

PUBLIC NOTICE

CITY OF BERKLEY, MICHIGAN REGULAR MEETING OF THE CITY PLANNING COMMISSION

Tuesday, August 23, 2022
7:00PM – City Hall Council Chambers
Information: 248-658-3320

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
APPROVAL OF AGENDA
APPROVAL OF MINUTES – *Meeting minutes of July 26, 2022*
COMMUNICATIONS
CITIZEN COMMENTS

OLD BUSINESS

NONE

NEW BUSINESS

1. **PSP-14-22 3860 Twelve Mile Road – America’s Stamp Stop Addition:** The applicant, Todd Schaefer of America’s Stamp Stop, 3860 Twelve Mile Road, Parcel # 25-07-358-039 on the north side of Twelve Mile, between Prairie Avenue and Cummings Avenue, is requesting site plan approval for a second floor residential addition and façade update to the existing building.
2. **PSP-10-22 Vinsetta Garage Eaton and Oxford Parking Lots:** The applicant, Union Joins, owner of Vinsetta Garage is requesting site plan approval for the construction of two parking lots on the north side of Eaton Road, west of Woodward Avenue, Parcel # 25-17-428-033 and on the north side of Oxford Road, west of Woodward Avenue, Parcel #'s 25-17-431-022 and -23 to serve the existing Vinsetta Garage restaurant.
3. **ANNUAL COMMUNITY DEVELOPMENT REPORT:** Review of the FY2021 Annual Community Development Report and FY2022 Work Plan

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.

You can watch the meeting on Channel 10 for both Comcast and WOW, at <http://www.youtube.com/CityofBerkley> or <http://www.berkleymich.org/livestream>.

THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, JULY 26, 2022 AT BERKLEY CITY HALL BY CO-CHAIR LISA KEMPNER.

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/cityofberkeley>.

PRESENT: Shiloh Dahlin Joe Bartus
Greg Patterson Lisa Hamameh
Lisa Kempner

ABSENT: Matteo Passalacqua, Julie Stearn

ALSO, PRESENT: Kristin Kapelanski, Community Development Director

Motion by Commissioner Bartus to excuse the absences of Commissioner Stearn and Commissioner Passalacqua. Motion supported by Commissioner Patterson.

Voice Vote to approve the absences of Commissioner Passalacqua and Commissioner Stearn.

AYES: 5
NAYS: 0
ABSENT: Passalacqua, Stearn

MOTION CARRIED

APPROVAL OF AGENDA

Motion by Commissioner Patterson to approve the agenda supported by Commissioner Dahlin.

Voice vote to approve the agenda

AYES: 5
NAYS: 0
ABSENT: Passalacqua, Stearn

MOTION CARRIED

APPROVAL OF THE MINUTES

Motion by Commissioner Bartus to approve the minutes of regular Planning Commission meeting on June 28, 2022 and supported by Commissioner Dahlin.

Voice vote to approve the meeting minutes on June 28, 2022.

AYES: 5
NAYS: 0
ABSENT: Passalacqua, Stearn

MOTION CARRIED

COMMUNICATIONS

NONE

CITIZEN COMMENTS

NONE

OLD BUSINESS

NONE

NEW BUSINESS

1. PSP-13-22: 3120 Eleven Mile – Moses Roses: Sketch Plan for the conversion of an existing building with a small addition for a total of 2,799 square feet to be used for a retail marihuana dispensary.

Community Development Director Kapelanski stated that this is a sketch plan which has not been reviewed by any staff or consultants and this is to get any comments or recommendations for future site plan review.

Applicant Presentation

Aaron Guyer

Lead Counsel for Applicant Yellowtail Ventures

Also present is the Project Lead, Stakeholder, Civil Engineer and Project Manager

The Applicant presented the proposed project showing the design, maintaining the current auto body shop, benches, artwork, the EV station, and parking.

The Commissioners asked the applicant more specifics about the parking, the EV station, screen wall, access and parking.

The Applicant stated that it is their intention to have the employees use off-site parking to leave parking spaces for the customers.

The Commissioners asked about the number of employees, and autobody shop parking, with suggestions of moving and labeling parking spaces, clarification on the driveway directions, and adding in photometric shielding.

PUBLIC COMMENT

Robert Courtney, 1800 Griffith - Stated he never received a notice for this being considered a dispensary and a location. He also expressed that the current businesses are already parking on his street and is concerned there is not enough parking.

Paul Henson, 1805 Gardner - Stated his concern for the living wall and the infrastructure. His other concern is the permit and licensing from the points that they were able to score, seems to be more of a cafe than a dispensary especially with the EV station and is concerned about people lingering and smoking. This also brought up his concerns with the smell that could happen, the lighting at this location, and safety concerns in the neighborhood.

Co-Chair Kempner addressed the concerns that were expressed by the public.

The Commission discussed recommendations regarding potential site modifications and need clarifications including: parking, shared parking, use of the EV charging station, use of the dog run, traffic flow, use of the garage repair space, practicality of the living wall, light shielding, additional landscaping on 11 Mile, bench and public art placement, and the point system the was used to award applicants.

LIAISON REPORT

Co-Chair Kempner noted items discussed at the last DDA meeting including Bookley Nights, Master Plan discussion, murals, and Robina public space designs.

COMMISSIONER COMMENTS

NONE

STAFF COMMENTS

NONE

ADJOURNMENT

Motion to adjourn by Commissioner Patterson supported by Commissioner Bartus.

Voice vote for adjournment

AYES: 5

NAYS: 0

ABSENT: Passalacqua, Stearn

With no further business, the meeting was adjourned at 8:14 p.m.



CITY OF BERKLEY
COMMUNITY DEVELOPMENT
3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

MEMORANDUM

To: Planning Commission
From: Kristen Kapelanski, Community Development Director
Subject: **PSP-14-22: 3860 Twelve Mile Road – America’s Stamp Stop Addition**
Date: August 19, 2022

Attached are the following reviews for the site plan submitted:

Planning Review from Community Development dated August 9, 2022

Community Development recommended approval of the site plan with conditions.

The review noted that the Planning Commission should:

- Determine if the proposed materials and colors fit with the characteristics of the neighborhood.

Community Development recommended the following conditions of site plan approval:

- The applicant should submit a response letter including the calculations for window coverage on the first floor of the south façade. The applicant has noted in their response letter that changes in the transparency on the first floor are not being considered at this time and approval of the deficiency would fall under the previously granted waiver. Staff agrees with this response.
- Exterior lighting and signage to be reviewed administratively by the Community Development Department.
- Final site plan approval from DPW, Fire Marshal and Community Development Director.

Review from City of Berkley Department of Public Works (DPW) dated August 6, 2022

DPW noted via email that this project did not include any impacts to existing City roadways or utilities.

Review from City of Berkley Fire Inspector dated July 29, 2022

Fire Inspector Jon Roberts stamped the plans as approved with no conditions.

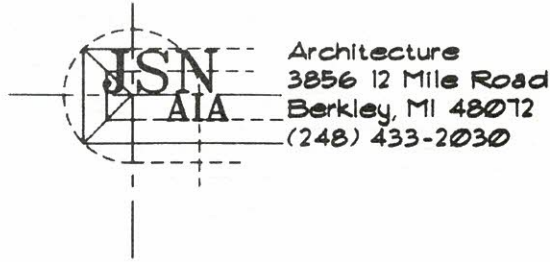
Summary and Recommendation

The Planning Commission needs to make the following determinations:

1. **Standards for Site Plan Approval - Materials:** The Planning Commission must determine whether the site design, architecture and materials, as presented, meet the standards for Site Plan approval, per Section 138-679.

If the Planning Commission chooses to grant site plan approval, we recommend that the following items be stated as findings or conditions of approval:

1. The Planning Commission finds that the site materials and architecture, as presented, in the site plan dated July 15, 2022, meet the standards for Site Plan approval, per Section 138-679.
2. Exterior lighting and signage (if proposed) to be reviewed administratively by the Community Development Department.
3. Final site plan approval from DPW, Fire Marshal and Community Development Director.



Berkley Planning Department
3338 Coolidge Hwy
Berkley, MI 48072

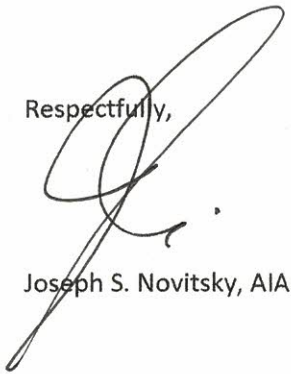
August 12, 2022

Dear Planning Commissioners,

The following is a response to the letter dated August 9, 2022, from the Planning Commission regarding the application for the new live/work apartment above an existing retail at 3860 12 Mile, America's Stamp Stop.

- 1) The owner has already been in front of the Planning Commission regarding the front windows and was approved by the Planning Commission. They are to remain glass block and not be expanded or changed to storefront windows for security reasons. The current glazing percentage is as follows:
 - Total First Floor Street Façade square foot = 232 sq. ft.
 - (3) Windows @28 sq. ft. = 84 sq. ft.
 - $84 \text{ sq. ft.} / 232 \text{ sq. ft.} = .362 = 36.2\%$
- 2) Agreed
- 3) Agreed
- 4) Samples of the proposed materials will be brought to the Planning Commission meeting. The metal siding will lay flat, as it is the finish material of the wall. The glass block on the front (south façade) shall remain for security reasons.
- 5) No new exterior lighting is proposed.
- 6) Agreed

Respectfully,



Joseph S. Novitsky, AIA



APPLICATION FOR SITE PLAN REVIEW

NOTICE TO APPLICANT: Applications for Site Plan review by the Planning Commission must be submitted to the City of Berkley Building Department in **substantially complete form** at least 30 days prior to the Planning Commission’s meeting at which the application will be considered. The application must be accompanied by the data specified in the Zoning Ordinance, including fully dimensioned site plans, plus the required review fees.

The Planning Commission meets the fourth Tuesday of the month at 7:00pm in the Council Chambers at the City of Berkley City Hall, 3338 Coolidge Hwy, Berkley, MI 48072.

TO BE COMPLETED BY APPLICANT:

I (We), the undersigned, do hereby respectfully request Site Plan Review and provide the following information to assist in the review:

Project Name: America's Stamp ~~Shop~~

Applicant: Todd Schaefer

Mailing Address: 3860 12 Mile Road, Berkley, MI 48072

Telephone: [REDACTED]

Email: [REDACTED]

Property Owner(s), if different from Applicant: _____

Mailing Address: _____

Telephone: _____

Email: _____

Applicant's Legal Interest in Property: Owner

LOCATION OF PROPERTY:

Street Address: 3860 12 Mile

Nearest Cross Streets: 12 Mile and Prairie

Sidwell Number(s): 25-07-358-039

PROPERTY DESCRIPTION:

Provide lot numbers and subdivision: Ellwood Heights, Lots 7, 8, 9, and 10

Property Size (Square Feet): 8,030 (Acres): 0.18

EXISTING ZONING DISTRICT *(please check):*

- | | | |
|-------------------------------|---|-------------------------------------|
| <input type="checkbox"/> R-1A | <input type="checkbox"/> Local Business | <input type="checkbox"/> Coolidge |
| <input type="checkbox"/> R-1B | <input type="checkbox"/> Office | <input type="checkbox"/> Downtown |
| <input type="checkbox"/> R-1C | <input type="checkbox"/> Community Centerpiece | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> R-1D | <input type="checkbox"/> Woodward | <input type="checkbox"/> Cemetery |
| <input type="checkbox"/> RM | <input type="checkbox"/> Eleven Mile | <input type="checkbox"/> Parking |
| <input type="checkbox"/> RMH | <input checked="" type="checkbox"/> Twelve Mile | |

Present Use of Property: Business

Proposed Use of Property: Business with second floor apartment (live/work)

Is the property located within the Downtown Development Authority? Yes No

PROJECT DESCRIPTION:

Existing retail with new live/work apartment on second floor.

