CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
APPROVAL OF AGENDA
APPROVAL OF MINUTES -- Meeting of July 28, 2020
COMMUNICATIONS
CITIZEN COMMENTS
ORDER OF BUSINESS

1. **MASTER PLAN 2020**: Discussion on Woodward, Eleven Mile corridors and update on Master Plan community engagement activities.

2. **DISCUSSION**: Review and discussion for proposed ordinance text amendments for modifying parking requirements during site plan review.

3. **DISCUSSION**: Review and discussion for proposed ordinance text amendments for site plan projects and allowing extensions for site plan approvals.

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.

If you would like to attend the electronic Planning Commission meeting, follow the below link or call the telephone number.
Join Zoom Meeting: [https://berkleymich.zoom.us/j/93323204434](https://berkleymich.zoom.us/j/93323204434)

Dial by Phone: 1-312-626-6799

Meeting ID: 933 2320 4434
THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, JULY 28, 2020 VIA ELECTRONIC MEETING BY CHAIR KRISTEN KAPELANSKI

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: Michele Buckler Tim Murad Kristen Kapelanski
Lisa Kempner Greg Patterson Mark Richardson
Martin Smith Jeffrey Campbell

ABSENT: Lisa Kempner Matt Trotto

ALSO PRESENT: Erin Schlutow, Community Development Director
Ross Gavin, City Council Liaison
Torri Mathes, Community Engagement Officer
Dan Hill, Public Policy Assistant
Stan Lisica, Innovation Officer

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APPROVAL OF AGENDA
It was moved by Commissioner Patterson to approve the Agenda supported by Commissioner Murad.

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

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APPROVAL OF MINUTES
It was moved by Commissioner Richardson to approve the minutes from June 23, 2020 and supported by Commissioner Patterson.

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

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COMMUNICATIONS
None.

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CITIZEN COMMENTS
Chair Kapelanski read instructions for public to submit comments during the virtual meeting.

None.
1. **MASTER PLAN 2020**: Presentation by Carlisle Wortman Associates with discussion on Greenfield, Twelve Mile and Coolidge corridors and update on Master Plan community engagement activities.

   Community Development Director Schlutow introduced Megan Masson-Minock from Carlisle Wortman Associates.

   Ms. Masson-Minock provided an update on the community survey, focus group discussions, webinar series and overall community engagement activities.

   The Commissioners discussed the survey results and other engagement activities.

   Ms. Masson-Minock gave powerpoint presentation on the Greenfield, Twelve Mile, and Coolidge corridors. Commissioners provided background as to what was designed for the corridors after the adoption of the previous Master Plan and what the intent was for those properties along the major roadways.

   Ms. Masson-Minock asked the Commissioners to review the draft Mission, Vision and Values statements and provide feedback.

2. **DISCUSSION**: Review and discussion for ordinance text amendments for modifying parking requirements during site plan review.

   Director Schlutow summarized the discussion memo and provided examples of what other comparable and surrounding communities have implemented in terms of allowing the planning commission to grant a parking modification or deviation during site plan review. A percentage cap on the number of spaces permitted to be modified was included in the latest version, as well as some minor edits to the ordinance language. Director Schlutow also provided an analysis on the most recent site plans and how many parking spaces may have qualified for a parking modification, if requested, and how that would impact the development of the overall site.

   Commissioner Smith requested additional time to review the proposed language and the comparison materials.

   Commissioner Patterson liked the percentage cap on the modification allowed.

   Chair Kapelanski stated that this can come back as a final discussion item at the next meeting.

3. **DISCUSSION**: Review and discussion for ordinance text amendments for site plan projects and allowing extensions for site plan approvals

   Director Schlutow provided a summary of the discussion item and proposed ordinance amendment. Draft Ordinance language was provided to the Commissioners.

   Commissioners agreed to bring the item back for a discussion at the next meeting.
LIAISON REPORTS
Commissioner Richardson referenced the presentation to City Council by Dr. Don Carpenter in association with the Clinton River Watershed Council regarding recommendations for stormwater detention projects within the City of Berkley.

Commissioner Murad stated that most Chamber events have been cancelled for the year.

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STAFF/COMMISSIONER COMMENTS
Commissioner Richardson was interested in the licensing process for marihuana facilities.

Commissioner Smith appreciated the memos and materials provided by staff. He also asked about the property on Eleven Mile.

Commissioner Patterson agreed with Commissioner Smith about the memo and materials provided by staff.

Commissioner Campbell thanked the staff for putting the zoom meetings together.

Director Schlutow updated the commission on the licensing process for marihuana facilities.

Chair Kapelanski thanked staff and the city as a whole as we deal with the changes over the coming months.

Commissioner Murad motioned to adjourn. Motion supported by Commissioner Richardson.

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

With no further business, the meeting was adjourned at 8:58pm.
TO: Berkley Planning Commission
FROM: Ben Carlisle, AICP
        Megan Masson-Minock, AICP
DATE: August 19, 2020
RE: Update on Master Plan Activity

We hope this memo finds you and your families healthy, happy, and safe! Thanks to all of you who helped promote or participated in the survey, focus groups and video presentations. Utilizing the input gathered, we are starting to draft the Master Plan.

Outline

Attached is a draft outline of the Master Plan. Please review and be prepared at the meeting to share any suggestions or questions.

Steering Committee Discussion

The Steering Committee held a meeting on August 18, 2020. The Steering Committee packet is attached to this memo. The focus of the meeting was to discuss roadway improvements and land use suggestions for 11-Mile and Woodward Avenue, and consideration of Design Guidelines for the corridors. Discussion of the Steering Committee is summarized below:

11-Mile:

The Steering Committee felt that 11-Mile represented a lot of opportunities but was undeveloped and “unsightly.” They noted that there didn’t appear to be a clear vision for the corridor, and thus the corridor wasn’t developing in a cohesive manner. They recognized that there are three sections of the corridor, so any future vision and regulations must reflect that.

The Steering Committee supported the approach for 11-Mile to focus less on land use and rather focusing on site layout, building placement, and requirements for architectural and material quality. There was support to consider appropriately scaled multiple family and townhouse development in appropriate areas along the entire length of the corridor.

Recognizing that the road right-of-way is only 66-feet wide there are limited opportunity for significant roadway changes. As such they do not suggest any significant roadway changes. Rather the focus should be on beautification: streetscape, landscaping, and hardscaping.
Woodward Avenue

The Steering Committee noted that Woodward Avenue has been extensively studied and planned, and they supported the existing planning and transit plans already adopted. They advised that any focus on Woodward Avenue highlight the need for gateway and identification landmarks along Berkley’s section of this famous corridor. In addition, any corridor design guidelines (see section below) should discuss the reuse of interior properties for parking uses that support properties along the corridor.

Design Guidelines

The Steering Committee strongly supported the concept of using design guidelines in the Master Plan. They felt design guidelines for the corridors would be an effective way to both visually and verbally articulate the future vision of the corridor. If adopted as part of the Master Plan, the design guidelines could be used by the staff, Planning Commissioners, City Council and the development community to guide the desired future development.

They want to ensure the guidelines articulate differences between corridors (11-mile vs Greenfield) and differences along corridors (11-Mile). Since the DDA has already set forth design guidelines for west 12-Mile and Coolidge, that the Master Plan should include guidelines for 11-Mile, Greenfield, and 12-Mile east of Coolidge.

Walking Tours

We are hosting a walking tour of 11-Mile, Greenfield, and 12-Mile (east of Coolidge) with the Steering Committee and Planning Commission in September. More details to follow.

Thank you again for the opportunity to assist with your Master Plan!

