Jeff Stone, 442 N. Fifth Street** spoke about the City Master Plan and the West Village proposal.

**Sandra Verhelle, 7916 Magnolia** spoke about the City Master Plan and the West Village proposal.

Hearing and seeing no further comments, Chairperson Smith closed the Call to the Public at 7:17 p.m.

#### **4. Public Hearing**

##### **Consider Recommendation of Approval for Site Plan 21-06, West Village of Brighton, and Rezoning of 1010 State Street from R-1 to PUD**

Mr. Manny Kianicky, SR Jacobson provided a presentation of the proposal.

Chairperson Smith closed the regular meeting and opened the Public Hearing at 7:30 p.m. Every public participate was individually called on to speak if they chose to.

**Brian Klear, 225 N. Fifth Street** stated he enjoys living in this neighborhood which consists of a factory, church, storage facility, funeral home, well drilling company, daycare and single family homes. He stated he agrees something needs to be done with the proposed site but opposes the proposed height. He stated every proposal thus far has been for three-stories which is the main objection from residents.

**Carl Vagnetti, 7918 Laurel Street** stated his opinion is the properties abutting the development will see a decline in value, and he has concerns about noise, dogs, light and pedestrian traffic. He stated the property owner over paid for the property.

**Carol Rossi, 306 S. Second Street** stated she opposes high density developments amongst single family homes and would like to see the site become a community enhancement project, such as a dog park. She stated she has concern the population is being created to grow the downtown area while most people only want to maintain it.

**Chris Ozminski, 824 W. Main Street** stated he disapproves the proposal because of every impact it will have on the neighborhood.

**Christopher Habsburg, 7940 Holly Street** stated he is horrified of the potential for a forty-foot building and its density in his back-yard, stated it will destroy his privacy, and the development is out of character for the neighborhood. He stated property values will decline and he encourages everyone to sue the City Council and Planning Commission members individually if approved.

**Cheryl Krueger, State Street** asked how many residents occupy the building on Second Street. She stated she opposes the density and height and asked if it could be reduced to two-stories.

**Christine Black, 7932 Holly Street** stated she has concern with the building height, privacy in her back-yard, and traffic.

**Claire Jusino, 7879 State Street** spoke about her family history, stated she disapproves three-stories and commented a Genoa Township proposal nearby was denied because it failed a traffic study.

**Diane Fowkes, Third Street** stated she opposes the height, density and traffic, and the project doesn't make sense for the neighborhood.

**Susan Walters Bakhaus, Brighton Lake Road** stated whomever did the traffic survey doesn't know the history of Lindbom. She stated her recollections of traffic in the neighborhood and stated it won't be safe for children to play in the street.

**Gladys Bottum, 7841 State Street** stated she objects to the development being three-stories and objects to the added traffic.

**Ian Boyle, 7931 State Street** stated he has concern with children running out in the street and added traffic, and he opposes medium-high density and a three-story complex next to his house.

**Jill Noeker, 735 Clark Street** described her neighborhood and its traffic, and stated concerns the development is out of character for the neighborhood. She asked how deep will the pool be, and stated she's concerned the plume will be disturbed.

**Jim Noeker, 7901 Magnolia** cited the City's Master Plan and Zoning Ordinance and stated the development doesn't meet the Master Plan. He stated the owner over paid for the property and the City is determined to make them whole on their investment.

**Jon Bowling, 4800 Dillon Street** stated he opposes the development because it is not appropriate for the neighborhood, and he is concerned about noise, light, traffic, density and nature.

**Julian Meade, 205 N. Fifth Street** stated he opposes the project the same as all previous proposals because it is also too large for the neighborhood. He stated the City is trying to rescue the developers and a better solution would be for the City to put in a park.

**Katie Steele, 7920 Holly Street** stated the Master Plan is not being followed and suggested the density be cut in half and reduced to two-stories.

**Leslie Shipley, 921 State Street** stated she opposes the proposal, has concern her property value will decrease, and stated the development doesn't fit the neighborhood.

**Lori Dowling, 7934 Laurel Street** opposed the development due to its size, traffic and construction. She stated she has safety concerns with the site being in its current condition.

**Melanie Moses, 7904 Holly Street** stated the end of Holly Street will become a crash gate for emergency responders and she opposes the development.

**Mike Anderson, Berry Drive** supports sixty homes for the site and opposes this proposal.

**Nancy Durance, 4616 Spring Mountain Drive** stated the previous proposal for senior housing was a much better use of the land, and she opposes three-stories, its density, decreased property values and increased traffic.

**Jim Fowkes, 130 N. Third Street** stated the proposal is too large, this area is not meant for transient people and he supports lower density single family owner occupied homes.

**Robert Pettengill, 608 W. Main Street** stated the development would not be a good fit and residents rely on the Master Plan which implies the area should be R-1.

**Sandra Verhelle, 7916 Magnolia** stated she and her family walk to downtown and school which concerns her about traffic and pedestrian safety. She stated the proposal is too big, she opposes a forty-foot building next to her one-story home and the proposal is not moderate density. She stated the Planning Commission shall not approve this because it is not part of the Master Plan.

**Barb, 7991 Brighton Road** stated she is opposed to three-stories. She stated the City should repair the school should invest in city offices at the site and sell other City properties to create playground and picnic areas.

**Peggy Stone, 422 N. Fifth Street** stated she supports the comments from concerned citizens and she opposes the development because renters aren't invested and won't take care of the property, it's too tall and the Master Plan isn't being followed.