Does the proposed project / use of property require Special Land Use approval? Yes No

Does the proposed project require Variance(s) from the Zoning Board of Appeals? Yes No

If yes, please describe Variances required:

PLEASE COMPLETE THE FOLLOWING CHART:

Type of Development	Number of Units	Gross Floor Area	Number of Parking Spaces On Site	Number of Employees on Largest Shift
Attached Residential	1	921	2	
Office				
Commercial		4,696	4	
Industrial				
Other				

PROFESSIONALS WHO PREPARED PLANS:

A. Name: Joseph Novitsky - JSN Architecture
 Mailing Address: 3856 12 Mile, Berkley, MI 48072
 Telephone: [REDACTED]
 Email: [REDACTED]
 Design Responsibility (engineer, surveyor, architect, etc.): Architect

B. Name: _____
 Mailing Address: _____
 Telephone: _____
 Email: _____
 Design Responsibility: _____

SUBMIT THE FOLLOWING:

1. Fifteen (15) individually folded copies of the site plans, measuring 24" x 36", sealed by a registered architect, engineer, or surveyor.
2. A pdf file of the site plans, submitted to the Community Development Director.
3. Proof of property ownership (title insurance policy or registered deed with County stamp).
4. Review comments or approval received from County, State or Federal agencies that have jurisdiction over the project, including, but not limited to:

- | | |
|---|--|
| <input type="checkbox"/> Road Commission for Oakland County | <input type="checkbox"/> Oakland County Health Division |
| <input type="checkbox"/> MI Dept. of Transportation | <input type="checkbox"/> MI Dept. of Environment, Great Lakes & Energy |

PLEASE NOTE: The applicant, or a designated representative, **MUST BE PRESENT** at all scheduled meetings, or the Site Plan may be tabled due to lack of representation.

Failure to provide true and accurate information on this application shall provide sufficient grounds to deny approval of a Site Plan Application or to revoke any permits granted subsequent to the site plan approval.


We encourage applicants to make a presentation of the proposed project to the Planning Commission and City Council, as appropriate. To assist in this effort, we have available for your use at meetings a projector, laptop computer and screen. This will allow the Planning Commission and audience to be fully engaged so they can give your project the attention it deserves. Planning Commission meetings are recorded and televised.


PROPERTY OWNER'S APPROVAL: (Initial each line)

 I hereby authorize the employees and representatives of the City of Berkley to enter upon and conduct an inspection and investigation of the above-referenced property.

APPLICANT'S ENDORSEMENT: (Initial each line)

 All information contained therein is true and accurate to the best of my knowledge.

 I acknowledge that the Planning Commission will not review my application unless all information in this application and the Zoning Ordinance has been submitted. I further acknowledge that the City and its employees shall not be held liable for any claims that may arise as a result of acceptance, processing or approval of this site plan application.

 I hereby acknowledge that if engineering or other reviews are required, additional fees must be submitted. Should the review fees be greater than the required minimum, sufficient additional charges will be imposed to satisfy the additional review fees. All fee obligations must be satisfied prior to permit approval.

If an application is withdrawn more than three (3) weeks prior to the meeting date, 90% of the fee will be refunded. If the application is withdrawn less than three (3) weeks prior to the meeting, no refund will be given.

Todd Schaefer 7/15/22
Signature of Applicant Date

Todd Schaefer
Applicant Name (Print)

Karl Schaefer 7/15/22
Signature of Applicant Date

KARL SCHAEFER
Applicant Name (Print)

Todd Schaefer 7-15-22
Signature of Property Owner Authorizing this Application Date

Todd Schaefer
Property Owner Name (Print)

OFFICE USE ONLY

Received 7-15-22 Receipt # _____ Meeting Date _____ Case # PSP-14-22

Fees: Site Plan Review \$600 Façade Change: \$200 Revision: \$300
 Extension \$200 Engineering: Multi-family \$1,500 + \$30/unit
 Escrow (New construction) \$1,000 Commercial \$1,000

OAKLAND COUNTY TREASURERS CERTIFICATE
I HEREBY CERTIFY that there are no TAX LIENS or TITLES held by the state or any individual against the within description and all TAXES on same are paid for five years previous to the date of this instrument as appears by the records in the office except as stated.
Reviewed By: RC

LIBER 48536 PAGE 704
\$13.00 DEED - COMBINED
\$4.00 REMONUMENTATION
\$1,935.00 TRANSFER TX COMBINED
08/25/2015 05:02:13 PM RECEIPT# 101993
PAID RECORDED - Oakland County, MI
Lisa Brown, Clerk/Register of Deeds

Aug 25, 2015

5.00 E-FILE

Sec. 135, Act 206, 1893 as amended
ANDREW E. MEISNER, County Treasurer

Not Examined

STATE OF MICHIGAN



REAL ESTATE TRANSFER TAX

OAKLAND
08/25/2015
101993

\$247.50 CO
\$1,687.50 ST
001018017



WARRANTY DEED

Metropolitan Title Company, a division of First American Title Insurance Co.
America's Premier Title Agency

(Platted/Condominium)

Drafted By:
Sidney Lifton
3860 Twelve Mile Road
Berkley, MI 48072

Return To:
Karl R. Schaefer
10210 Dartmouth
Oak Park, MI 48237

Send Tax Bills To:
Karl R. Schaefer
10210 Dartmouth
Oak Park, MI 48237

Recording Fee: \$
File Number: 369351

State Transfer Tax:
County Transfer Tax:

\$ Tax Parcel No.: 25-07-358-039
\$

Know All Persons by These Presents: That Sidney Lifton and Carol Lifton, husband and wife as joint tenants with rights of survivorship whose address is 3860 Twelve Mile Road, Berkley, MI 48072

Convey(s) and Warrant(s) to Kari R. Schaefer, a married man and Todd Schaefer, a ^{single} ~~married~~ man, as joint tenants with full rights of survivorship whose address is 10210 Dartmouth, Oak Park, MI 48237

the following described premises situated in the City of Berkley, County of Oakland, State of Michigan, to wit:

Lots 7, 8, 9 and 10, ELLWOOD HEIGHTS, according to the plat thereof, as recorded in Liber 23, page 19, of Plats, Oakland County Records.

Tax Item No. 25-07-358-039

More commonly known as: 3860 Twelve Mile Road, Berkley, MI 48072

For the full consideration of: Two Hundred Twenty Five Thousand and 00/100 dollars (\$225,000.00)

Subject To:

Existing building and use restrictions, easements of record, and zoning ordinances, if any.

This deed is delivered pursuant to a certain Land Contract dated September 10, 2008, by and between Sellers and Purchasers, and is subject to liens, encumbrances, or other matters arising from the acts or omissions of any persons other than Sellers and/or Assigns from and after the date of the said Land Contract.


Dated this September 10, 2008.


71060924

First American Title

(Attached to and becoming a part of Warranty Deed dated: September 10, 2008 between Sidney Lifton and Carol Lifton, husband and wife as joint tenants with rights of survivorship, as Grantor(s) and Karl R. Schaefer, a married man and Todd Schaefer, a married man, as joint tenants with full rights of survivorship, as Grantee(s).)

Signed:



Sidney LIFTON


CAROL LIFTON

State of Michigan
County of Oakland

The foregoing instrument was acknowledged before me this September 10, 2008 by Sidney Lifton and Carol Lifton, husband and wife as joint tenants with rights of survivorship.



Notary Public:
Notary County/State: /
County Acting In:
— Commission Expires:

12-22-2011

T. MARALDO-GOLDING
NOTARY PUBLIC-STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires Dec. 22, 2011
Acting in the County of Oakland



Metropolitan Title Company, a division of First American Title Insurance Co.
America's Premier Title Agency



Kim Anderson <kanderson@berkleymich.net>

Site Plan Review 3860 Twelve Mile Rd., Berkley

Shawn Young <syoun@berkleymich.net>

Sat, Aug 6, 2022 at 10:30 AM

To: Kim Anderson <kanderson@berkleymich.net>


Cc: Kristen Kapelanski <kkapelanski@berkleymich.net>, Robert Chalmers <rchalmers@berkleymich.net>, Jonathan Roberts <jroberts@berkleypublicsafety.net>, "Stark, Mitchell" <MStark@hrcengr.com>, "Zmich, Eddie" <ezmich@hrcengr.com>

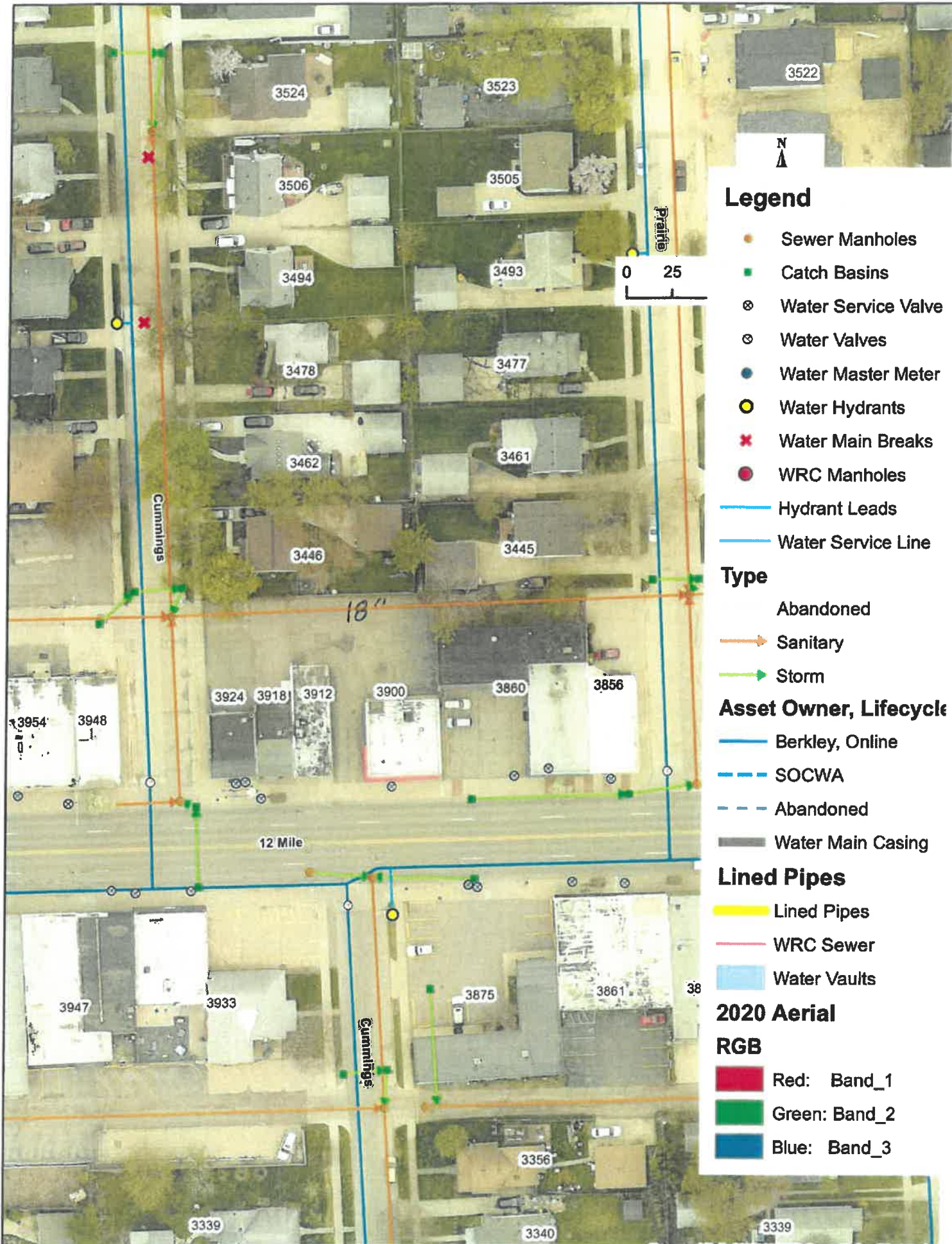
Kim- This one does not appear to have any impacts from our end. We will just need to remind the applicant that 12 mile is under RCOC jurisdiction so any row impacts should be communicated with both RCOC and us. We may also want to share the attached utility map with the applicant.

