CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
APPROVAL OF AGENDA
APPROVAL OF MINUTES -- Meeting of February 26, 2019
COMMUNICATIONS- Training Opportunity-RRC Best Practices
CITIZEN COMMENTS
ORDER OF BUSINESS

1. **CAPITAL IMPROVEMENTS PLAN**: PRESENTATION & CONSIDERATION

2. **DISCUSSION**: EXTERIOR APPLIANCES ORDINANCE DRAFT
   Attachments: Exterior Appliances Draft
   Draft Option 2

LIAISON REPORTS
COMMISSIONER/STAFF COMMENTS
ADJOURN

Notice: Official Minutes of the City Planning Commission are stored and available for review at the office of the City Clerk.

The City of Berkley will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon four working days notice to the city. Individuals with disabilities requiring auxiliary aids or services should contact the city by writing or calling City Clerk, ADA Contact, Berkley City Hall, 3338 Coolidge, Berkley, Michigan 48072, (248) 658-3300.
The minutes from this meeting are in summary form capturing the actions taken on each agenda item. To view the meeting discussions in their entirety, this meeting is broadcasted on the city’s government access channel, WBRK, every day at 9AM and 9PM. The video can also be seen, on-demand, on the city’s YouTube channel: https://www.youtube.com/user/cityofberkley.

PRESENT:  Mark Richardson    Martin Smith   Ann Shadle
          Michele Buckler   Greg Patterson   Matt Trotto
          Kristen Kapelanski    Tim Murad

ABSENT:  Lisa Kempner

ALSO PRESENT:  Tim McLean, Community Development Director
               Ross Gavin, City Council Liaison
               Vivian Carmody, DDA Director

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APPROVAL OF AGENDA
It was moved by Commissioner Richardson to approve the Agenda and supported by Commissioner Buckler.

AYES: Buckler, Murad, Patterson, Richardson, Shadle, Smith, Trotto, Kapelanski
NAYS: None
ABSENT: Kempner

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APPROVAL OF MINUTES
It was moved by Commissioner Buckler to approve minutes from January 22, 2019 and supported by Commissioner Patterson.

AYES: Buckler, Murad, Patterson, Richardson, Shadle, Smith, Trotto, Kapelanski
NAYS: None
ABSENT: Kempner

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COMMUNICATIONS
N/A

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CITIZEN COMMENTS
N/A

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3. SITE PLAN REVIEW: SP-01-19—FSZ HOLDINGS, LLC, 2838/2850 COOLIDGE HWY.

Community Development Director McLean provided a summary of the request for site plan review. The applicant had previously received site plan approval for a façade change in August 2018. The applicant was proposing a number of changes to the façade that warranted review by the Planning Commission.
Ari Zartarian (Applicant) stated that due to budgetary reasons, they had to revise the scope of work for the building façade.

Commissioner Richardson asked why cedar was chosen to cover an existing opening to the building.

Mr. Zartarian responded that the cedar will provide a nice accent to the proposed façade.

Commissioner Shadle asked if there would be any signage on the proposed awning.

Mr. Zartarian responded that there will be no signage on the awning.

Chair Kapelanski asked about the darker tint on the existing window, noting that the tint was not indicated on the site plan.

Mr. Zartarian responded that in the future the tint may be removed.

Commissioner Trotto asked about proposed wall pack lighting and photometrics.

Mr. Zartarian responded that per the conditions of the August 2018 site plan, all exterior lighting would be shielded, directing light downward.

It was moved by Vice Chair Smith to approve SP-01-19 with the condition that exterior lighting be shielded, directing light downward and supported by Commissioner Murad

AYES: Murad, Patterson, Richardson, Shadle, Smith, Trotto, Buckler, Kapelanski
NAYS: None
ABSENT: Kempner
MOTION CARRIED

4. **SITE PLAN REVIEW:** SP-02-19—STUMAR, LLC, 3171 TWELVE MILE RD.

Community Development Director McLean provided a summary of the request for site plan review. The applicant is seeking site plan approval for a façade change. One item to note was that the size of the windows on the front façade would be considerably increased, but falls short of the minimum standard for the Downtown District.

Andrew Bader (Architect for the applicant) stated that there would be structural issues that would be difficult to overcome to have 40% windows on the front façade.

Chair Kapelanski asked what the percentage of windows would be on the proposed site plan.

Mr. McLean responded that there would be 32% windows with the proposed plan.

Vice Chair Smith asked if the façade was full brick on block.

Mr. Bader responded that this was the case.

Vice Chair Smith stated that it would be very expensive to expand the windows with an existing steel lintel. Mr. Smith stated he was glad to see proposed improvements to the façade.

Commissioner Richardson asked what the existing window coverage was for the front façade.
Mr. Bader responded that it was around 15%.

Commissioner Shadle asked if any signage was being proposed.

Mr. Bader responded that as there is not currently a tenant that no signage was being proposed.

Commissioner Shadle asked if the applicant was aware of the Design Guidelines and if they had been utilized.

Eric Feldman (Applicant) responded that he is aware of the Design Guidelines and had engaged in some discussion with DDA Director Carmody.

**It was moved by Commissioner Patterson to approve SP-02-19 as written and supported by Commissioner Trotto**

AYES: Richardson, Shadle, Smith, Trotto, Buckler, Murad, Patterson, Kapelanski
NAYS: None
ABSENT: Kempner
MOTION CARRIED

5. **MASTER PLAN SCOPE OF WORK:** DISCUSSION

Vice Chair Smith stated that the intent of this discussion is to come up with ideas for the future. Mr. Smith stated that the Robina Plaza project from the previous Master Plan should be included.