**Emery Clark, 1025 Washington Street** stated the development is not the best fit for the area and agrees with previous comments about renters.

**Renee Pettengill, 225 N. Third Street** thanked the Planning Commission for hearing everyone's comments.

Hearing and seeing no further comments, Chairperson Smith closed the Public Hearing and reopened the regular meeting at 8:54 p.m.

**Motion** by Monet, supported by Gardner to take a five-minute break at 8:56 p.m. **Motion passed unanimously by a roll call vote.**

The regular meeting reconvened at 9:01 p.m.

Commissioner Schmenk spoke about the ongoing issues occurring at the Lindbom site and stated the development would likely raise surrounding property values and they are decreasing now due to the sites current condition.

Mr. Kianicky stated property values would improve after the development. He then discussed the qualifications to reside at the proposed town-homes.

Commissioner Hundley asked the total height of the buildings.

Mr. Kianicky stated the total height is 33.25 feet.

Commissioner Bryan stated he has concerns with only five feet of green space on the south side of the development and asked the applicant to describe the landscape around the perimeter.

Mr. Kianicky described the proposed types of plantings for the site.

Commissioner Bryan stated he would like to see more buffer on the south side.

Commissioner Monet stated he opposes the development due to its location and density, and prefers owner occupied housing.

Commissioner Gardner spoke about her neighborhood and its similarities to the proposal. She suggested privacy can be achieved through greenery rather than fencing. She stated she believes the residents of this development would integrate without issue into the community.

Commissioner Petrak distinguished the height of the building is 32.5 feet to the mid-point of the roof, making the total height to the peak of the roof 40 feet. He noted he has concerns about the proposed density and it not being owner occupied. He stated he does not believe the proposed location is adjacent to downtown.

Commissioner Bohn asked for clarification on the building height.

Mr. Kianicky explained his understanding of how the roof height was determined.

Commissioner Bohn reviewed height calculations according to the City Zoning Ordinance, indicating the applicant calculated incorrectly. He also stated according to the Master Plan, the

site does not meet the definition of being adjacent to downtown, making it not meet the PUD requirement item 6.

Commissioner Smith commented he has concern the development will not provide enough internal parking for visitors and wanted to see more variety of architecture throughout the units. He noted he mentioned these items of concern previously at preliminary site plan review.

Mr. Kianicky stated the site would have an abundance of parking, an average of 3.7 parking spaces per unit. He noted there is open space available for future parking if needed. He stated adding variety to the architecture is not their preference but they can look at modifying it. He further remarked they are puzzled with the comments from the Commissioners presented tonight rather than at preliminary approval.

Commissioner Smith stated the Commission has the right to revisit a preliminary approval to assure comments are satisfied, and they are able to change their mind and add comments at this point in the approval process.

Commissioner Petrak stated he does not believe the proposal meets the height requirement, it does not align with the Master Plan and R-4 zoning, and he does not believe the location is adjacent to downtown.

Commissioner Hundley commented although he agrees with Commissioner Petrak's findings on the height, based on the elevations shown in the renderings it does not appear to be that much different from the surrounding neighborhood. He also agreed with Commissioner Gardner, new residents although they would be renters, would be a positive addition to the City.

Commissioner Monet restated his concerns with density and it not being owner occupied.

Commissioner Schmenk stated the community has not been pleased with any proposals thus far and at some point something needs to happen with this property.

Commissioner Bryan stated the developer did not address the resident's setback concerns.

**Motion** by Monet, supported by Schmenk to Recommend Denial for Site Plan 21-06, West Village of Brighton, and Rezoning of 1010 State Street, from R-1 to PUD, based on findings the proposal does not meet requirement 6 of the PUD Ordinance. **Motion passed 6-2 by a roll call vote, with Commissioners Hundley and Gardner voting No.**

### **Old Business**

None

### **New Business**

#### **~~5. Consider a Recommendation of Approval for the West Village of Brighton PUD Contract~~**

**Motion** by Monet, supported by Petrak to remove item 5. Recommendation of Approval for the West Village of Brighton PUD Contract from the agenda. **Motion passed unanimously by a roll call vote.**

#### **~~6. Consider Approval of a One-Year Extension to Site Plan 20-06, The Canopy Lounge, 206 E. St. Paul~~**

(Item moved to the Consent Agenda)

## **Other Business**

### **7. Staff Updates**

None

### **8. Commissioner Report**

None

### **9. Call to the Public**

Chairperson Smith opened the Call to the Public at 10:22 p.m.

**Brian Klear** spoke about the Public Hearing.

**Barb** made comment something needs to done with the Lindbom property.

**Susan Bakhaus** spoke about discussions at DDA meetings.

**Cheryl Krueger** asked who owns the Lindbom property.

**Jim Noeker** asked about code enforcement at the Lindbom property.

**Jordan Genso** commended the Commissioners for their discussions tonight.

**Claire Jusino** spoke about her grandfather and thanked the Commission for listening to the public.

Hearing and seeing no further comments, Chairperson Smith closed the Call to the Public at 10:36 p.m.

### **10. Adjournment**

**Motion** by Hundley, supported by Schmenk to adjourn the meeting. **Motion passed unanimously by a roll call vote.** Meeting adjourned at 10:38 p.m.

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***William Bryan, Secretary***

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***Kelly Haataja, Executive Assistant  
to Community Development***