[Quoted text hidden]

--

Shawn Young
Director of Public Works
City Of Berkley
3238 Bacon Ave
Berkley, Michigan 48072
248.658.3490
248.658.3491 fax
syoun@berkleymich.net

 SKM_C45822080610300.pdf
155K



Legend

- Sewer Manholes
- Catch Basins
- ⊗ Water Service Valve
- ⊙ Water Valves
- Water Master Meter
- Water Hydrants
- ✖ Water Main Breaks
- WRC Manholes

- Hydrant Leads
- Water Service Line

Type

- Abandoned
- Sanitary
- Storm

Asset Owner, Lifecycle

- Berkley, Online
- - - SOCWA
- - - Abandoned
- Water Main Casing

Lined Pipes

- Lined Pipes
- WRC Sewer
- Water Vaults

2020 Aerial

RGB

- Red: Band_1
- Green: Band_2
- Blue: Band_3



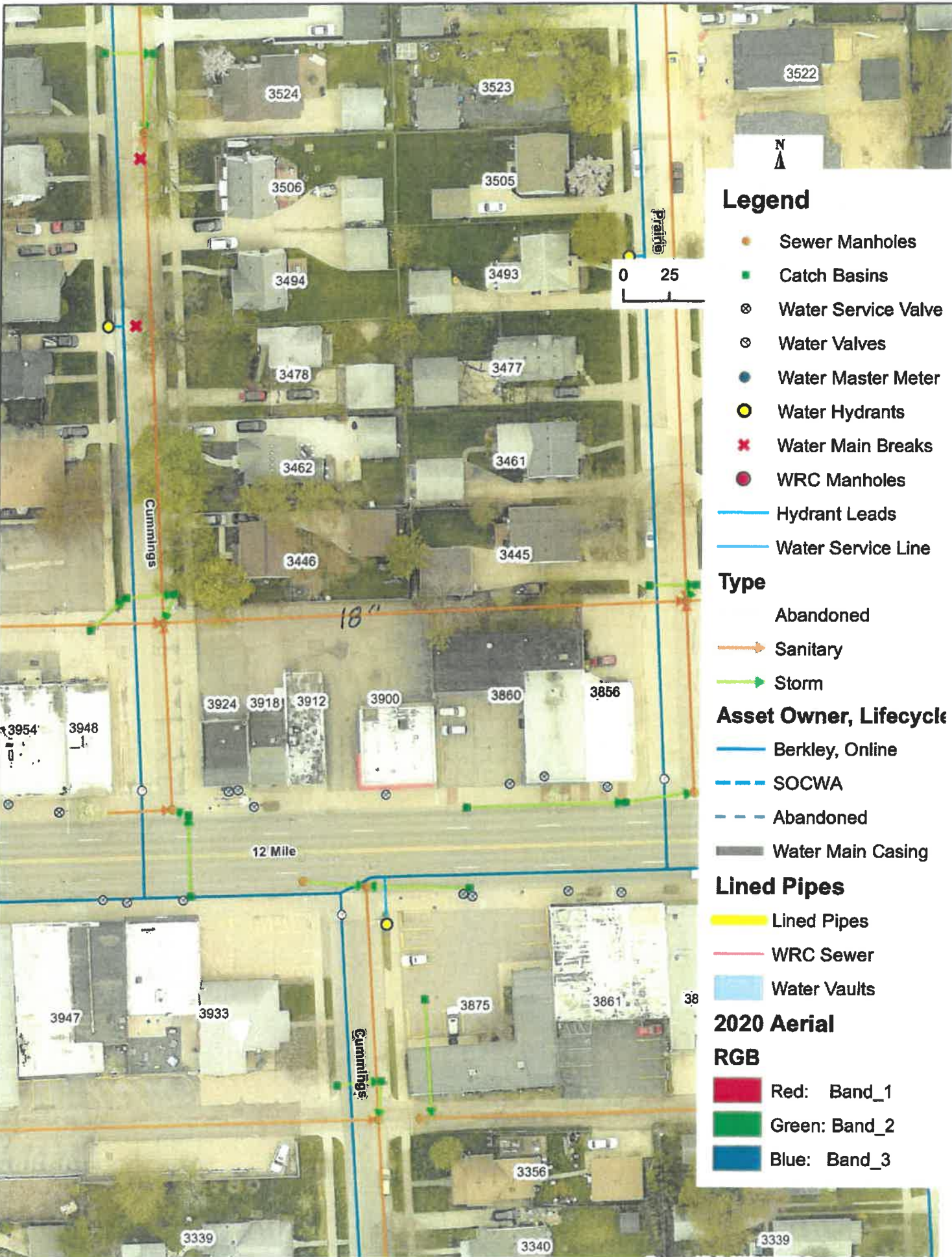
18"

12 Mile

Cummings

Prairie

Cummings





CITY OF BERKLEY COMMUNITY DEVELOPMENT

3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

MEMORANDUM

To: Community Development
From: Kristen Kapelanski, Community Development Director
Subject: **SP-14-22; 3860 Twelve Mile Rd., America's Stamp Stop – Site Plan Review**
Date: August 9, 2022

Todd Schaefer, owner of America's Stamp Stop, is proposing a second floor addition and façade change of 3860 Twelve Mile Rd. The applicant is proposing to add a living unit on the second floor

The property is located on the north side of Twelve Mile Rd., between Prarie Ave. and Cummings Ave., in the Twelve Mile District. The existing façade is composed of brick and CMU block. The second floor addition will be composed of metal panels, composite wood vertical siding and CMU block and brick to match the exsiting materials. The CMU block will be painted throughout.

The existing parking lot will be restriped and a bike rack will be added. No other site improvements or changes are proposed as part of this application.

ZONING / LAND USE

The surrounding properties include commercial/office and residential uses.

Property	Occupant	Land Use	Zoning District
Subject site	America's Stamp Stop	Retail	Twelve Mile District
North	Single Family Resdiential	Single Family Residential	R1-D
East	JSN Architecture	Office	Twelve Mile District
South	Zalman's Treasures	Retail	Twelve Mile District
West	State Farm Insurance	Office	Twelve Mile District

STANDARD FOR REVIEW

The proposed addition and façade change at 3860 Twelve Mile Rd. requires review and approval of the site plan by the Planning Commission.

The six (6) standards for granting site plan approval are set forth in Section 138-679 of the Zoning Ordinance. I have reviewed the proposal with respect to these standards and offer the following findings:

- 1. The site meets the requirements of this Code.**
-

Window Coverage

Section 138-447(a) requires that a building that fronts a street shall be composed of a minimum of 40 percent and a maximum of 80 percent windows. Calculations should be provided for total façade area and window coverage for the south elevation.

- 2. The proposed development does not create adverse effects on public utilities, roads, or sidewalks.**

The proposed façade change and addition will not have an impact on public utilities, roads or sidewalks.

- 3. Pedestrian and vehicular areas are designed for safety, convenience, and compliment adjacent site design.**

The proposed façade change and addition includes restriping of the existing parking lot and the addition of a bike rack to meet parking requirements. While the parking lot configuration is not ideal, the existing layout is being maintained and can accommodate the proposed bike rack.

- 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.**

The proposed façade change and addition includes changes to the façade materials and an increase in height of the building, meeting ordinance requirements.

The applicant shall provide a sample of materials for Planning Commission consideration.

The applicant should consider replacing the glass block windows on the south elevation with vision glass. It is also unclear if the proposed metal siding will project from the building in a mansard roof style or if it will lay flat. This should be clarified.

The existing pole sign is proposed to remain.

- 5. Landscaping, lighting, dumpster enclosures, and other site amenities are provided where appropriate and in a complementary fashion.**

No changes in landscaping or site design are proposed with this application besides the addition of a bike rack. No new exterior lighting is shown. If new exterior lighting is proposed, it must be shown on the plan and photometrics and manufacturer's cut sheets should be provided.

- 6. Site engineering has been provided to ensure that existing utilities will not be adversely affected.**

Site engineering is not required for this project.

The Fire Marshal has reviewed the plans and found no issue with the proposed improvements. The Fire Marshal will review the construction plans for the interior modification when the building permit has been submitted to the building department.

SUMMARY

The updated façade and second floor addition will improve the aesthetic appeal for the building and highlight the character of the City of Berkeley.

Based on the submitted plans, we recommend approval of the site plan with the following conditions:

1. The applicant should submit a response letter including the calculations for window coverage on the south façade. The Planning Commission can permit a reduction in the required window coverage of the Twelve Mile Rd. façade if the proposed façade meets the intent of the Ordinance.
2. The Planning Commission shall determine if the proposed materials and colors fit with the characteristics of the neighborhood.
3. Exterior lighting and signage to be reviewed administratively by the Community Development Department.
4. Final site plan approval from DPW, Fire Marshal, and Community Development Departments.

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

Thank you.

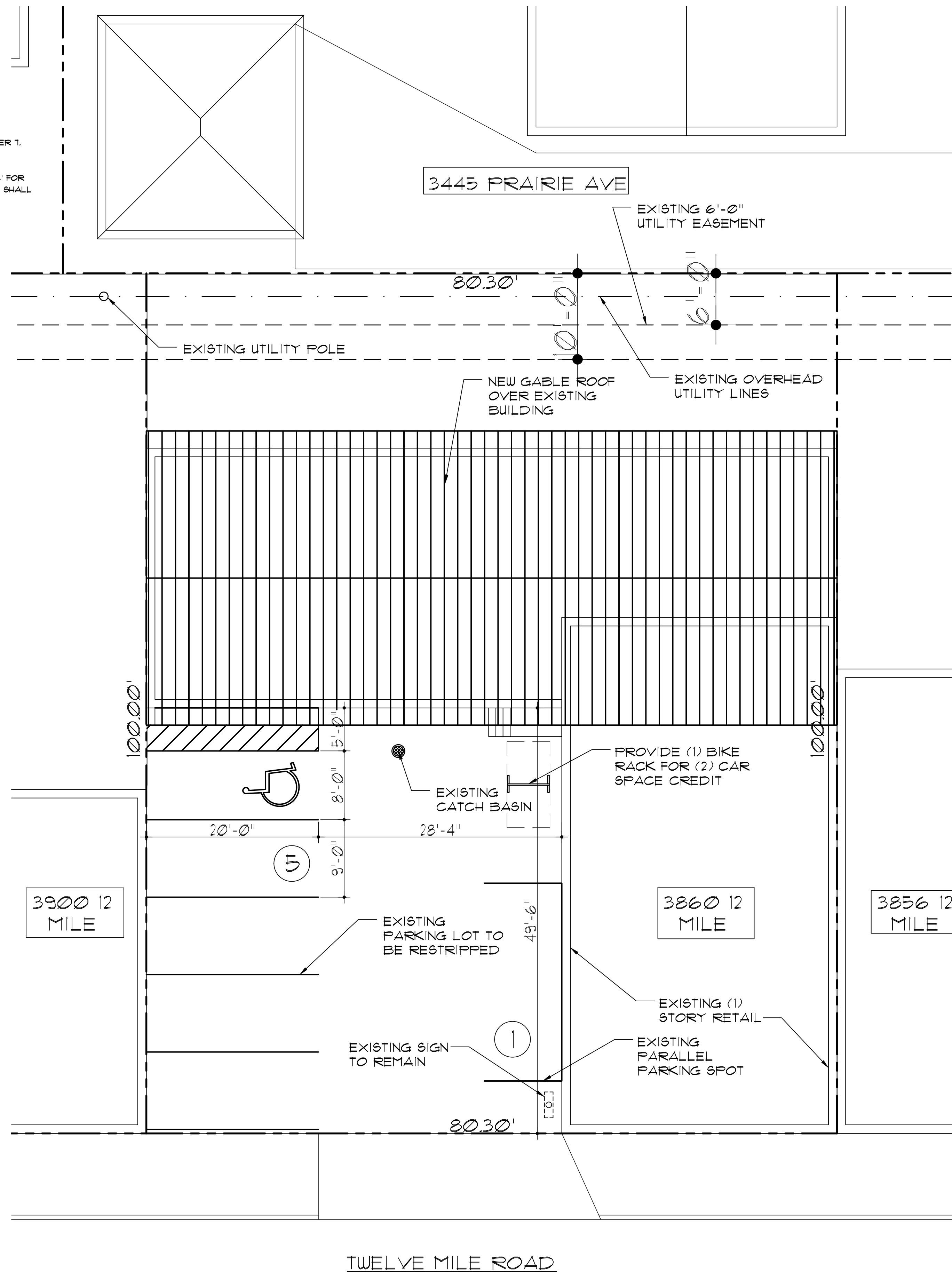
cc: Matthew Baumgarten, City Manager
Victoria Mitchell, City Clerk
John Staran, City Attorney
Shawn Young, DPW Director
Mike McGuinness, DDA Executive Director
Matt Koehn, DPS Director
Jon Roberts, Fire Inspector
John Lipchik, Building Official
Kim Anderson, Building Clerk