Yours Truly,

[Signature]

CARLISLE/WORTMAN ASSOC., INC.
Benjamin R. Carlisle, AICP, LEED AP
Principal

[Signature]

CARLISLE/WORTMAN ASSOC., INC.
Megan Masson-Minock, AICP
Planner
I. Executive Summary
   a. Big picture
   b. Road map of plan

II. Background
   a. What is a Master Plan
   b. Berkley Background
      i. History
      ii. Location
      iii. Land Use
      iv. Demographics
   c. Incorporation of other plans
      i. Master Plan – what has been done & why not?
      ii. Downtown plan
      iii. Energy Plan
      iv. Residential Future Land Use Plan
      v. Communication Strategy
      vi. Transportation Plans
      vii. School District Plans
   d. Assets
      i. Survey answers

III. Process
   a. Process
   b. Community input
      i. Process
         1. Before COVID-19
         2. During COVID-19
      ii. Results

IV. Vision, Mission & Values
   a. Introduction
   b. Vision
   c. Mission
   d. Values
V. Neighborhoods
   a. Introduction
   b. Background
      i. Land use
      ii. Placemaking / Gathering spaces
      iii. Neighborhood improvements
         1. Parks
         2. Housing
         3. Zoning
         4. Mobility
   c. Goals
   d. Strategies

VI. Systems
   a. Introduction
      i. Sustainability at the core
   b. Background
      i. Utilities and Infrastructure
         1. Stormwater Management
         2. Green Infrastructure
         3. Energy Plan Items
         4. Lighting
      ii. Mobility/Transportation
         1. Non-motorized modes
            a. Transit
            b. Biking
            c. Shared ride services
         2. Sidewalks
         3. Roads
         4. Traffic Safety /control
   c. Goals
   d. Strategies

VII. Corridors
   a. Introduction
   b. Common Elements
      i. Land use
      ii. Placemaking / Gathering Spaces
      iii. Wayfinding
      iv. Redevelopment
c. Twelve Mile
   i. Issues
      1. Land Use
      2. Placemaking / Gathering Spaces
      3. Parcel Size
      4. Pedestrian amenities
      5. Parking
   ii. Goals
   iii. Strategies

d. Coolidge
   i. Issues
      1. Land Use
      2. Placemaking / Gathering Spaces
      3. Traffic Flow Speed
      4. Parcel Size
      5. Pedestrian amenities
      6. Parking
      7. Goals
      8. Strategies

e. Eleven Mile
   i. Issues
      1. Woodward-Coolidge: Pedestrian amenities & zoning
      2. Coolidge – Greenfield: Access management & redevelopment
   ii. Goals
   iii. Strategies

f. Woodward
   i. Issues
      1. Land Use
      2. Traffic Flow Speed
      3. Woodward Plan
      4. Parcel Size
      5. Pedestrian amenities
      6. Parking
   ii. Goals
   iii. Strategies
g. Greenfield
   i. Issues
      1. Dichotomy of road
      2. Land Use
      3. Pedestrian amenities
   ii. Goals
   iii. Strategies

VIII. Future Land Use Plan
   a. Introduction
   b. Neighborhoods
   c. Downtown & nodes
   d. Corridors
      i. Mixed Use
      ii. Residential
   e. Special areas (Cemetery)

IX. Implementation
   a. Introduction
   b. Partners
   c. Funding
   d. Implementation table

X. Appendix
   a. Maps
   b. Demographics
   c. Plan to Plan
   d. Community Engagement Strategy
Action To Date

a. Vision, Mission & Values
b. Plan Outline
c. Planning Commission
In the development of the current Master Plan, adopted in 2007, many of the same issues and solutions on corridors (parcel depth and housing diversity) were discussed and similar actions are part of the current plan.

They were supportive of development that took up the entire block depth having a front door on Ellwood and a back door to Greenfield.
  - The various depths of the Greenfield Zoning District were driven by nearby uses at intersections.
  - The Planning Commission agreed that zoning should take up at least two lots in depth to be effective.

The Planning Commission is committed to continuing the road diet on Coolidge.

The current Master Plan allows lot depth expansion along 12 Mile into neighborhoods on a case by case basis, which has been slowly implemented over time.

In agreement with your suggestions, the Planning Commission felt that a strong educational component was needed as part of the planning process.
Focus Tonight is 11-Mile and Woodward and Design Guidelines
What’s your vision for 11-Mile?

What is missing from 11-Mile?
20. 11 Mile: Please rate the current mix of land uses on 11 Mile between Greenfield and Mortenson?

- **Retail**: 59.21% Too little, 23.89% Just right, 16.13% Too much, 0% No opinion (N = 1,221)
- **Restaurants**: 69.24% Too little, 15.01% Just right, 15.50% Too much, 0% No opinion (N = 1,219)
- **Entertainment venues (movie theaters, night clubs, etc.)**: 46.49% Too little, 21.06% Just right, 30.14% Too much, 0% No opinion (N = 1,211)
- **Institutional (governments, schools, churches)**: 11.36% Too little, 42.27% Just right, 42.36% Too much, 4% No opinion (N = 1,197)
- **Office (including medical)**: 19.04% Too little, 38.09% Just right, 11.05% Too much, 31.82% No opinion (N = 1,213)
- **Multiple-family**: 18.44% Too little, 30.43% Just right, 8.80% Too much, 42.33% No opinion (N = 1,193)
- **Mixed Use (ex. 1st floor retail & 2nd floor office or residential)**: 34.44% Too little, 24.59% Just right, 37.00% Too much, 4% No opinion (N = 1,208)
- **Research/Industrial**: 0.50% Too little, 33.03% Just right, 22.52% Too much, 33.95% No opinion (N = 1,190)
11-Mile

Greenfield to Coolidge:
- Varied parcel depth: 100 to 250 feet
- Uses include industrial, commercial, and office.
- Most building front on street, parking in rear or to side of building.
- Sidewalk adjacent to roadway on many parts of north side of street, lawn extension on south side of street.
- Minimal streetscape aesthetics except at 11-Mile / Coolidge intersection.

Coolidge to Mortenson:
- Small lots of 100-feet in depth
- Uses include commercial, and office.
- Most building front on street, parking in rear or to side of building.
- ROW is narrower than portions to the west

Mortenson to Woodward:
- Smaller lots, single-family residential uses.
- No land use changes proposed.
Greenfield to Coolidge:

- Continue to allow for a varied land use pattern of light industrial/warehouse, office, commercial uses, but allow for multiple family residential, including conversion of industrial buildings to loft residential.

- Encourage redevelopment of older and obsolete buildings to ensure that new development provide an appropriate screening/buffering from adjacent residential to the north, and incorporates a high-quality, architecturally pleasing façade treatment for the elevation that fronts 11-Mile.
Coolidge to Mortenson:
• Maintain primary uses of small commercial and office.

• Allow smaller multiple family development including attached single-family, and townhome development.

• Encourage redevelopment and incorporate a high-quality, architecturally pleasing façade treatment for the elevation that fronts 11-mile.
Mortenson to Woodward:
• Maintain and encourage continued investment in single-family housing stock,
• Where appropriate, such as corners of 11-Mile and sides streets, allow for the consolidation of parcels to create attached single-family, and townhome development.
Eleven Mile is a 66-foot right-of-way (ROW). Within that 66-foot wide ROW, are four lanes of traffic and sidewalks/lawn extensions that vary in width from 6 to 12 feet on both sides of the roadway.

A 66-foot ROW is narrow for an arterial road. In addition, any road configuration or traffic calming would have to be done in coordination with the City of Oak Park.

Due to these reasons, significant road configuration or traffic calming may not be possible on 11-Mile.
While narrow, there are opportunities to “beautify” the corridor.

Streetscapes can have a significant effect on how people perceive and interact with their community.

We would recommend that the Master Plan identify some common streetscape treatments along 11-Mile.

