

A REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:31 P.M. JULY 22, 2014 AT CITY HALL BY CHAIRPERSON BARNETT.

PRESENT: Martin Smith Mark Richardson Michele Buckler
David Barnett Tim Murad Ann Shadle
Dean Smith Eric Murrell Dottie Popp

ABSENT:

ALSO PRESENT: Melanie Stevens, 1083 Oxford
Laura Quirk, 1222 Eaton
Katie Lamb, 1222 Eaton
Nicole Miller, 2959 Twelve Mile
Marty Miller, 2959 Twelve Mile
Bo Burton, 1574 West
Dottie Payne, 1922 Rosemont
John Abro, 1036 Eaton
Jim Chamberlain, 1059 Oxford
Sean Sweda, 1047 Eaton
Jack Guirey, 1009 Oxford
Amy Vansen, City Planner

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APPROVAL OF AGENDA

It was moved by Commissioner Murrell to approve the agenda.
Supported by Commissioner Shadle.
AYES: Dean Smith, Murad, Buckler, Popp, Murrell, Richardson, Shadle, Martin Smith, Barnett
NAYS: None
Motion Carried.

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APPROVAL OF MINUTES

It was moved by Commissioner Murad to approve the minutes of the regular meeting for June 24, 2014.
Supported by Commissioner Richardson.
AYES: Dean Smith, Buckler, Murad, Popp, Murrell, Richardson, Martin Smith, Shadle, Barnett
NAYS: None
Motion Carried.

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COMMUNICATIONS

Ms. Vansen called attention to the Downtown Development Authority minutes and the Planning Commission's annual report to City Council.

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CITIZEN COMMENTS

None.

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1. **SPECIAL LAND USE: SU-02-14** Martin Miller for Coco Fairfields, 2959 Twelve Mile, south side of Twelve Mile, between Wakefield and Robina, is requesting special use approval for a sidewalk café in accordance with *Berkley City Code*, Chapter 106 *Streets, Sidewalks, and Other Public Places*, Article II *Obstructions*, Section 106-42 *Outdoor Seating*, (b) *Sidewalk Café* Café seating within the public right-of-way shall be subject to the standards and review procedure set forth in Chapter 138 *Zoning*, Article V *District Regulations*, Division 7 *LB Local Business District*, Section 138-408 *Special Uses*. Café seating within the public right-of-way shall be prohibited between November 1 and March 31. Café seating shall be subject to an annual renewal process.

Martin and Nicole Miller of Coco Fairfields were both present. The applicant plans to leave the furniture out even when the business is closed unless there is a problem with theft or vandalism. These tables will not be serviced by wait staff.

Chairperson Barnett opened the public hearing at 7:38 PM. Hearing no comments, he closed the public hearing at 7:38 PM.

It was moved by Commissioner Murad to recommend SU-02-14 to City Council for approval with the following condition:

- **The approval is for Coco Fairfields and that should the property be sold or transferred, this approval shall cease.**

Supported by Commissioner Murrell.

AYES: Dean Smith, Buckler, Murad, Popp, Murrell, Richardson, Martin Smith, Shadle, Barnett

NAYS: None

Motion Carried.

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2. **SPECIAL LAND USE: SU-03-14** Blarney Stone Pub, 27253 Woodward southwest corner of Woodward and Columbia, is requesting special use approval for a sidewalk café in accordance with *Berkley City Code*, Chapter 106 *Streets, Sidewalks, and Other Public Places*, Article II *Obstructions*, Section 106-42 *Outdoor Seating*, (b) *Sidewalk Café* Café seating within the public right-of-way shall be subject to the standards and review procedure set forth in Chapter 138 *Zoning*, Article V *District Regulations*, Division 7 *LB Local Business District*, Section 138-408 *Special Uses*. Café seating within the public right-of-way shall be prohibited between November 1 and March 31. Café seating shall be subject to an annual renewal process.

Dottie Payne and Bo Burton were present. They advised that because of the recent sidewalk reconstruction by the Michigan Department of Transportation (MDOT), the service drive is no longer as usable for cars as it once was. MDOT had suggested that the applicant look at installing a sidewalk café on the service drive in order to better utilize the space. As submitted, the café

would have eleven 4-person tables. Only wait staff would transport drinks from the building, across the sidewalk, to the café.

The Commission expressed concern over the proximity to Woodward given the fast moving traffic, dust, stones, and noise. There was concern expressed about the sidewalk which is narrow being boxed in with a building on one side and a café railing on the other.

The Commission inquired where the outside smoking area would be. Mr. Burton advised it would be moved to the Columbia side of the building.