CODE ANALYSIS (I.B.C./M.B.C. 2015)

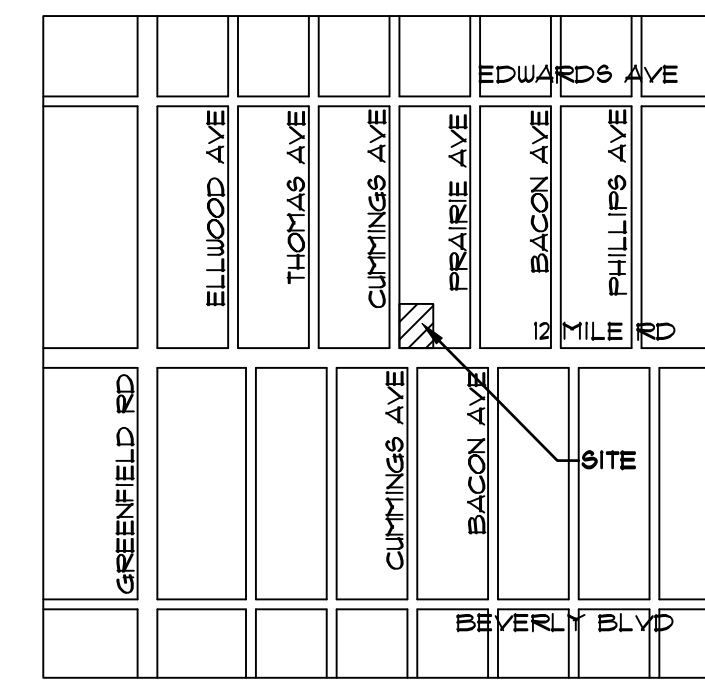
- CHAPTER - 3 USE AND OCCUPANCY CLASSIFICATION
302.1 CLASSIFICATION
USE GROUP(S) MIXED USE - 5,611 SQ. FT.
R-2 - LIVE WORK: 921 SQ. FT.
B - BUSINESS: 1,906 SQ. FT.
S-2 - LOW HAZARD STORAGE: 2,190 SQ. FT.
- CHAPTER - 5 GENERAL BUILDING HEIGHTS AND AREAS
SCOPE OF WORK AS PROPOSED DOES NOT INCREASE EXISTING BUILDING HEIGHT OR AREA.
GENERAL AREA AND HEIGHT LIMITATIONS HAVE BEEN REVIEWED AND APPROVED AS PART OF THE ORIGINAL BUILDING PERMIT.
- TABLE 503 AREA LIMITS ARE ALREADY APPROVED ACCORDING TO THE ORIGINAL CODE REVIEW FOR THE WHOLE BUILDING.
- CHAPTER - 6 TYPES OF CONSTRUCTION
TYPE 5-B (V-B), UNPROTECTED, WITHOUT FIRE SUPPRESSION (NON-SPRINKLERED)
- CHAPTER - 7 FIRE AND SMOKE PROTECTIVE FEATURES
FIRE RESISTIVE RATING(S) FOR NEW CONSTRUCTION SHALL MEET THE REQUIREMENTS OF CHAPTER 7.
- CHAPTER - 8 INTERIOR FINISHES
ROOM FINISHES SHALL MEET THE REQUIREMENTS OF SECTION 803 AND TABLE 803.3. CLASS 'C' FOR INTERIOR ROOMS & CLASS 'B' FOR TENANT CORRIDORS & GENERAL AREAS. INTERIOR FLOORS SHALL MEET THE REQUIREMENTS OF SECTION 804. CLASS II IN CORRIDORS AND OPEN AREAS AND TYPE DOC FF-1 IN ENCLOSED ROOMS.
- CHAPTER - 10 MEANS OF EGRESS
SECTION 1004 CALCULATED OCCUPANT LOAD. (TABLE 1004.1.2)
'R-2' LIVE/WORK RESIDENTIAL = 2 OCCUPANT(2)
'B' BUSINESS USE AREA = 1,906 SQ. FT. @ 1/100 GROSS = 19 OCCUPANT(S)
'S-2' LOW HAZARD STORAGE = 2,190 SQ. FT. @ 1/500 GROSS = 6 OCCUPANT(S)
TOTAL = 21 OCCUPANT(S)
- DOORS PROVIDED ARE AT LEAST 36 INCHES WIDE WHICH MEET EGRESS AND ALSO BARRIER FREE REQUIREMENTS.
- MEANS OF EGRESS REQUIREMENTS FOR THIS TENANT SPACE HAVE BEEN MET BOTH WITHIN THE SPACE AND HAVE BEEN DETERMINED TO BE ADEQUATE AS PART OF THE ORIGINAL PERMIT APPROVAL.
- CHAPTER - 11 ACCESSIBILITY
ALL NEW CONSTRUCTION SHALL COMPLY WITH CHAPTER 11 REQUIREMENTS.
- CHAPTER - 12 INTERIOR ENVIRONMENT
SECTION 1205 THE LIGHTING AND NATURAL LIGHT REQUIREMENTS HAVE BEEN DESIGNED TO MEET OR EXCEED THE MINIMUM REQUIRED LIGHTING LEVELS FOR BOTH DAY AND NIGHT FOR THIS OFFICE SPACE.
SECTION 1203 EXISTING MECHANICAL VENTILATION TO BE DESIGNED AND MODIFIED TO CORRESPOND WITH THESE PLANS AND TENANT REQUIREMENTS.
- ADA. APPLICABLE PARTS OF THE AMERICANS WITH DISABILITIES ACT SHALL APPLY TO THIS TENANT SPACE. ALL DOORS WIDTHS, ELECTRICAL DEVICES, PLUMBING DEVICES, CORRIDORS, SIGNAGE AND ALARM DEVICES SHALL MEET ADA FOR THE PHYSICALLY, VISUALLY AND HEARING IMPAIRED.
- THE AMERICANS WITH DISABILITIES ACT PROVIDES THAT IT IS A VIOLATION OF THE ADA TO CONSTRUCT A FACILITY FOR FIRST OCCUPANCY LATER THAN JANUARY 16, 1993, THAT DOES NOT MEET THE ACCESSIBILITY AND USABILITY REQUIREMENTS OF THE ADA EXCEPT WHERE AN ENTITY CAN DEMONSTRATE THAT IT IS STRUCTURALLY IMPRACTICAL TO MEET SUCH REQUIREMENTS. TENANT AND LANDLORD ACKNOWLEDGE THAT THESE REQUIREMENTS OF THE ADA WILL BE SUBJECT TO VARIOUS AND POSSIBLY CONTRADICTORY INTERPRETATIONS. THE ARCHITECT, THEREFORE, WILL USE ITS BEST PROFESSIONAL EFFORT TO INTERPRET APPLICABLE ADA REQUIREMENTS AND OTHER FEDERAL, STATE AND LOCAL CODES, LAWS AND ORDINANCES AS THEY APPLY TO THE PROJECT. THE ARCHITECT, HOWEVER, CANNOT AND DOES NOT WARRANT YOU GUARANTEE THAT THE TENANT LEASED SPACE COMPLY WITH ALL INTERPRETATIONS OF THE ADA REQUIREMENTS AS THEY APPLY TO THIS PROJECT. THE ARCHITECT DOES NOT WARRANT OR GUARANTEE THAT THE DESIGN OF ANY COMPONENT IN THE TENANT LEASED SPACE WILL MEET THE REQUIREMENTS OF THE ADA IF THEY HAVE NOT BEEN SUBMITTED TO THE ARCHITECT FOR REVIEW.

GENERAL NOTES MBC 2015

- ANY DISCREPANCIES, ERRORS, AND/OR OMISSIONS IN THE DRAWINGS ARE TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT/DESIGNER. FAILURE TO DO SO MAY RESULT IN FUTURE CHANGES, THE COST OF WHICH WILL BE BORNE BY THE APPROPRIATE TRADE.
- DO NOT SCALE DRAWINGS, USE ONLY FIGURED DIMENSIONS!
- PROVIDE TEMPORARY BRACINGS AS REQUIRED, TO INSURE THE STABILITY OF THE STRUCTURE UNTIL THE PERMANENT BRACING IS IN PLACE.
- ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE ICC BASIC BUILDING CODE AND ALL CITY, STATE AND LOCAL ORDINANCES AS ADOPTED BY THE STATE OF MICHIGAN.
- CONTRACTOR SHALL EXERCISE EXTREME CARE IN SETTING GRADES FOR NEW CONSTRUCTION AS THESE GRADES ARE CRITICAL.
- FOUNDATIONS SHALL BE CARRIED DOWN (MIN. 3'-6" DEEP) TO NATURAL UNDISTURBED SOILS CAPABLE OF SUPPORTING A 3,000 P.S.F. BEARING CAPACITY, OR ENGINEERED FILL. IF POORLY CONSOLIDATED SOILS ARE ENCOUNTERED AT THE DEPTHS SHOWN, THE ARCHITECT/DESIGNER SHALL BE NOTIFIED AND THE FOUNDATIONS WILL BE MODIFIED ACCORDINGLY.
- SAND FILL UNDER SLABS SHALL BE COMPACTED TO 95% MODIFIED PROCTOR DENSITY.
- CONCRETE SHALL HAVE COMPRESSIVE STRENGTH OF 2,500 P.S.I. FOR FOUNDATION WORK AND FLOOR SLABS WITH 4,000 P.S.I. FOR WALKS AND STEPS. REINFORCING STEEL = 40KSI, A57M 40.
- STRUCTURAL STEEL = 36 KSI A57M GRADE 36.
- USE PRESSURE-TREATED LUMBER WHEN IN CONTACT W/ MASONRY AND/OR CONCRETE.
- THE OWNER IS NOT RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION, NOR FOR THE SAFETY ON THE JOBSITE, AND THAT THESE RESPONSIBILITIES ARE INTENDED TO BE AND TO REMAIN SOLELY THOSE OF THE GENERAL CONTRACTOR.
- THE INTENT IS TO UTILIZE ALL EXISTING UTILITIES: 1a) PHONE, ELEC, GAS, WATER, AND SEWER.
- OWNER OR INTERIOR DESIGNER TO SUPPLY ALL FINAL FINISH & FIXTURE SCHEDULES. ALL INTERIOR DETAILS ON THESE PLANS ARE PLACEHOLDERS. IF OWNER DOES NOT HAVE ANY INPUT, THE CONTRACTOR SHALL PROVIDE FINISHES THAT MATCH EXISTING CONDITIONS TO THE BEST OF HIS/HERS ABILITY.
- CONTRACTOR TO SUBMIT SHOP DRAWINGS OF H.V.A.C. EQUIPMENT AND NEW DUCT WORK TO OWNER FOR APPROVAL PRIOR TO APPLICATION PERMIT AND APPROVED DRAWINGS WILL BECOME PART OF THE CONTRACT/PERMIT SET.
- PROVIDE SHOP DRAWINGS AND ENGINEERING DATA ON ALL STRUCTURAL STEEL AND PREFABRICATED TRUSSES, INCLUDING GIRDER TRUSSES.
TOP CHORD @ 8" x 25 P.S.F. (TYP)
BOTTOM CHORD @ 8" x 30 P.S.F.



PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"



LOCATION MAP
SCALE: N.T.S.

LEGAL DESCRIPTION

PARCEL NUMBER: 25-07-358-039
TIN, R1E, SEC 7 ELLWOOD HEIGHTS LOTS 1, 2, 9 410

ZONING

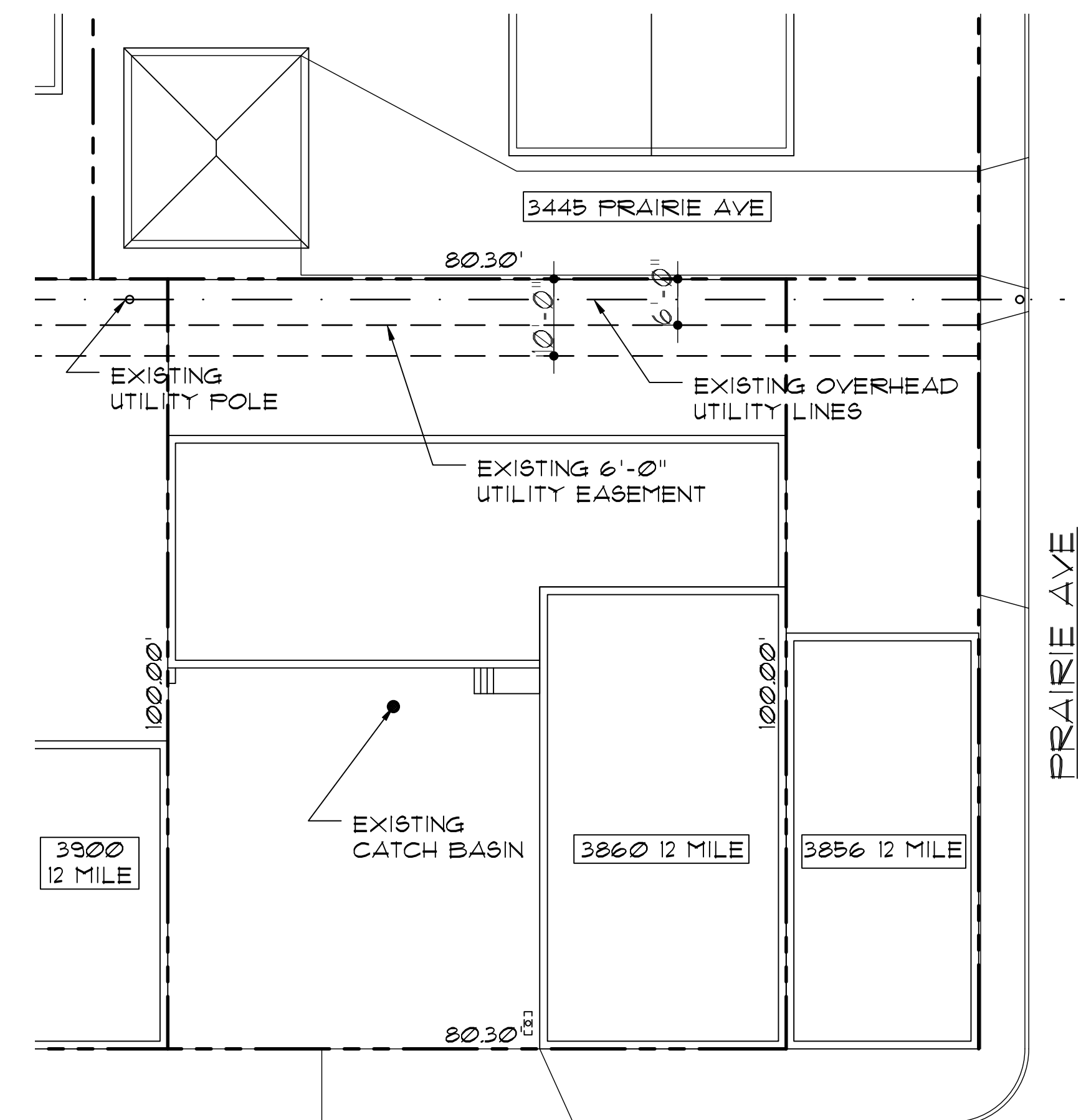
TWELVE MILE DISTRICT

PARKING ANALYSIS

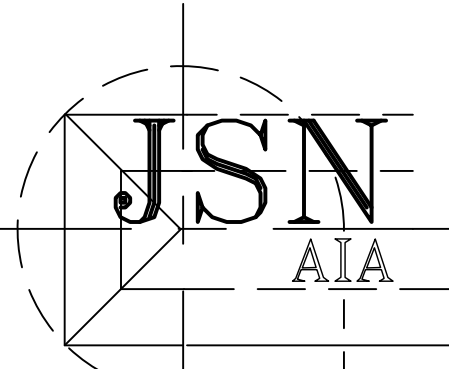
B- BUSINESS USE - 1:225 USABLE SQ FT
1,907 SQ FT x .10 = 1,334 SQ FT
1,334 SQ FT / 225 = 6 SPACES

R-2- LIVE WORK - (2) PER DWELLING UNIT
(1) DWELLING UNIT = 2 SPACES

TOTAL SPOTS REQUIRED - 8 SPACES
TOTAL HANDICAP REQUIRED - 1 SPACES
TOTAL HANDICAP PROPOSED - 1 SPACES
TOTAL SPACES PROPOSED - 6 SPACES



EXISTING SITE PLAN
SCALE: 1/16" = 1'-0"



Joseph S. Novitsky
Architecture
3856 12 Mile Road
Berkley, MI 48072
(248) 433-2030



Revisions:

DATE	DESCRIPTION
03/25/2022	EXISTING CONDITIONS
07/15/2022	SITE PLAN REVIEW

Project Name: **AMERICA'S STAMP STOP**

3860 12 MILE
BERKLEY, MI 48072
OWNER: **TODD SCHAEFER**
(248)-998-1930

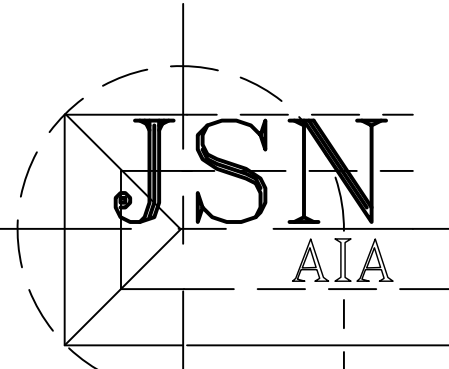
Sheet Title:
**SITE PLAN,
GENERAL
NOTES,
ZONING
& LOCATION
MAP**

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Date: 03/25/2022
Drawn by: CES

Project Number:
2022-18

Sheet Number:
S-1

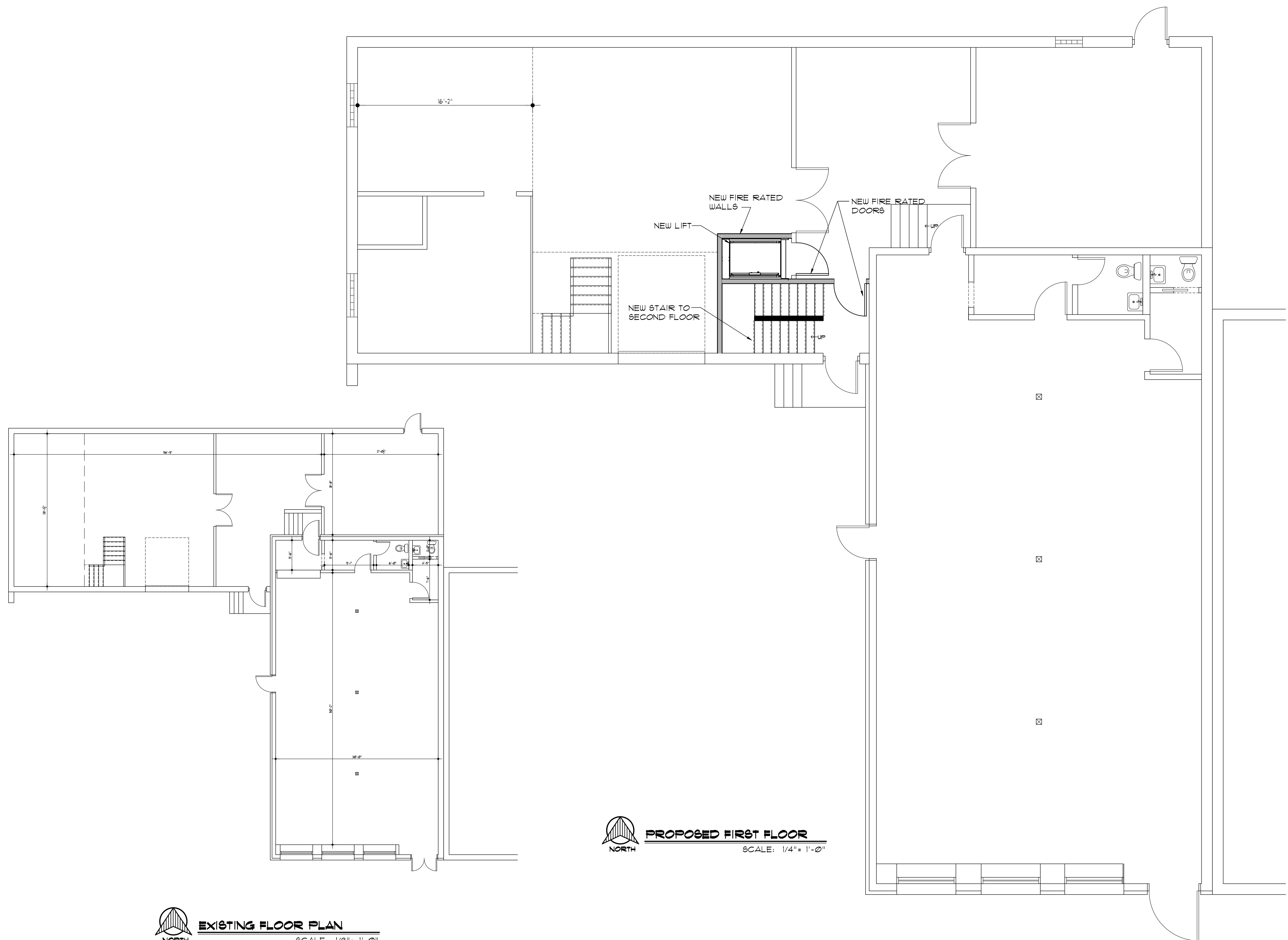


Joseph S. Novitsky
 Architecture
 3856 12 Mile Road
 Berkley, MI 48072
 (248) 433-2030



Revisions:

DATE	DESCRIPTION
03/25/2022	EXISTING CONDITIONS
05/11/2022	REVIEW
05/16/2022	REVIEW
06/10/2022	REVIEW
06/15/2022	REVIEW
06/23/2022	REVIEW
07/05/2022	SITE PLAN REVIEW