In addition, as with all corridors a strategy should be the adoption to concise, consistent, and strong design standards.
We would appreciate your input on the following questions:

1. What is your reaction to the land use recommendations presented above? If not, what approach to 11 Mile do you recommend?

2. What beautification efforts, such as a streetscape, do you feel should be planned for on 11 Mile? What is possible? What would be controversial?
What’s your vision for Woodward?

What is missing from Woodward?
18. Woodward: Please rate the current mix of land uses on Woodward between 11 Mile and 12 Mile Roads?

- Retail: 35.39% Too little, 47.89% Just right, 14.20% Too much, 10.27% No opinion
- Restaurants: 43.41% Too little, 44.87% Just right, 10.27% No opinion
- Entertainment venues (movie theaters, night clubs, etc.): 44.89% Too little, 26.74% Just right, 26.08% Too much
- Institutional (governments, schools, churches): 50.12% Too little, 39.44% Just right
- Office (including medical): 26% Too little, 59.30% Just right, 8.81% Too much, 24.63% No opinion
- Multiple-family: 13.52% Too little, 32.42% Just right, 9.20% Too much, 44.86% No opinion
- Mixed Use (ex. 1st floor retail & 2nd floor office or residential): 27.95% Too little, 30.74% Just right, 37.79% No opinion
- Research/Industrial: 1.55% Too little, 35.80% Just right, 8.89% Too much, 45.76% No opinion

(N = 1,232), (N = 1,237), (N = 1,223), (N = 1,217), (N = 1,226), (N = 1,206), (N = 1,220), (N = 1,204)
Woodward

- Woodward in Berkley is 1.8 miles, including 0.7 miles that are adjacent to the Roseland Park Cemetery.

- Along that stretch, Woodward is a divided boulevard with eight lanes of traffic and a 200-foot wide right-of-way.

- Plans
  - 2012 Woodward Avenue TOD Corridor Study for South Oakland County
  - 2015 Woodward Avenue Action Association Woodward Avenue Complete Streets Plan
  - City of Berkley 2007 Master Plan
• Any significant roadway configuration will involve a coordinated effort, with MDOT, and other communities.

• We endorse the implementation of the 2012 Woodward Avenue TOD Corridor Study for South Oakland County and the 2015 Complete Street Plan.
Woodward

At this point, we do not have concrete land use recommendations for Woodward, but instead have the following questions:

- What are the assets on Woodward to build on?

- Since Woodward has the same challenge in terms of lot depth as other corridors, is expansion back into the neighborhoods acceptable? If so, where? How deep? Note that most buildings on the Royal Oak side have a street width alley that wraps around the buildings and deeper lots.

- Whether or not the lots go deeper, is a different buffer between the adjoining neighborhoods and the more intense land uses on Woodward needed? A green alley might be a design solution to consider.

- Do you want to prepare for transit and transit-oriented designs (more intense uses) at 11 Mile and/or 12 Mile, where bus rapid transit stops are planned?

- What should Berkley’s image be on Woodward? Do you want to stand out or blend in? What resources are you willing to commit to those efforts?
We would like your input as to whether a Design Guidelines for the corridors should be included in the Master Plan.

We can bake-in the differences in the Design Guidelines based on the differences between 12-Mile, Greenfield, 11-Mile, Woodward, and Coolidge.

We think a Design Guidelines for the corridors would be an effective way to both visually and verbally articulate the future vision of the corridor.
Design Guidelines

Can visually show and address:

- Street Wall (Fancy way of saying how “make the front of your building interesting”)
- Building Form/Design
- Parking
- Vehicular Access Management
- Pedestrian Circulation
- Site Details
- Streetscape / Pedestrian Realm
If adopted as part of the Master Plan, the Design Pattern Book could be used by the staff, Planning Commissioners, City Council and the development community to guide the desired future development.

Can set the stage for future zoning ordinance amendments.
Design Guidelines

We would appreciate your input on the following questions:

1. Do you feel a Design Pattern Book would be useful? If yes, in what corridors?
2. What aspects of the attached example resonate for you? What would be useful in Berkley?

**Design Guidelines**

**BUILDING FORM/DESIGN**

**BUILDING DETAILS**

1. Architectural style should not be restricted. Rather, evaluation of the appearance of a project should be based on compatibility and the quality of its design and relationship to surroundings.
2. Buildings within the same development should be designed to provide a unified and easily identifiable image. Methods to achieve this include using similar architectural styles and materials, complementary roof forms, signs, and colors.
3. Openings should appear in a regular pattern along building facades.
4. Design of building fenestration, structure, and architectural details should respond to the rhythm and pattern of adjacent facades.
5. Align at least one (1) horizontal building element with another horizontal building element on the same block face.
6. The design of the side or rear of the building should be consistent with the front façade (scale, massing, colors, materials, etc.).
7. All buildings should avoid being corporately "branded" so as to allow for their adaptation to future tenants.
Next Steps

• Walking Tours of Corridors
  • Steering Committee and Planning Commission
  • Two times in September: 11-Mile/Greenfield and 12-Mile/Coolidge

• Continue to seek community engagement

• Potential on-line open house

• September 15, 2020: Next Steering Committee Meeting

• Plan Drafting
VISION
The street wall refers to the building façade and its relationship to the street. In addition to façade treatments and building transparency, setbacks, building heights, street widths, and block lengths all contribute to the character of the street wall. Buildings should be designed so that building placement and massing create and reinforce the street wall, and provide a sense of enclosure within the public realm.

BUILDING SITING AND ORIENTATION

**Primary Building**

1. The setback and orientation of the building should be situated as to reinforce a consistent street line with minor variations.

2. Breaks in street wall should be limited to those necessary to accommodate pedestrian pass-throughs, public plazas, entry forecourts, landscape features, and limited vehicular access driveways.

3. Architectural expression and facade treatments should wrap the corner onto the intersecting street.

4. Buildings should frame and enhance street corners through the use of architecturally prominent features at the corners or prominent three-dimensional site improvements (fountains, towers, sculpture, art, etc).

5. Primary building entries, public areas, administration areas, and windows should be visible, oriented, and accessible from the primary street and parking facilities.
2. BUILDING FORM/DESIGN

VISION
Building form and design shall result in cohesive development patterns, context sensitive structures, and quality architecture. A well-balanced variety of building massing will enhance the built environment and enrich the corridor’s sense of place.

BUILDING MASS AND SCALE

1. Building height, mass, and arrangement should complement adjacent buildings. Variety in massing can occur through step-backs as a building ascends upward.

2. Buildings should maintain a consistent streetwall with the longest edge of the buildings oriented parallel to the roadway.

3. Building height should transition from the maximum building height to a lower height when directly adjacent to single family residential zoned district.

ROOF FORM

4. The roof design for an addition should be compatible with the lines of the building, and respond appropriately to the height, slope, and material of the existing roof.

5. A variety of roof forms is encouraged including combinations of a few basic forms such as hip, gable, or flat.

6. Flat roofs shall be hidden from public view by a parapet of no less than three feet in height.
GROUND FLOOR TREATMENT

Entrances

1. Principal entrances should front Washtenaw and be given prominence on the building façade. This may be satisfied through the use of architectural features such as entrance way roofs; sidelight windows, transom window, or other adjacent windows; additional mouldings with expression lines; a bay of unique width. All primary entrances shall be covered with roof overhangs or awnings.

2. Doors should be consistent with the design of principal entrances and include glass and full operating hardware in the design of the door.

Transparency

3. Windows should have a repetitive rhythm which relates to the overall building facade.

4. Clear glass for wall openings should be used along street-level facades for maximum transparency, especially in conjunction with retail uses.