Commissioner Trotto stated that the city does not currently have pathways for bikes. Mr. Trotto suggested that a trail starting at Woodward would be a good idea and possibly tie in any trail with existing parks.

Chair Kapelanski stated she would like to see bike paths. Ms. Kapelanski suggested that a regional connection with Royal Oak could be part of the next Master Plan.

Commissioner Shadle stated she would like to see multimodal transportation explored in greater detail in the next Master Plan. She also stated that the corner of Twelve Mile Rd. and Coolidge could be an opportunity site for redevelopment.

Commissioner Patterson stated that he would like to see some suggestions for redevelopment along the Eleven Mile Rd corridor. Additionally, he would like to see high levels of community engagement for the Master Plan.

Commissioner Richardson suggested that the possibility of relocating the Department of Public Works facility should be explored. He believes this would be a strong location to be redeveloped. He also stated that any redevelopment around Twelve Mile Rd and Coolidge should preserve the historic Fire Hall Building.

Commissioner Buckler stated she would like to see suggestions to improve the multiple family residential housing stock. Additionally, the mixture of different housing types could be improved.

Chair Kapelanski agreed with Ms. Buckler’s ideas and stated that opportunities for duplexes and townhouses could be explored.
Commissioner Murad stated that he would like to see a downtown plaza in the Robina area. Additionally he would like to see improved multiple family residential housing.

Mr. Smith stated he hadn’t considered Mr. Richardson’s idea about the DPW building, but he agrees that this would be a good redevelopment site; particularly for multiple family residential housing.

Ms. Shadle stated that live-work redevelopment could be explored for Eleven Mile Rd.

Mr. Richardson stated there should be a deeper dive into housing options in the next Master Plan. He added that energy efficiency could be explored in the Master Plan.

Mr. Trotto also stated that energy efficiency should be explored.

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LIAISON REPORTS

Director Carmody stated that there would be an open house session for the Downtown Master Plan on Thursday, February 28 from 6:30PM-8:30PM

Mr. Trotto stated that the DDA approved two MOGO bike stations.

Mr. Murad stated that the Chamber was hosting a hometown art event on March 14. Also, the Chamber would be releasing a City Guide in the Fall of 2019.

Mr. Richardson stated that the Environmental Committee would be meeting to discuss a draft energy efficiency plan.

Ms. Kapelanski stated that the Design Overlay District was presented to and discussed with City Council.

Mr. Smith stated that he attended the open house on recreational marijuana uses. He stated that there were a number of grey areas with any uses.

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STAFF/COMMISSIONER COMMENTS

Mr. McLean reminded the Commission of the training session scheduled for March 7 with Carlisle-Wortman Associates.

With no further business, the meeting was adjourned at 8:51PM.
1. **PRESENTATION:** Capital Improvements Plan

The Michigan Planning Enabling Act of 2008, in addition to requiring a Planning Commission to create and adopt a master plan, states that a Planning Commission shall prepare a coordinated and comprehensive program of public structures and improvements. The Commission shall prepare such a program annually.

The Finance Department, with the help of all other departments, has put together a capital improvements program for your consideration. City Manager Baumgarten will be in attendance to present the capital improvements plan and answer any questions that the Planning Commission may have.

A motion is necessary to adopt the capital improvements plan and recommend adoption by City Council.

2. **DISCUSSION:** Exterior Appliances Ordinance

From discussion in previous meetings, there is a consensus among Planning Commissioners that emergency generators should not be permitted in side yards. A few Planning Commissioners were not in favor of permitting air conditioning units in side yards, but there did not appear to be a consensus. I am seeking direction from the Planning Commission regarding its consensus on air conditioning units.

On the subject of air conditioning units in side yards, it is worth noting that to prohibit air conditioning units in side yards would be a reversal in policy dating back to the 1990’s. Air conditioning units have been permitted in side yards for well over twenty years. Creating an exterior appliances ordinance that permits air conditioning units in side yards would eliminate confusion regarding air conditioning units and emergency generators. A long standing City policy has permitted air conditioning units in side yards. Due to the lack of classification of emergency generators in the zoning ordinance, interpretations had been sought by the Zoning Board of Appeals. An ordinance standard would be in place rather than a policy.

A possible negative result of prohibiting exterior appliances in a side yard is that it could lead to a significantly higher volume of cases with the Zoning Board of Appeals. In recent years, the Zoning Board of Appeals has heard four cases regarding the placement of generators in a side yard. In all four cases, the variance requests have been granted. Should the Planning Commission be open to considering permitting air conditioning units in side yards, language has been prepared with the attached document “Draft Option 2.”

Based on feedback from the Planning Commission and residents, additional revisions have been made to the proposed ordinance.
Changes to the draft include a reduced decibel standard. The proposed standard states that no exterior appliance shall register higher than 60 db at a location 15 feet from the source when measured at a high of 5-7 feet above ground. Additionally, language has been drafted that addresses exterior appliances that would be rendered legally non-conforming if the proposed ordinance is adopted. Specifically the language would allow for necessary repairs and incidental alterations to the appliance. The new language would also account for situations when a legally non-conforming exterior appliance is damaged or destroyed.

**Attachments:**
- Exterior Appliances Draft
- Draft Option 2