Project Name:
AMERICA'S STAMP STOP

3860 12 MILE
 BERKLEY, MI 48072

OWNER:
TODD SCHAEFER
 (248)-398-1930

Sheet Title:
**PROPOSED
 FIRST
 FLOOR
 PLANS**

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Project Number:
2022-18

Sheet Number:
A-1.0



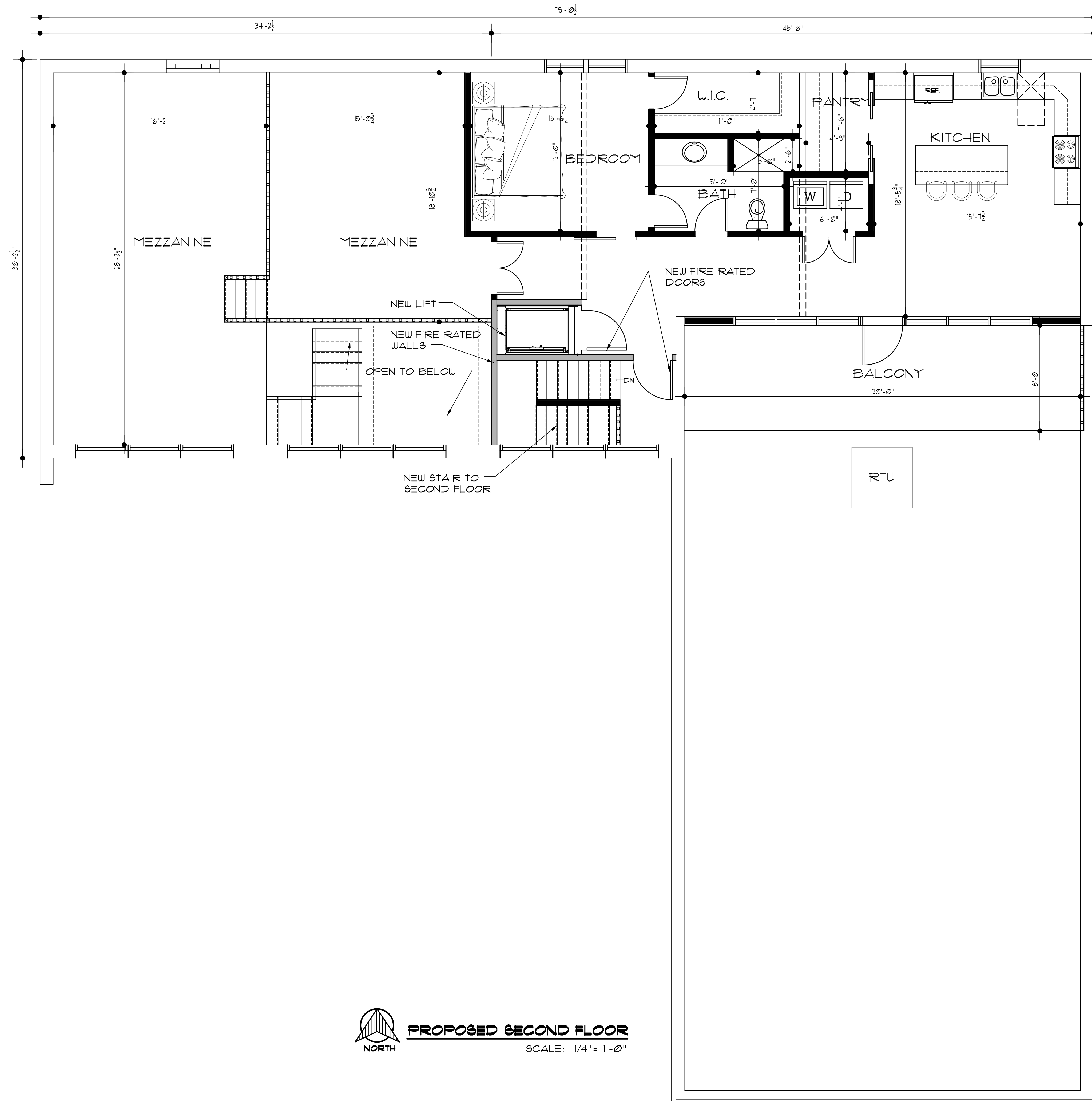
EXISTING FLOOR PLAN

SCALE: 1/8" = 1'-0"



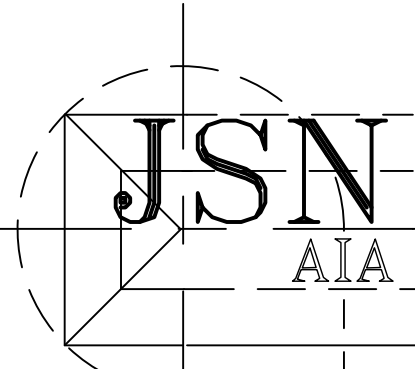
PROPOSED FIRST FLOOR

SCALE: 1/4" = 1'-0"



PROPOSED SECOND FLOOR

SCALE: 1/4" = 1'-0"



Joseph S. Novitsky
 Architecture
 3856 12 Mile Road
 Berkley, MI 48072
 (248) 433-2030



Revisions:

DATE	DESCRIPTION
03/25/2022	EXISTING CONDITIONS
05/11/2022	REVIEW
05/16/2022	REVIEW
06/10/2022	REVIEW
06/10/2022	REVIEW
06/15/2022	REVIEW
06/23/2022	REVIEW
07/15/2022	SITE PLAN REVIEW

Project Name:
AMERICA'S STAMP STOP

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 BERKLEY, MI 48072

OWNER:
TODD SCHAEFER
 (248)-398-1930

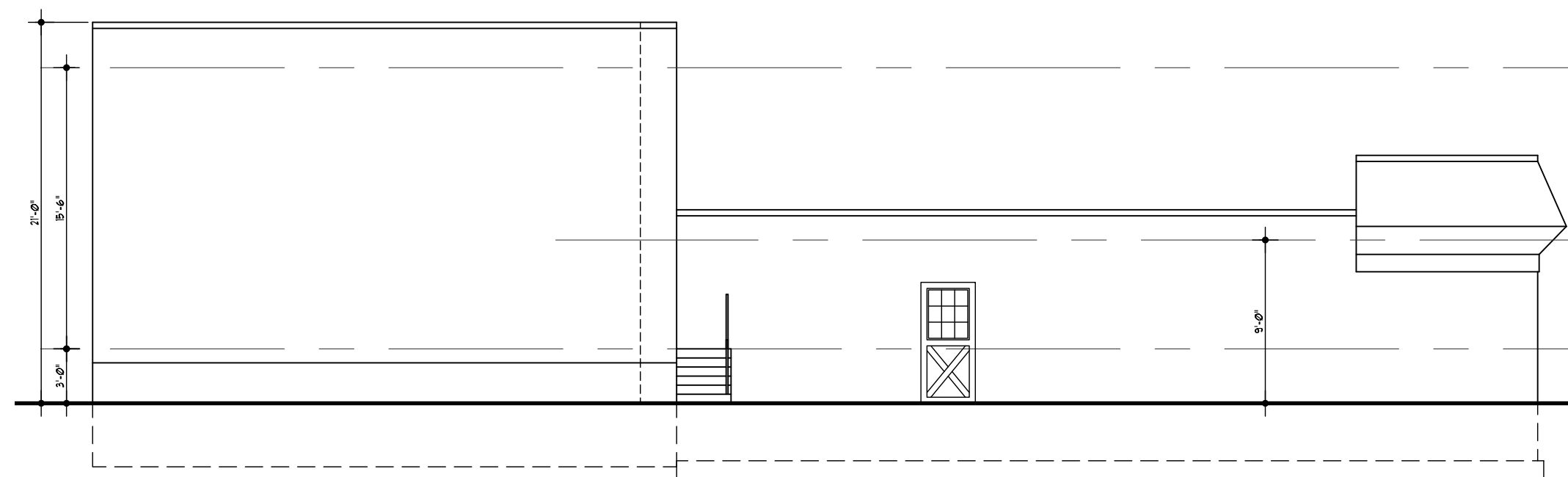
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**PROPOSED
 FIRST
 FLOOR
 PLANS**

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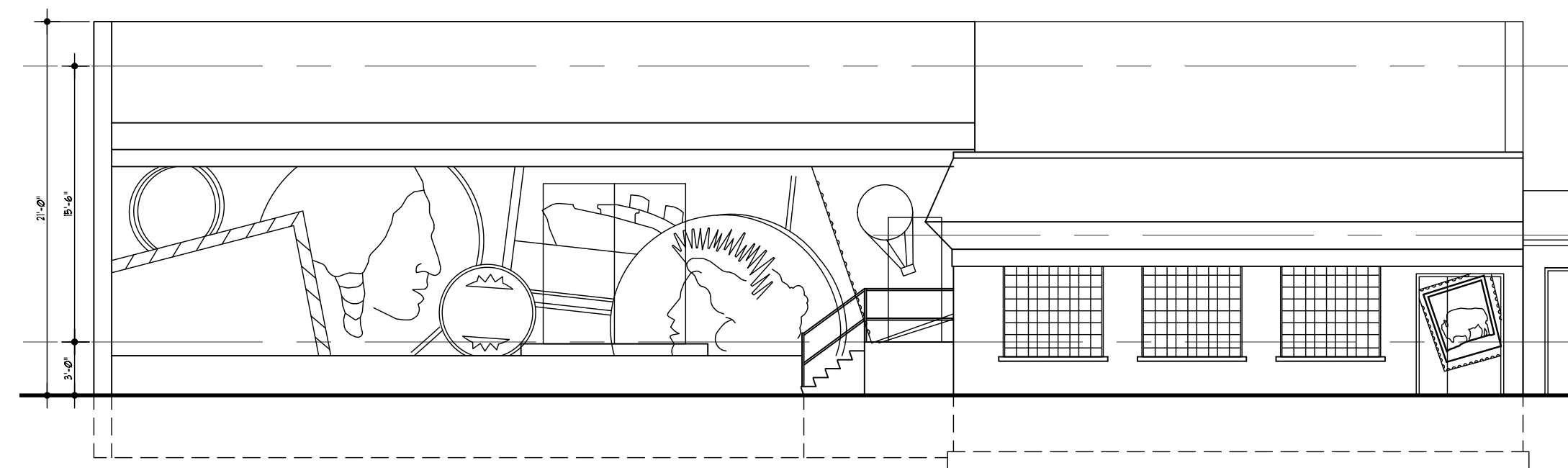
Date: 03/25/2022
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2022-18