5. Ground story transparency is measured between two and eight feet above the sidewalk elevation.

Facade

6. Ground floor should include a depth of at least 25 feet from the front façade and shall include an average of at least 14'-0" floor-to-ceiling height, or 12'-0" for residential.
Architectural style should not be restricted. Rather, evaluation of the appearance of a project should be based on compatibility and the quality of its design and relationship to surroundings.

Buildings within the same development should be designed to provide a unified and easily identifiable image. Methods to achieve this include using similar architectural styles and materials, complementary roof forms, signs, and colors.

Openings should appear in a regular pattern along building facades.

Design of building fenestration, structure, and architectural details should respond to the rhythm and pattern of adjacent facades.

Align at least one (1) horizontal building element with another horizontal building element on the same block face.

The design of the side or rear of the building should be consistent with the front façade (scale, massing, colors, materials, etc.).

All buildings should avoid being corporately “branded” so as to allow for their adaptation to future tenants.
HORIZONTAL AND VERTICAL VARIATION

1. Buildings over two stories shall have a defined base, middle, and top features.

2. Employ a different architectural treatment on the ground floor façade than on upper floors.

3. Facade Variation. Monotony of expansive exterior walls should be minimized by incorporating the following elements: staggering of vertical walls; recessing openings; providing upper-level roof overhangs; using deep score lines at construction joints; contrasting compatible building materials; use of variety and rhythm of window and door openings; use of horizontal and vertical architectural elements, use of horizontal bands of compatible colors; and providing changes in roof shape or roof-line.

MATERIALS

4. A minimum of 90% of each façade, exclusive of windows and doors, shall be constructed of primary materials. Permitted primary building materials shall be high quality, durable, natural materials such as stone, cultured stone, full depth brick, glass, wood or fiber cement siding. To provide visual depth and strong shadow lines, clapboard siding must have a minimum butt thickness of a quarter of an inch. Permitted secondary materials are limited to details and accents and include gypsum reinforced fiber concrete, split face block above two feet above grade, metal, and exterior architectural metal panels and cladding. Exterior insulated finishing system (EIFS) is not permitted.

5. The base shall be a durable material such as polished stone, granite, marble, or metal panels.

6. Other high quality synthetic materials may be approved by the required reviewing body with examples of successful, high quality installations in comparable climates.
Management of parking is essential to creating a district that meets the needs of businesses but does not dominate the visual character of the Washtenaw Avenue Corridor. Instead, parking should be designed in consideration of all the other design principles, especially reducing conflicts to improve safety for pedestrians and bicyclists. Parking should be conveniently provided but preferably located behind buildings, with side parking where provision of all the parking in the rear is not practical. For certain uses, a small amount of front yard “teaser” parking may be required. Visual impact of parking should be improved with landscape and design elements.

**LOCATION**

1. Each use that is incorporated into a mixed-use development (e.g. office, retail, residential) contribute to parking usage at different peak times. Residential peak times are primarily during lunch hour and after work hours, office peak times are primarily during work hours, and retail peak times are primarily from 10am - 7pm. Parking reductions based on mixed use, shared parking, and location adjacent to transit is encouraged.

2. Surface parking lots should be placed in the rear and/or to one side of their corresponding buildings, should not be placed between building facades along Washtenaw Avenue, and should be screened from streets and sidewalks by landscaping and/or low architectural walls (see example images).

3. Surface parking lots should contain glare-free, lighting with downward projection.

4. Surface parking lots should be designed with special attention to pedestrian and bicycle safety.

5. Parking for hybrid, electric, natural gas, and zip cars should be given priority.

6. Bicycle parking should be provided near building entrances.

**LANDSCAPING**

7. Each parking lot shall be landscaped to provide visual and physical relief from the effect of vehicles and paved surfaces to provide safe, attractive and comfortable pedestrian access between parking and building entries.

8. Canopy trees, understory trees, and maintainable shrubs shall be used in islands and landscaped aisles to visually subdivide parking lots, to demarcate internal corridors which guide vehicles and pedestrians, to create a vertical dimension, to reduce the scale of the parking area, and to limit the heat island effect.

The chart above illustrates the daily peak parking times for each type of use that could potentially be part of a mixed-use development.
SITE DETAILS

UTILITIES

1. Utilities should not be located along the ground floor street wall and should be screened from adjacent property and the public ROW by walls, fencing, or landscaping that are consistent with the character and materials of the development.

2. Waste receptacles should be placed adjacent to the rear wall of corresponding buildings and/or service areas and should be screened from adjacent property, parking areas, and the public ROW by walls, fencing or landscaping that are consistent with the character and materials of the development.

3. Service areas should be designated by markings and/or signage to delineate them from pedestrian access and limit conflicts between service/delivery vehicles and patrons (e.g. pedestrians, bicyclists and transit users).

4. Service areas should be shared and/or consolidated within multi-tenant developments.

SCREEN WALL

5. Wall or landscaping to screen parking along right-of-way.

6. Height: Not to exceed three feet.

7. Wall material: masonry or natural stone.
VISION

Properly designed sidewalks and crosswalks include appropriate width, street trees, street furniture, and a defined semi-public edge. The pedestrian realm should be a social place where people gather and congregate.

ELEMENTS

1. Street Trees
2. Landscaping
3. Signage / Lighting
4. Benches
5. Bike Racks
6. Outdoor Seating
7. Decorative Fencing
8. Screen Walls
9. Waste Receptacles
10. Banners and Wayfinding
11. Details
MEMORANDUM

To: Berkley Planning Commission
From: Erin Schlutow, Community Development Director
Subject: Parking Requirement Modification during Site Plan Review
Date: August 19, 2020

As I noted in last month’s meeting, I have reviewed ordinances of several surrounding and comparable communities in southeast Michigan to analyze how other municipalities have permitted the Planning Commission to grant off-street parking modifications or deviations from the Zoning Ordinance during site plan review. I have also included an analysis on the three most recent site plans that were reviewed and approved by the Planning Commission and the numerical parking reduction that would have been applicable in each case. They include: KinderCare (1695 Twelve Mile), AquaTots (2485 Coolidge), and La Salette (2219 Coolidge).

As we have previously discussed, it is common for a planning commission to have the authority to modify a parking requirement during the site plan review process. It would be the responsibility of the applicant to make such request and demonstrate and provide evidence that the parking requirement in the Zoning Ordinance does not fit the proposed use of the building.

**Modifications of parking requirements during site plan review**

The long, narrow design of the commercial corridors with shallow parcels has been problematic for potential business owners looking to make a home in Berkley. Oftentimes, the size of the properties does not allow for the required minimum on-site parking to serve each individual business. While there are provisions in the Zoning Ordinance that permits shared parking agreements between properties as well as eliminating parking requirements for properties within 500 ft. of a municipal parking lot, there are still issues that are hindering occupancy of vacant commercial properties.

I recommend discussing an ordinance amendment that would give the Planning Commission the authority to grant modifications or deviations to parking requirements during site plan review. This flexible approach to development can provide business owners opportunities in Berkley that may have been deemed too difficult in the past.

Requests for parking requirement modifications would encourage an applicant to review and analyze the proposed project and think critically about alternatives that would benefit the community. It has proven a useful tool in other communities where land for development is scarce and has garnered positive pedestrian and bicycle transit opportunities. Communities have approached the topic of off-street parking modification request in different ways.
Community Comparison
Below is a table summary of what is permitted by surrounding and comparable communities. The full ordinance text for each community is provided in separate letter.