The Planning Commission discussed the awkward turn in the sidewalk that MDOT recently built. The Commission thought it would be better if the sidewalk were wider which would allow the café to be up against the building.

Chairperson Barnett opened the public hearing at 7:54 PM.

Mike Cameron, 724 Columbia, was concerned about hours of operation; if music would be broadcast; increase in garbage since the north parking lot already has a lot of litter in it; if the smokers moved to Columbia, it would be problematic; the door opens onto the sidewalk, the sidewalk is already crowded without a sidewalk café.

Public Safety Director Rick Eshman advised that Blarney Stone Pub is a great, cooperative business. However, he has many reservations due to safety concerns.

Chairperson Barnett closed the public hearing at 8:12 PM.

The Commission thought that a wider sidewalk would solve a lot of the problems at this location. The applicant agreed to contact MDOT to see if constructing a wider sidewalk at this location would be possible.

It was moved by Commissioner Martin Smith to postpone SU-03-14 to the August 26, 2014 meeting.

Supported by Commissioner Dean Smith.

AYES: Dean Smith, Buckler, Murad, Popp, Murrell, Richardson, Martin Smith, Shadle, Barnett

NAYS: None

Motion Carried.

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- 3. **SITE PLAN REVIEW: SP-06-14** Abro Design Group for Lugo Properties, 1036 Eaton, north side of Eaton, between Woodward and Stanford, is requesting site plan approval for the construction of a parking lot.

John Abro, architect for the project, was present. He reminded the Commission that the property was rezoned last year.

The Commission expressed concern that there were many details missing from the site plan including site lighting, a screenwall detail, and an engineer's seal.

The applicant advised that he had not received any communication from the City about missing information.

Ms. Vansen advised that the applicant had done an excellent job with the T-Mobile façade change at 27861 Woodward. The Eaton parking situation had been in flux; given the situation it didn't seem appropriate to make the applicant have plans that were too detailed only to see them changed or the approval postponed.

The Planning Commission felt it was very important that the finishes relative to the screenwall and the treatment next to the Eaton sidewalk were high quality.

There was discussion about the need for adequate site lighting at this location.

The Commission advised that 20 foot parking spaces would be required and that the parking lot was probably not large enough for 2-way traffic.

Commissioner Martin Smith advised that there were a lot of opportunities for the businesses to work together on building the parking lots in concert.

Deputy Public Safety Director Robert North read his report to the Planning Commission. He was very concerned about the driveway off of Eaton and traffic flow.

John DuLong of Oxford was concerned about congestion. He wants a contiguous parking lot. He was concerned about patrons parking in the wrong area and getting ticketed. He thought this would give the wrong impression to folks visiting the City.

Tara Hayes of Oxford suggested that all of the stakeholders in this area need to get together and work out a solution.

Melanie Stevens of Oxford advised that the parking lot really needs to be high quality in terms of building materials and landscaping since it is in a residential area.

Sean Sweda of Eaton appreciated the Planning Commission's comments relative to quality material and design.

A number of Planning Commissioners expressed concern about T-Mobile needing this parking and concern that it would sit empty much of the time.

The Planning Commission reiterated that the parking site plan did not comply with Berkley City Codes of Ordinances. It also advised that there were would some cost savings if the owner of 1036 Eaton and 1010 Eaton worked together on a parking lot.

It was moved by Commissioner Martin Smith to postpone SP-06-14 to the August 26, 2014 meeting.

Supported by Commissioner Murad.

AYES: Dean Smith, Buckler, Murad, Popp, Murrell, Richardson, Martin Smith, Shadle, Barnett

NAYS: None

Motion Carried.

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CITIZEN COMMENTS

None.

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LIAISON REPORTS

Commissioner Dean Smith reported that the ZBA met. A sign was approved on Woodward and 2 infill houses on Bacon received a setback variance.

Commissioner Popp reported from the Downtown Development Authority that Robina Rhapsody received financial support and the fence at the Coolidge municipal parking lot has been installed. She expressed concern that the DDA removed Coolidge from the DDA agenda.

Commissioner Murad reported that the Chamber was working on Cruisefest and a Pub Crawl on August 21. Membership is at an all-time high.

Commissioner Richardson did not have a report from the Environmental Advisory Committee

Chairperson Barnett reported that the City Council concurred with the Planning Commission's recommendation relative to the recent requests for rezoning on Oxford.

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STAFF/COMMISSIONER COMMENTS

None.

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There being no further business, Chairperson Barnett adjourned the meeting at 9:36 PM.