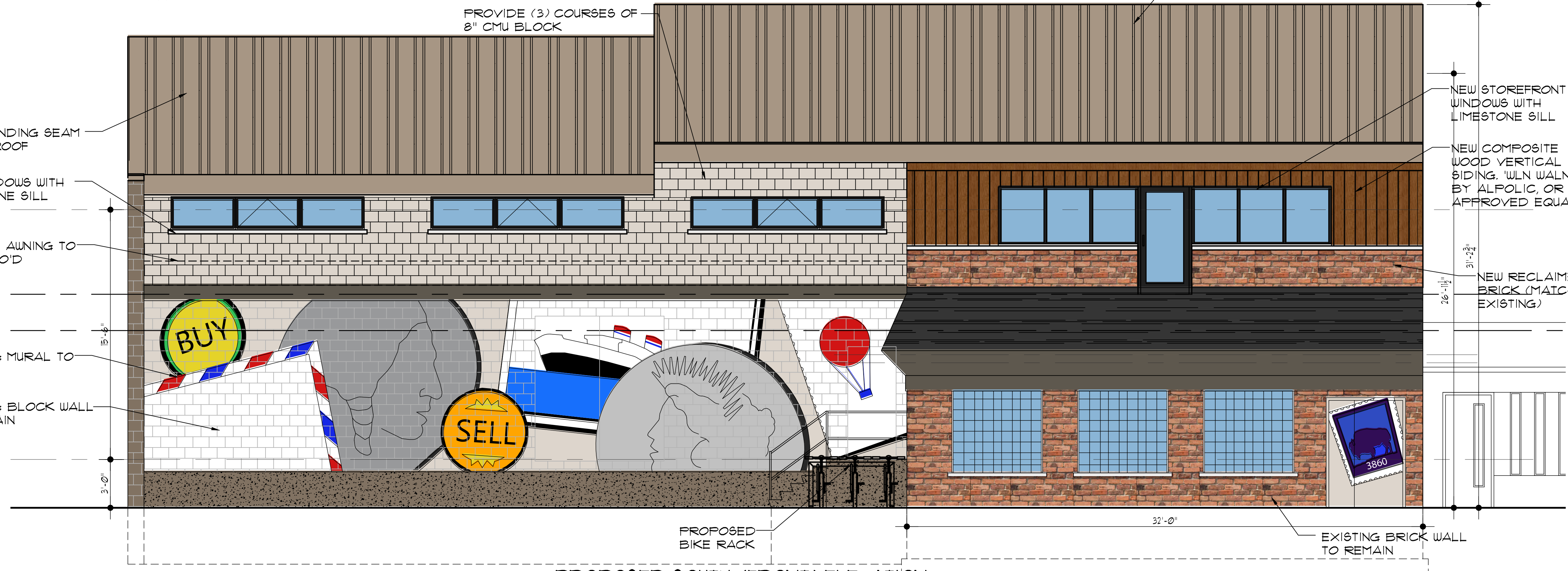
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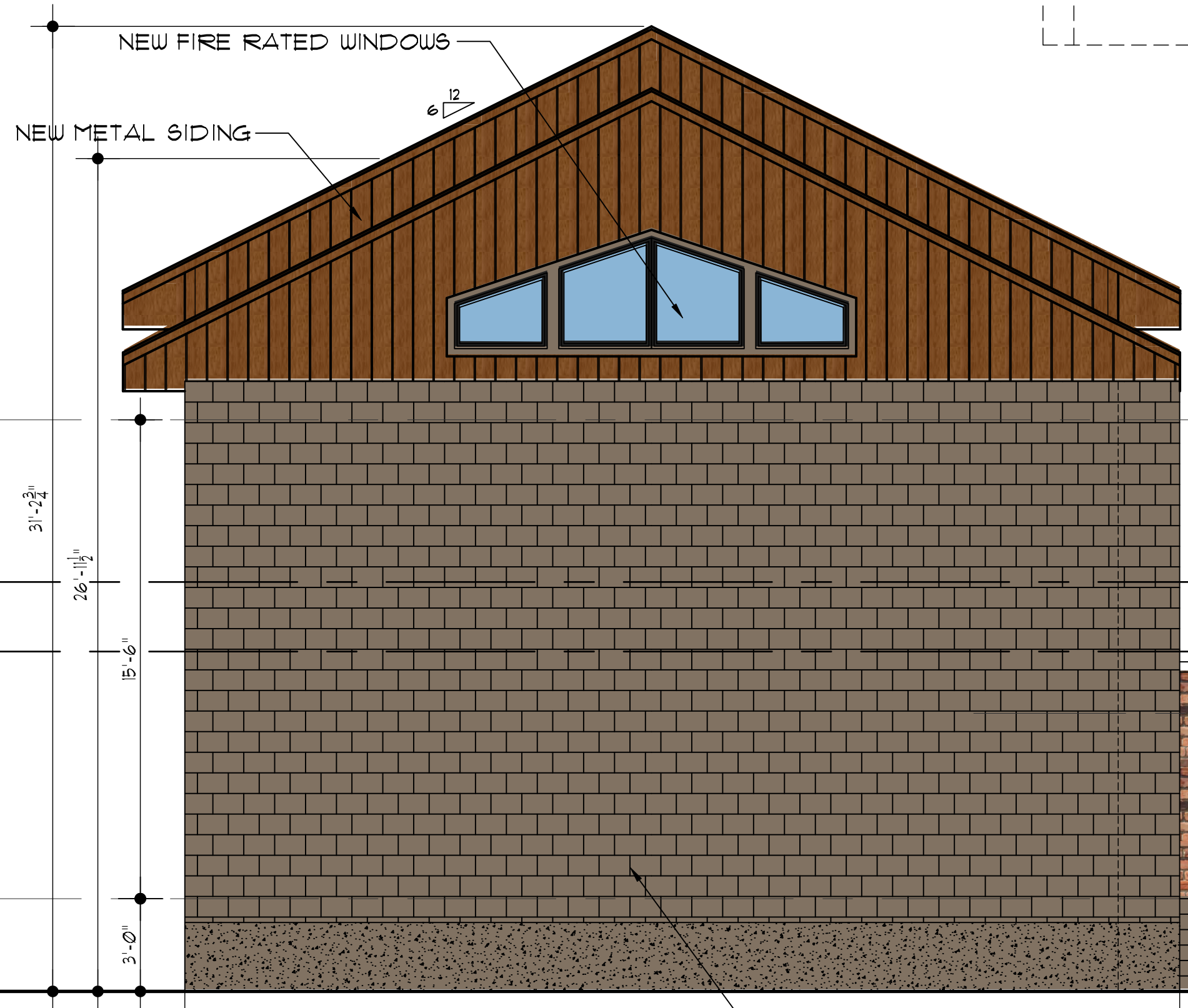
EXISTING WEST (SIDE) ELEVATION
SCALE: 1/8" = 1'-0"



EXISTING SOUTH (FRONT) ELEVATION
SCALE: 1/8" = 1'-0"



PROPOSED SOUTH (FRONT) ELEVATION
SCALE: 1/4" = 1'-0"



PROPOSED WEST (SIDE) ELEVATION
SCALE: 1/4" = 1'-0"

NEW STANDING SEAM METAL ROOF COLOR 'SIERRA TAN' BY BERRIDGE MANUFACTURING CO., OR APPROVED EQUAL

PROVIDE (3) COURSES OF 8" CMU BLOCK

NEW STANDING SEAM METAL ROOF

NEW WINDOWS WITH LIMESTONE SILL

EXISTING AWNING TO BE DEMO'D

EXISTING MURAL TO REMAIN

EXISTING BLOCK WALL TO REMAIN

NEW STOREFRONT WINDOWS WITH LIMESTONE SILL

NEW COMPOSITE WOOD VERTICAL SIDING, 'WLN WALNUT' BY ALPOLIC, OR APPROVED EQUAL

NEW RECLAIMED BRICK (MATCH EXISTING)

PROPOSED BIKE RACK

EXISTING BRICK WALL TO REMAIN

NEW FIRE RATED WINDOWS

NEW METAL SIDING

EXISTING AWNING TO REMAIN

EXISTING BLOCK WALL TO REMAIN. REPAINT WITH "CLAM SHELL" BY PITTBURGH PAINTS, OR APPROVED EQUAL

PROPOSED BIKE RACK

EXISTING BRICK WALL TO REMAIN

JSN
AIA

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Seal:

Revisions:

DATE	DESCRIPTION
03/25/2022	EXISTING CONDITIONS
05/11/2022	REVIEW
05/16/2022	REVIEW
06/10/2022	REVIEW
06/15/2022	REVIEW
06/23/2022	REVIEW
07/15/2022	SITE PLAN REVIEW

Project Name:
AMERICA'S STAMP STOP

3860 12 MILE
BERKLEY, MI 48072

OWNER:
TODD SCHAEFER
(248)-399-1930

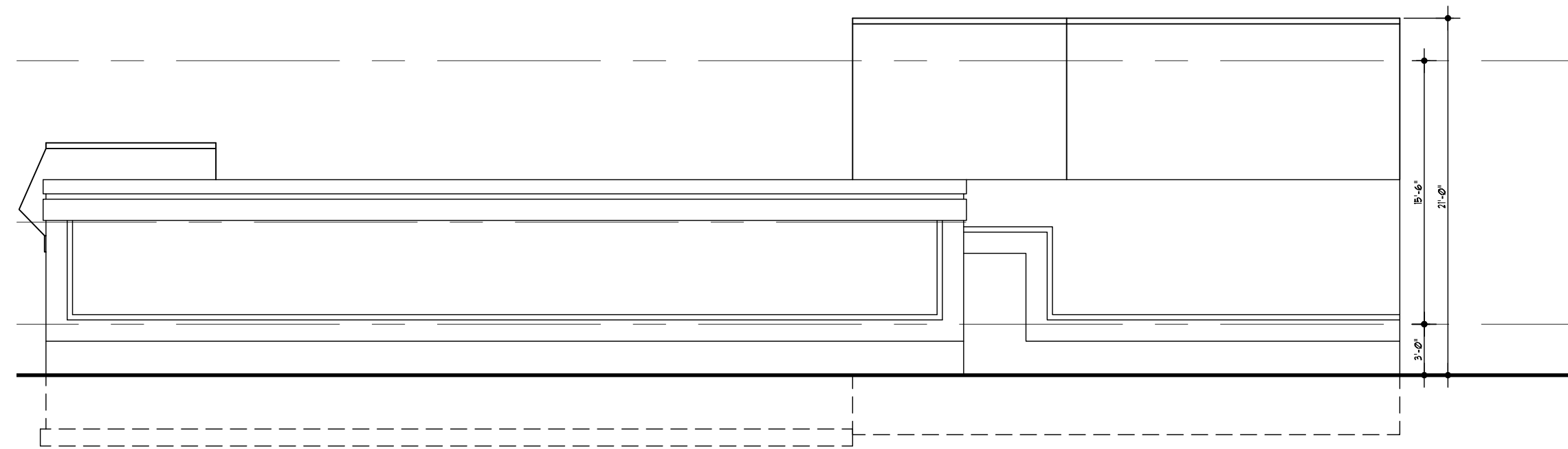
Sheet Title:
EXISTING & PROPOSED ELEVATIONS

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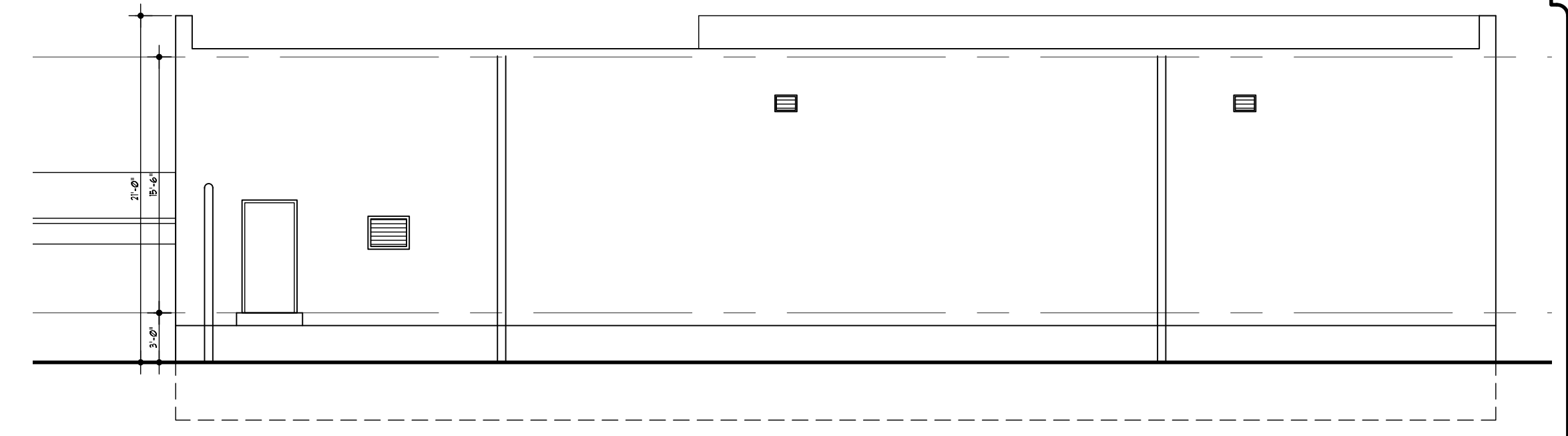
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2022-18