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Approval</th>
<th>Determination to Modify Numerical Parking Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clawson</td>
<td>Planning Commission</td>
<td>CMD-1 District Only</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Seven (7) standards of review</td>
</tr>
<tr>
<td>Ferndale</td>
<td>Planning Commission</td>
<td>Five (5) standards of review</td>
</tr>
<tr>
<td>Hazel Park</td>
<td>Planning Commission</td>
<td>Evidence that there will be lower demand for parking due to one of four factors</td>
</tr>
<tr>
<td>Lake Orion</td>
<td>Planning Commission</td>
<td>May grant lesser number of parking spaces as part of a shared parking between multiple uses</td>
</tr>
<tr>
<td>Lyon Township</td>
<td>Planning Commission</td>
<td>Evidence that another standard would be more reasonable, due to level of current or future employment, level of current or future customer traffic</td>
</tr>
<tr>
<td>Madison Heights</td>
<td>Site Plan Review Committee</td>
<td>Surplus parking “land banked” and banked area to be landscaped. To be constructed as parking if needed in the future.</td>
</tr>
<tr>
<td>Plymouth</td>
<td>Planning Commission</td>
<td>Evidence that another standard would be more reasonable, due to level of current or future employment, level of current or future customer traffic</td>
</tr>
<tr>
<td>Rochester Hills</td>
<td>Planning Commission</td>
<td>Evidence that another standard would be more reasonable because of the level of current or future employment or customer traffic. May attach conditions of approval.</td>
</tr>
<tr>
<td>Royal Oak</td>
<td>Zoning Administrator Planning Commission</td>
<td>Minimum parking requirements deemed excessive for use. No more than 10% of the required parking may be waived. Does not run with land. Land banking up to 20% of required parking spaces through special land use process</td>
</tr>
<tr>
<td>Troy</td>
<td>Planning Commission</td>
<td>Evidence that sufficient number of parking spaces are provided to accommodate characteristics of the intended use, usually a parking study. May be considered separately with no other concurrent request (site plan review)</td>
</tr>
</tbody>
</table>
As noted above, every community has a different approach as to how to allow such requests. Some require the applicant to satisfy specific standards related to the request (Ferndale, Clawson), and others have left it fairly open to allow the applicant to make their case to the PC (Lyon, Plymouth, Hazel Park).

However, not every community allows for a modification of off-street parking requirements within the Zoning Ordinance. Birmingham, Southfield, and Oak Park do not allow for such deviations.

**Off-Street Parking Modification Examples**

One of the concerns regarding a parking modification is a limit or cap to the number or percentage allowed to be reduced. During our previous discussions, a 10% cap was suggested. The City Attorney has reviewed the language and has also suggested a numerical or percentage cap.

In order to provide context to the requests, below is a summary of the parking requirements and potential parking modification requests based on a 10% maximum modification. Please note, the below table demonstrates the maximum allowable spaces to be reduced and does not indicate that the maximum reduction would be permitted in each case.

<table>
<thead>
<tr>
<th>Project</th>
<th>Address</th>
<th>Required Parking</th>
<th>Parking Provided</th>
<th>Modification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kindercare</td>
<td>1695 Twelve Mile Rd</td>
<td>185 spaces</td>
<td>121 spaces on-site + shared parking agreement</td>
<td>19 spaces</td>
</tr>
<tr>
<td>Bldg. also includes office and medical office</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AquaTots Development includes two retail and one restaurant with outdoor dining</td>
<td>2485 Coolidge</td>
<td>74 spaces</td>
<td>77 spaces</td>
<td>7 spaces</td>
</tr>
<tr>
<td>La Salette Residential 55 units; 7 studio 41 one-bedroom 7 two-bedroom</td>
<td>2219 Coolidge</td>
<td>108 spaces</td>
<td>109 spaces</td>
<td>11 spaces</td>
</tr>
</tbody>
</table>

While each of the above cases may not have warranted granting a parking modification request, it would be beneficial to have the opportunity to review such requests and determine whether it would be better suited for a development and a community to have additional green space or buffer area between residential properties than to meet the parking requirement.
Summary

Any request for a parking modification would be thoroughly vetted by city staff prior to review by Planning Commission to determine the feasibility and practicality of such request. It is not the intent to reduce parking requirements across the community, as that would undermine the authority of the parking standards in the Zoning Ordinance. The ability to modify or deviate off-street parking requirements, in limited circumstances, gives some flexibility for development in the community with the intended opportunity to enhance the aesthetic appeal of the property.

I have included proposed language for the Zoning Ordinance text amendment that would grant the Planning Commission the authority to modify parking requirements. If the Planning Commission would like to move forward, as proposed, we would request agreement to set the public hearing for the September 22, 2020 meeting.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Erin Schlutow
Community Development Director
MEMORANDUM

To: Berkley Planning Commission
From: Erin Schlutow, Community Development Director
Subject: Community Comparison – Parking Modifications
Date: July 20, 2020

Lyon Township – Section 14.01(C)(8)

Minimum number of spaces for each use. The amount of required off-street parking space shall be determined in accordance with the schedule. The planning commission may modify the numerical requirements for off-street parking, based on evidence that another standard would be more reasonable, because of the level of current or future employment and/or level of current or future customer traffic.

City of Ferndale – Section 24-223(g)

Reduction of parking requirements. The planning commission may reduce the parking requirements based upon a finding that there will be a lower demand for parking due to one or more of the following factors:

(1) Shared parking by multiple uses with peak parking demands during differing times of the day or days of the week;
(2) Convenient municipal off-street parking or on-street spaces are located within 500 feet that have the capacity to handle additional parking;
(3) Expectation of walk-in business due to sidewalk connections to adjacent residential neighborhoods or employment centers. The site design incorporates pedestrian connections to the site and on-site pedestrian circulation providing safe and convenient access to the building entrance;
(4) Availability of other forms of travel such as transit. The planning commission may require that the site design incorporates transit stops, pedestrian connections to nearby transit stops or enhanced bicycle parking facilities;
(5) The applicant has provided a parking study, conducted by a qualified traffic engineer, that demonstrates that another standard would be more appropriate based on actual number of employees, expected level of customer traffic or actual counts at a similar establishment. The planning commission may require a
parking study to document that any one of the criteria (1) through (4) above would be met.

City of Clawson – Section 34-1071(6)

Modification of off-street parking requirements. Parking requirements as established in section 34-1074 may be modified by the planning commission within the CMD-1 district only:

a. Collective parking arrangements are in effect between the applicant and the owner of another property for customer parking during nonoverlapping hours;
b. Parking may exist during the same business hours, and there is no immediate impact on the surrounding properties;
c. The particular site plan under consideration involves a first floor use in a multiple-story building in which other uses exist which do not conflict nor impose a burden on the parking demands or requirements under consideration;
d. The particular use subject to site plan review is in a nonconforming structure to a conforming use the parking for which creates no substantial impact on surrounding properties;
e. A contract agreement as allowed by section 34-1147 has been entered into by the applicant with the city and is to be a condition to site plan approval;
f. There exists a development agreement that takes into consideration on a temporary basis, parking for the affected site.
g. Subsection 34-1146(d) permits the planning commission to modify the parking requirements for first-floor uses within a multiple-story building and a single-story structure where certain conditions have been satisfied.

Village of Lake Orion – Section 14.01(A)(7)

Shared Parking. Nothing in this Section shall be construed to prevent collective provision of off-street parking facilities for two (2) or more buildings or uses, provided such off-street parking facilities collectively shall not be less than the sum of the requirements for the individual uses computed separately. The uses that share parking facilities may be located within a single building or in separate buildings located on the same or different sites.

Not withstanding the foregoing, the Planning Commission may, in its discretion, approve a lesser number of parking spaces based upon the following:

a. Computation. The number of shared parking spaces required for two or more land uses sharing a parking lot or located on the same parcel of land shall be determined by the following procedure:

i. Multiply the minimum parking required for each individual use, as set forth in Table 14.02, by the appropriate percentage indicated in Table 14.01 for each of the six (6) designated time periods.

ii. Add the resulting sums for each of the six (6) columns.
iii. The minimum parking requirement shall be the highest sum along the six (6) columns resulting from the above calculations.

b. Other Uses. If one or all of the land uses proposing to make use of shared parking facilities do not conform to the general land use classifications in Table 14.02, as determined by the Planning Commission, the applicant shall submit sufficient data to include the principal operating hours of the uses. Based upon this information, the Planning Commission shall determine the appropriate shared parking requirement, if any, for such uses.

<table>
<thead>
<tr>
<th>Table 14.01 – Shared Parking Calculations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Office/Service</td>
</tr>
<tr>
<td>Commercial</td>
</tr>
<tr>
<td>Restaurant</td>
</tr>
<tr>
<td>Residential/Motel</td>
</tr>
</tbody>
</table>

c. Any uses proposing to share parking shall be subject to the provisions of 14.01.A.5 and 6, above.

d. A written agreement between joint users in a recordable form approved by the Village shall be filed with the Oakland County Register of Deeds and a copy shall be provided to the Village. The agreement shall assure the continued availability of the parking facility for the uses it is intended to serve.

e. A site that has been approved for a reduced shared parking standard shall not change to another use or combination of uses without review and approval of the Planning Commission.

**Royal Oak – Section 770-106(D)**

*Flexibility in application*. The City recognizes that, due to the specific requirements of any given development, inflexible application of the parking standards set forth in Section 770-107, Table of Off-Street Parking Requirements, may result in development with inadequate parking or parking in far excess of that which is needed. The former situation may lead to traffic congestion or unauthorized parking on adjacent streets or neighboring sites. The latter situation may result in
excessive paving and stormwater runoff, depreciation of aesthetic standards, and a waste of space, which could be left as open space.

(1) **Waiver based on use.** The Zoning Administrator may grant a waiver in cases where the applicant has sufficiently demonstrated that the minimum parking requirements of Section 770-107, Table of Off-Street Parking Requirements, are excessive for their use. Such waivers may be approved if no more than 10% of the required parking per Section 770-107, Table of Off-Street Parking Requirements, is being waived. The approved waivers shall apply only to the current site use, and shall not be carried over to another use or occupant of the site.

(2) **Land banking.** The Plan Commission may permit land banking up to 20% of the required parking spaces through the special land use review process. Sufficient land shall be available in the case that the Plan Commission determines the banked spaces need to be constructed based on observed usage. After such determination, banked parking spaces shall be constructed within six months of written notification by the Zoning Administrator. Such land banking requests shall require special land use approval, subject to the requirements of Section 770-11, Special land uses; permit procedures, and the posing of an appropriate bond in an amount to be established by the Zoning Administrator or his designee.

**City of Plymouth – Section 78-270(10)**

Parking requirements within the B-2 central business district.

(c) The planning commission or city commission may, at their discretion, modify the numerical requirements for off-street parking, based on evidence provided by the applicant that indicates that another standard would be more reasonable because of the level of current or future employment and/or the level of current or future customer traffic. The planning commission or city commission may consider parking standards such as the Institute of Transportation Engineers (ITE) or other documented parking standards or studies, including shared parking/collective parking arrangements and/or peak/non-peak parking demand. The planning commission or city commission may also consider prior arrangements or written agreements established before December 31, 2011, which satisfies required parking for the downtown or B-2 zoning district.

**City of Rochester Hills – Section 138-202**

*Modification of Parking Requirements.* The Planning Commission may modify the numerical requirements for off-street parking based on evidence submitted by the applicant that another standard would be more reasonable because of the level of current or future employment or customer traffic.

The Planning Commission may attach conditions to the approval of a modification of the requirements of Section 138-11.204 that bind such approval to the specific use in question.
City of Hazel Park – Section 17.28.040(B)

Reduction of Parking Requirements. The Planning Commission may reduce parking requirements based upon a finding that there will be a lower demand for parking due to one (1) of the following factors:

1. Shared parking by multiple uses with peak parking demands during different times of the day, days of the week, or parts of the year.
2. Expectation of walk-in business due to sidewalk connections to adjacent residential neighborhoods or employment centers. Site design shall incorporate pedestrian connections to the site that provide safe and convenient access to the building entrance.
3. Availability of other forms of transit. The Planning Commission may require that the site design incorporate transit stops, pedestrian connections to transit stops, or enhanced bicycle parking facilities.
4. Special provision is made for applying the standards of this chapter to developed sites which existed prior to the adoption of this chapter. In determining whether or not a site can comply, the Planning Commission shall consider reducing parking requirements based upon the following:
   a. The proposed use of the site;
   b. The existing parking and building(s) at the site; and
   c. Whether the requirements for parking, as determined by the Planning Commission, are unduly burdensome.

City of Madison Heights – Section 10.505(10)

All occupancies shall provide for the minimum number of off-street parking spaces as determined by type of use in accordance with the following schedule. If it is determined during the site plan review process that the proposed use may require less parking that that required by ordinance, the surplus parking area may be shown as “banked” on the plan, subject to approval of the site plan review committee. The parking area saved by reducing the number of space ("banked spaces") shall be landscaped. If at any time the city determines that part or all of the banked spaces are required to provide adequate parking, the community development department shall notify the property owner, who shall construct said spaces within 90 days of notification of the determination, or as established by the site plan review committee due to seasonal conditions.

City of Troy – Section 13.06(F)

Flexibility in Application.

1. The City recognizes that, due to the specific requirements of any given development, inflexible application of the parking standards may result in development with inadequate parking or parking far in excess of that which is needed. The former
situation may lead to traffic congestion or unauthorized parking on adjacent streets or neighboring sites. The latter situation may result in excessive paving and stormwater runoff and a waste of space which could be left as open space. Projects with Prequalified Sustainable Development Project (SDP) status are automatically eligible for a parking deviation, provided the measures proposed for SDP status are so qualified for that purpose.

2. The City may grant deviations from off-street parking requirements. These deviations may require more or less parking based upon a finding that such deviations are more likely to provide a sufficient number of parking spaces to accommodate the specific characteristics of the use in question. In the event that a deviation is granted, the following shall apply:
   
a. An applicant may request a parking deviation as part of a development application or as a separate and district action with no other concurrent request.
   
b. The applicant shall provide a parking study with adequate detail and information to assist the City in determining the appropriateness of the request.
   
c. A parking deviation may be included in an action on a concurrent request or be made separately by resolution.
   
d. The City may attach conditions to the approval of a deviation from the off-street parking requirements that bind such approval to the specific use in question.
   
e. The City may require the applicant to set aside area for reserve parking (landbanking) that can be constructed as needed, although this is not a prerequisite for the approval or a deviation. Where an area is set aside for reserve parking, it shall be easily developed, not devoted to a use other than open space, and shall be designed to accommodate attendant facilities such as maneuvering lanes and drainage.

3. It is the intent of this Ordinance to minimize excessive areas of pavement which reduces aesthetic standards and contributes to high rates of storm water runoff. Exceeding the minimum parking space requirements by more than twenty percent (20%) shall only be allowed with approval by the City. In granting such additional space, the City shall determine that such parking will be required, based on documented evidence, to accommodate the use on a typical day.
AN ORDINANCE
Of the Council of the City of Berkley, Michigan
Adding Section 138-226 of Chapter 138, Zoning,
Of the City of Berkley Code of Ordinances
to Allow Parking Requirement Modifications During Site Plan Review

THE CITY OF BERKLEY ORDAINS:

SECTION 1: New Section 138-226 shall be added to Chapter 138 of the Berkley City Code, as follows:

Sec. 138-226 - Parking Requirement Modification During Site Plan Review.

An applicant for site plan approval may request the Planning Commission to modify the minimum numerical parking requirements of this Chapter for off-street parking applicable to the proposed use, based upon the applicant’s demonstration that a different parking standard would be more appropriate.

An approved deviation from the ordinance standard will be tied to the specific use and site plan approved and will not apply after the use on the site terminates or changes to another use. The Planning Commission may grant a parking modification up to 10% of the total parking requirement for a particular use, as noted in Section 138-219.

The Planning Commission shall have the authority and discretion to grant or deny the requested modification based on consideration of the following factors:

a. Current or anticipated levels of employees and/or patrons;

b. Peak period usage versus normal usage;

c. Banked or reserved parking for future use;

d. Opportunities to provide or accommodate green space, additional landscaping and to minimize impervious areas on the site;

e. Provision of valet parking or other means of accommodating parking off-site that will not overburden public parking and is a reasonable alternative to on-site parking. Further, the applicant must demonstrate that such valet parking will be available for the days and times needed and will not conflict with other businesses that share the same parking facility or valet service;

f. Neighborhood or other surrounding characteristics justify the requested deviation;

g. Strict application of the ordinance would unreasonably hinder development of the site for a permitted use, and an alternate parking requirement would be appropriate;

h. Modification will not negatively impact public parking in the city;

i. Proximity of the site to local or regional transit, including but not limited to SMART bus stops, bicycle sharing stations, lite rail, etc.

Any planning commission modification under this section shall be contingent on the continuing use of the property as approved. Any change in the use, scope or intensity of the property use will invoke reinstatement and application of the standard parking requirements of this Chapter.

SECTION 2: Severability Clause
Should any word, phrase, sentence, paragraph, or section of this Ordinance be held invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 3: Penalty

All violations of this ordinance shall be municipal civil infractions and upon a determination of responsibility therefore shall be punishable by a civil fine of not more than $500, and/or such other sanctions and remedies as prescribed in Article IX of Chapter 82 of the Code of Ordinances.

SECTION 3: Effective Date

This Ordinance shall become effective 30 days following the date of adoption.

SECTION 4: Publication

The City Council directs the City Clerk to publish a summary of this ordinance in compliance with Public Act 182 of 1991, as amended, and Section 6.5 of the Berkley City Charter.

____________________________
Daniel J. Terbrack
Mayor

Attest: __________________________
Victoria Mitchell
City Clerk
MEMORANDUM

To: Berkley Planning Commission

From: Erin Schlutow, Community Development Director

Subject: Projects Requiring Site Plan Approval Text Amendment Discussion

Date: August 19, 2020

In some of our earlier discussions this year, it was noted that it would be beneficial to discuss the standards and projects that require site plan approval; Division 7 Site Plan Review of Article VI Administration and Enforcement in the Berkley Zoning Ordinance.

In reviewing the language, I have noted several items that should be addressed and discussed:

Section 138-677

1. Eleven Mile District was not included in the development list requiring site plan review.
   This was discussed at the previous meeting and was agreed that it would be included in proposed language. The attached proposed language has been revised so as to require site plan approval for all projects that are not located in single family residential zoning districts.

2. The inclusion of additional parking should be clarified. Perhaps a threshold of how many spaces added would trigger Planning Commission review. Review by DPW would be required.

   This was discussed and it was requested for city staff to provide comparison of neighboring communities.

   a. City of Clawson – The ZO does not specifically call out requirement for site plan approval for paving of parking areas or how many spaces would qualify for site plan review. However, the requirements for development in the community are very strict, including site plan review for every change of use or reoccupancy in existing structures.

   b. City of Oak Park – The ZO does not specify site plan approval for paving parking areas.

   c. City of Royal Oak – Any paving at all requires Planning Commission review and approval.

   d. City of Troy – Any paving at all requires Planning Commission review and approval.
3. Façade alterations including change in material and size or number of windows is in contrast with Section 138-678 (2). This should be revised to prevent confusion with applicants or property owners.

Façade change – if any one façade is 50% change or more – PC review
Increase in number or size of windows – can be approved by staff
Decrease in size or number of windows – PC review

Section 138-678

1. Façade alterations changing surface material does not specify if that is one façade or the entire structure.

If any one façade is changed 50% or more, PC review would be required

2. Increase in number and size of windows is in contract with Section 138-677, as noted above.

Increase in number or size of windows – can be approved by city staff

3. Accessory structures are typically reviewed administratively

Accessory structures located within residential districts do not require PC review and approval.

Additionally, it may be prudent to review additional sections of the Site Plan Review process, under Chapter 138, Article VI, Division 7. Suggestions include:

Sec. 138-682 – Revisions

The Zoning Ordinance allows for a previously approved site plan to be revised, however, it is recommended to determine if some revisions can be approved administratively. If so, it is necessary to include parameters for revisions that can be approved administratively (minor) and those that should be approved by the Planning Commission (major).

Some minor revisions to an approved site plan may include:

1. additions or alterations to the landscape plan or landscape materials
2. relocation or additional screening of trash enclosure
3. alterations to the internal parking layout of the off-street lot, etc.
The construction of a new building or structure, adding or deleting parking or the addition of curb cuts onto a public road would not be considered minor and would require return to Planning Commission.

Sec. 138-684 – Conformity

The Zoning Ordinance does not allow extensions to a site plan approved by the Planning Commission. As a way to show flexibility to work with property owners, I would recommend an applicant may submit a request for site plan extension, subject to approval by the Planning Commission.

This would allow for an extension of a project, but would require the applicant to appear in person, wherein the PC can inquire about the reason for delays and anticipated construction timeline. The request for site plan extension should be submitted to Planning Commission prior to the expiration date of the site plan.

The number of allowed site plan extensions can be determined by the Planning Commission. Some communities allow for a one-time only, one-year extension, while others allow for two, one-year extensions.

Administrative Review by Zoning Administrator

During the course of our discussion at the February meeting, it was noted that the Zoning Ordinance does not contain a reference to the Zoning Administrator’s ability to determine that the size, scope, intensity of a project should be sent to Planning Commission for review and approval. In the course of the revisions to Division 7, it would be beneficial to include specific language that gives the Zoning Administrator the discretion to determine if a project should be sent to the Planning Commission, even if an administrative review is applicable by ZO standards.

That being said, the Zoning Administrator would not have the discretion to administratively review and approve a project that is specifically noted as requiring site plan approve by the Planning Commission.

For the purpose of the August 25, 2020 meeting, I have included the entirety of Chapter 138, Article VI, Division 7 for review and some sample language.

Sincerely,

Erin Schlutow
Community Development Director
AN ORDINANCE
of the Council of the City of Berkley, Michigan
Amending Division 7 of Article VI of Chapter 138, Zoning,
of the City of Berkley Code of Ordinances to Modify Site Plan Review Procedure.

THE CITY OF BERKLEY ORDAINS:

SECTION 1: Division 7 of Article VI of Chapter 138 of the Berkley Code of Ordinances shall be amended, as follows:

DIVISION 7. – SITE PLAN REVIEW

Sec. 138-676. – Purpose.

(a) The intent of this division is to provide for consultation and cooperation between the applicant and the planning commission, so that both parties might realize maximum utilization of land and minimum adverse effects upon the surrounding area.

(b) It is hereby recognized that peculiarities of lot contour, existing and potential development of adjacent properties and existing and potential traffic and pedestrian circulation patterns require a flexibility in the location of buildings, open spaces, parking lots and driveways that cannot be achieved by detailed specifications. It is therefore required that all development within the districts listed in section 138-677 be submitted to the planning commission for its review and approval prior to the issuance of building permits. Nothing contained in this section is intended to allow a greater density of population nor less required open space than that which is specified.

Sec. 138-677. – Applicability.

(a) Any development in the following zoning districts shall require site plan review: not located in single family residential districts shall require site plan review.

<table>
<thead>
<tr>
<th>R-M</th>
<th>Multiple-family residential district</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-M-H</td>
<td>High-rise multiple-family residential district</td>
</tr>
<tr>
<td></td>
<td>Greenfield district</td>
</tr>
<tr>
<td></td>
<td>Office district</td>
</tr>
<tr>
<td></td>
<td>Downtown district</td>
</tr>
<tr>
<td></td>
<td>Community-centerpiece district</td>
</tr>
<tr>
<td>LB</td>
<td>Local business district</td>
</tr>
</tbody>
</table>
Site plan review is also required for development of all institutional uses permitted in single-family districts such as, but not limited to: churches, schools and public facilities.

Development requiring site plan review shall include:

1. Construction of a building;
2. Structural alteration of a building that includes adding floor area or height to the building;
3. Additional parking;
4. Façade alterations that include any 50% or more change in the exterior surface material or changes in the size or number of windows of any one façade of a building.
5. Façade alterations that reduce the size and/or number of windows.

Sec. 138-678. – Administrative review.

Administrative review for site plan review shall be conducted by the building department in cases where:

1. The façade alterations do not change the surface material more than 50% of any one façade
2. The number or size of the windows are increasing in size.
3. The structure requiring site plan review is an accessory structure. An accessory structure must conform to site standards according to ch. 138, article III, division 1 of the Berkley Code of Ordinances. Accessory structures located within single residential districts do not require Planning Commission review and approval.
During administrative review, the building official and city planner shall act as the planning commission in determining compliance with the standards for approval. If the building official and city planner do not agree, then the application is denied. If the property owner is not satisfied with the administrative review, the property owner may take the application to the planning commission for site plan review. The Zoning Administrator shall have the discretion to request site plan review and approval by the Planning Commission, based on the size, scope and/or intensity of a proposed project. The applicant shall be responsible for providing all required information for site plan approval.

Sec. 138-679. – Standards.

The site plan shall be reviewed and approved by the planning commission upon finding that:

(1) The site meets the requirements of this Code.
(2) The proposed development does not create adverse effects on public utilities, roads, or sidewalks.
(3) Pedestrian and vehicular areas are designed for safety, convenience, and compliment adjacent site design.
(4) Site design, architecture, signs, orientation, and materials are consistent with the city's master plan objectives and the design of the neighboring sites and buildings.
(5) Landscaping, lighting, dumpster enclosures, and other site amenities are provided where appropriate and in a complementary fashion.
(6) Site engineering has been provided to ensure that existing utilities will not be adversely affected.

Sec. 138-680. – Required information.

The following information shall be included on the site plan for final review, unless waived by the planning commission. The site plan shall be to a reasonable scale and indicate:

(1) Seal of architect and/or engineer who prepared plans.
(2) An appropriate descriptive legend, including north arrow, scale, legal description and the names and addresses of the architect or engineer responsible for the preparation of the site plan.
(3) The existing (and proposed) zoning.
(4) Location and size of all structures (including location of entrances and loading points).
(5) All outside dimensions of each structure, its distance from the property lines, its area and its height.

(6) With multiple-family residential proposals, the number and location of one-bedroom units, two-bedroom units, etc., and include typical floor plans with square feet of floor areas.

(7) Recorded and measured dimensions of all lot lines and location and design of all lots.

(8) Adjacent property's structures, uses, zoning and other significant features of the community, where appropriate (using a location sketch).

(9) Location of all existing and proposed drives and parking areas including types of surfacing, parking layout and dimensions.

(10) Dimensions of road widths and rights-of-way.

(11) All existing easements and vacated easements and rights-of-way.

(12) All required minimum setbacks (from the existing or proposed right-of-way from adjacent properties).

(13) Locations of lawns and landscaped areas, types and number of species, and how the landscaping is to be accomplished.

(14) Locations, sizes, and types of existing trees over four inches in diameter (before and after proposed development).

(15) Location and type of outside lighting, include site and fixture photometrics.

(16) All proposed screen and freestanding architectural walls, including typical cross-sections and the heights above ground on both sides of walls.

(17) Elevation drawings of all existing and proposed buildings on the site drawn to a scale of one inch equals four feet, or to another scale adequate to determine compliance with this chapter and to provide any other information needed to evaluate the overall site design on the basis of the criteria set forth in this section.

(18) Color and type of façade materials. Samples representing color and materials shall be presented to the planning commission, upon request.

(19) Stormwater engineering including: existing and proposed grading of the site, location of existing and proposed utilities, stormwater calculations for a 100-year storm, the drainage area on site that will detain the 10-year storm, and a profile of the sanitary sewer.
**Sec. 138-681. – Approval process.**

(a) *Sketch plan (optional).* An item may be submitted to the planning commission for informal discussion. No approval shall be granted. However, the applicant may wish to present and discuss a proposed project and any anticipated problems before applying for site plan approval.

(b) Site plan approval.

1. An application for site plan approval shall be submitted to the city planning commission on such forms and containing such information that the planning commission shall prescribe.

2. The planning commission is hereby authorized to approve, approve with conditions, or deny all site plans submitted under this chapter.

3. Approval may be issued by the planning commission, subject to the applicant receiving board of appeals variances, as required by the zoning chapter.

4. Each action taken with reference to site plan review and approval shall be duly recorded in the minutes of the planning commission and shall state the grounds for the action taken upon each site plan submitted for its approval.

**Sec. 138-682. – Revisions.**

An applicant for site plan approval may wish to revise a previously approved site plan. A site plan outlining the differences in the original approved site plan and the requested changes shall be submitted to the city. The approval process shall be similar to that outlined above. If the revised site plan is denied, the applicant may develop the site plan as originally approved or appeal the matter as outlined below.

If a change is deemed to be minor in scope or intensity, the revised site plan may be approved administratively. Such minor revisions may include:

1. Additions or alterations to the landscape plan or landscape materials.

2. Relocation or additional screening of trash enclosure.

3. Alterations to the internal parking layout of the off-street parking lot, restriping, etc.

Any major revisions to the site plan, as determined by the Zoning Administrator, shall be subject to review and approval by the Planning Commission.
Sec. 138-683. – Appeals.

An applicant for site plan approval shall have the right of appeal to the zoning board of appeals, and in such cases, the board may reverse, affirm or modify the action of the planning commission by the concurring vote of two-thirds of the members of the board.

Sec. 138-684. – Conformity; extension of approval period.

When an applicant receives final site plan approval, the site shall be developed in complete conformity with the approved site plan, except as provided for under Revisions and Appeals. The site plan approval shall be valid for a period of 12 months. If a building permit is not procured and construction begun within that time, the site plan approval becomes null and void. No time extension to the site plan approval shall be granted. A site plan shall be valid for a period of one year from date of final site plan approval. An applicant may request up to two one-year extensions, to be reviewed and granted by the Planning Commission. The request for site plan extension must be submitted in writing to the Community Development Department prior to the expiration of the site plan. Upon request, the applicant shall provide a proposed timeline for the proposed project or development.

Sec. 138-685. – Site maintenance.

The city planning commission shall not approve any site plan under this chapter unless and until the applicant signs a site maintenance agreement in a form approved by city council.

SECTION 2: Severability Clause

Should any word, phrase, sentence, paragraph, or section of this Ordinance be held invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 3: Effective Date

This Ordinance shall become effective 30 days following the date of adoption.

SECTION 4: Publication

The City Council directs the City Clerk to publish a summary of this ordinance in compliance with Public Act 182 of 1991, as amended, and Section 6.5 of the Berkley City Charter.

________________________________________
Dan Terbrack
Mayor

Attest:

__________________________
Victoria Mitchell
City Clerk