Sheet Number:
A-2.0



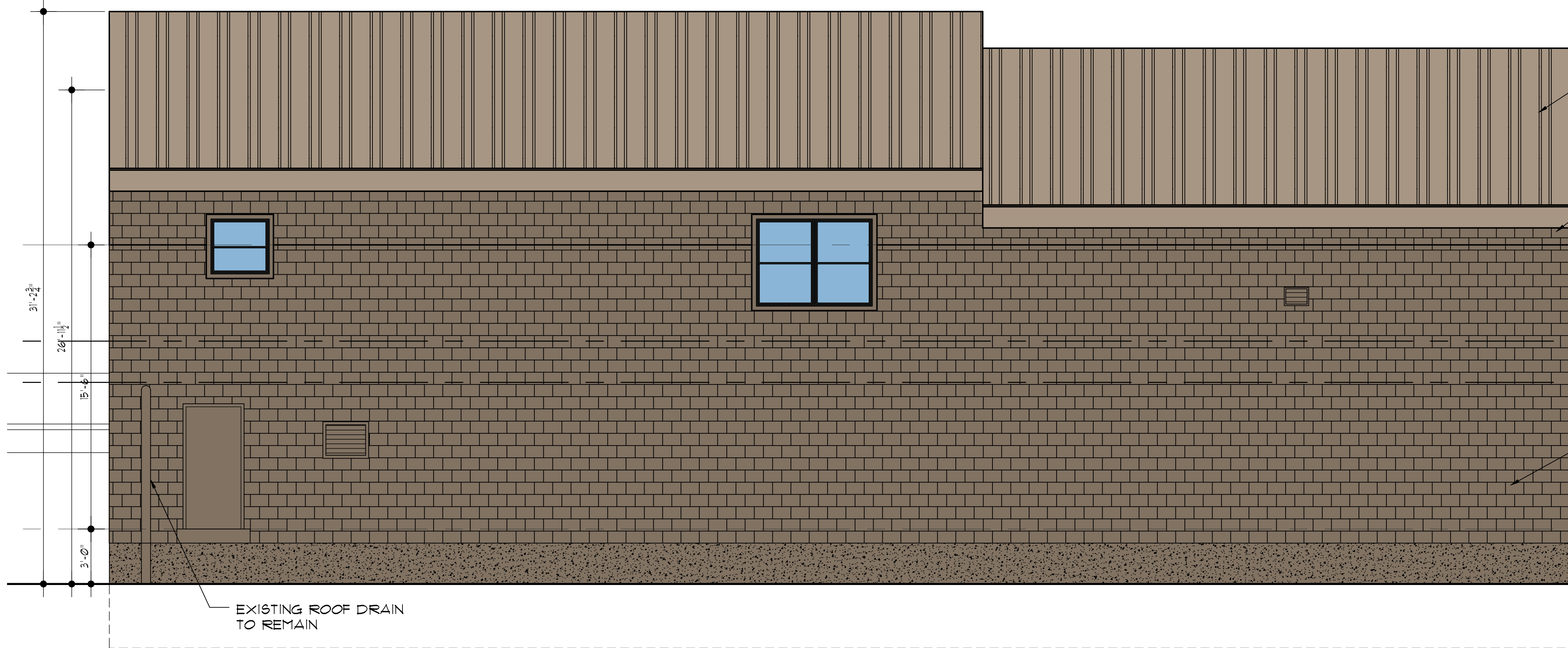
EXISTING EAST (SIDE) ELEVATION

SCALE: 1/8" = 1'-0"



EXISTING NORTH (REAR) ELEVATION

SCALE: 1/8" = 1'-0"



PROPOSED NORTH (REAR) ELEVATION

SCALE: 1/4" = 1'-0"

NEW STANDING SEAM METAL ROOF COLOR 'SIERRA TAN' BY BERRIDGE MANUFACTURING CO., OR APPROVED EQUAL

PROVIDE (3) COURSES OF 8" CMU BLOCK (BEYOND) PAINTED 'CLAM SHELL' BY PITTSBURGH PAINTS, OR APPROVED EQUAL

EXISTING BLOCK WALL TO REMAIN. REPAINT WITH "CLAM SHELL" BY PITTSBURGH PAINTS, OR APPROVED EQUAL

EXISTING ROOF DRAIN TO REMAIN

3'-2 1/2"
24'-11 1/2"
15'-6"
3'-0"

ROOF TO BE CANTILEVERED OVER BALCONY

PROVIDE (3) COURSES OF 8" CMU BLOCK (BEYOND) PAINTED 'CLAM SHELL' BY PITTSBURGH PAINTS, OR APPROVED EQUAL

NEW METAL RAILING, 42" AFF.

NEW COMPOSITE WOOD VERTICAL SIDING. 'WLN WALNUT' BY ALPOLIC, OR APPROVED EQUAL

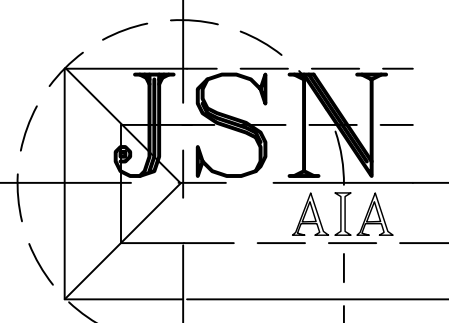
NEW FIRE RATED WINDOWS

EXISTING BLOCK WALL TO REMAIN. REPAINT WITH "CLAM SHELL" BY PITTSBURGH PAINTS, OR APPROVED EQUAL

3'-2 1/2"
24'-11 1/2"
15'-6"
3'-0"

PROPOSED EAST (SIDE) ELEVATION

SCALE: 1/4" = 1'-0"



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Berkley, MI 48072
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Revisions:

DATE	DESCRIPTION
03/25/2022	EXISTING CONDITIONS
05/17/2022	REVIEW
05/26/2022	REVIEW
06/10/2022	REVIEW
06/15/2022	REVIEW
06/23/2022	REVIEW
07/15/2022	SITE PLAN REVIEW

Project Name:
AMERICA'S STAMP STOP

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BERKLEY, MI 48072

OWNER:
TODD SCHAEFER
(248)-398-1930

Sheet Title:
EXISTING & PROPOSED ELEVATIONS

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Project Number:
2022-18

Sheet Number:
A-2.1



CITY OF BERKLEY
COMMUNITY DEVELOPMENT
3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

MEMORANDUM

To: Planning Commission
From: Kristen Kapelanski, Community Development Director
Subject: **PSP-10-22 Vinsetta Garage Eaton and Oxford Parking Lots Site Plan Approval**
Date: August 19, 2022

Consent Judgment

It is important to note that the review and approval of this proposal is governed not by the general Zoning Ordinance standards, but by the provisions of the Consent Judgment included in the packet. While the Planning Commission can make requests of the applicant, if the applicant meets the standards of the Consent Judgment, the City is obligated to approve the plan.

Attached are the following reviews for the site plan submitted:

Planning Review from Carlisle Wortman Associates (CWA) dated August 15, 2022

CWA covers the background of the proposal extensively in their review including the terms of the consent judgment and the resident requests and comments that have been previously noted. One of the main points of concern noted in the review is the lack of a plan demonstrating that alternate parking lot layouts have not been provided showing additional landscaping/layouts cannot be accommodated while maintaining the number of spaces for both lots included in the Consent Judgment. The applicant did provide these after the review was completed and they are in the packets for the Planning Commission's consideration.

While the site plan generally meets the standards of the Zoning Ordinance and Consent Judgment, CWA recommended the Planning Commission consider the following recommendations for discussion with the applicant (Items not meeting Zoning Ordinance and Consent Judgment standards are shown in bold.):

1. Eaton Road Lot:
 - a. Consider reconfiguration of the parking lot to add more internal landscaping and a greater buffer along the western property line;
 - b. Consider amending the landscape plan to include native species instead of non-native species;
 - c. **Provide cut sheets of the proposed lighting fixtures.**
-

2. Oxford Road Lot:
 - a. Consider increasing the height of the wall along Oxford Road to a minimum of 5 feet;
 - b. Consider increasing the overall landscaping including making the drive-aisle along the western property line one-way to reduce the drive aisle width to 15 feet and add a 5 foot landscape strip along the western property line;
 - c. Consider reducing the number of light poles;
 - d. **Reduce the light levels at the southern property line to 0.0 foot candles.**

Review from City of Berkley Department of Public Works (DPW) dated August 19, 2022

DPW noted the following comments:

1. The existing sanitary pipes and connections from demolished homes shall be shown on the survey and demolition/removal plan. Right-of-way impacts should be shown.
2. New water service and meter vault details and location should be shown on the plan.
3. A traffic control plan should be added to the plan set.

Engineering Review from Hubbell, Roth & Clark (HRC) dated August 18, 2022

Per their letter dated August 18, 2022, HRC recommended approval of the proposed Site Plan subject to the applicant providing a traffic control plan and perpetuity maintenance agreement for a private stormwater system.

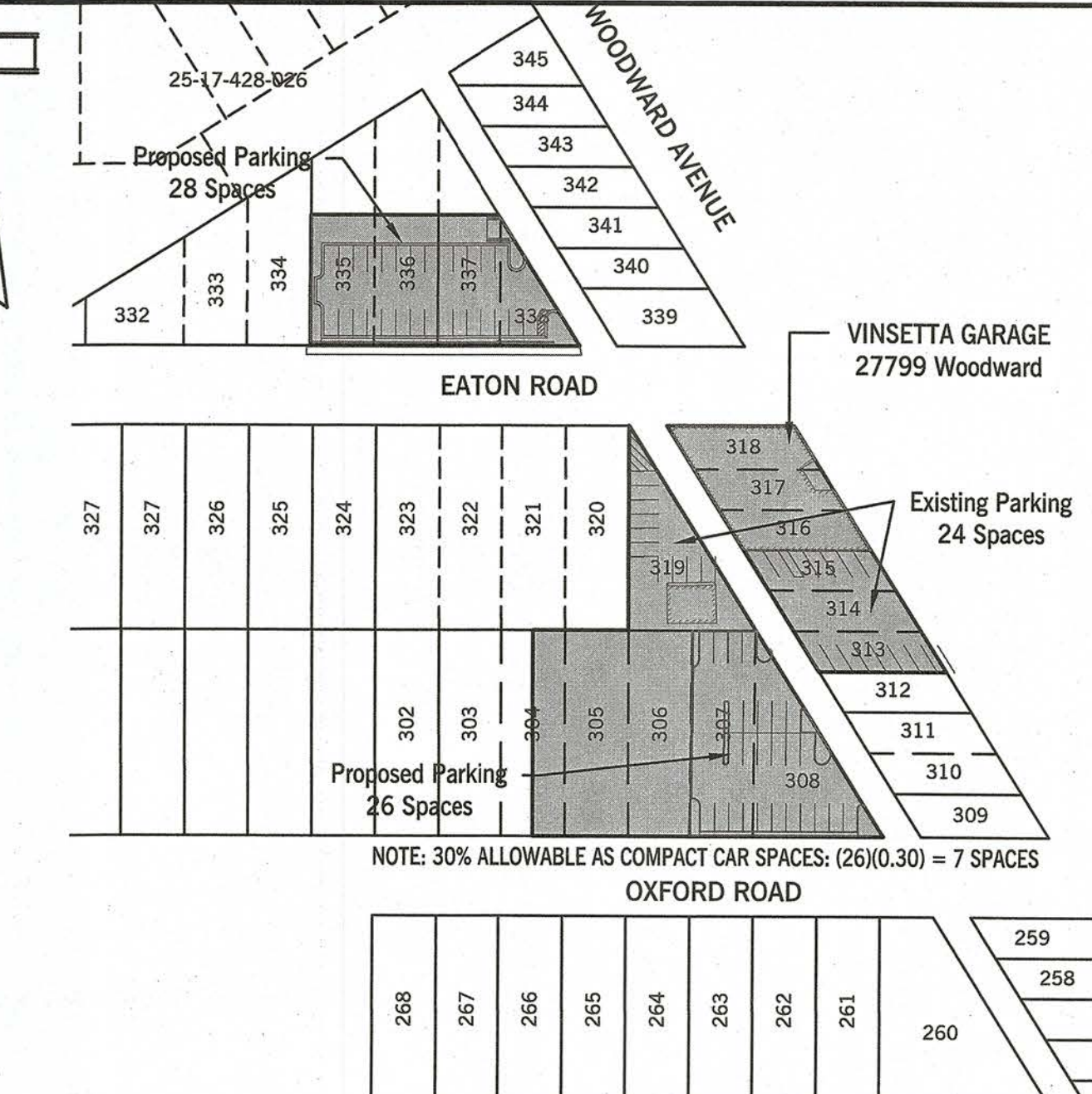
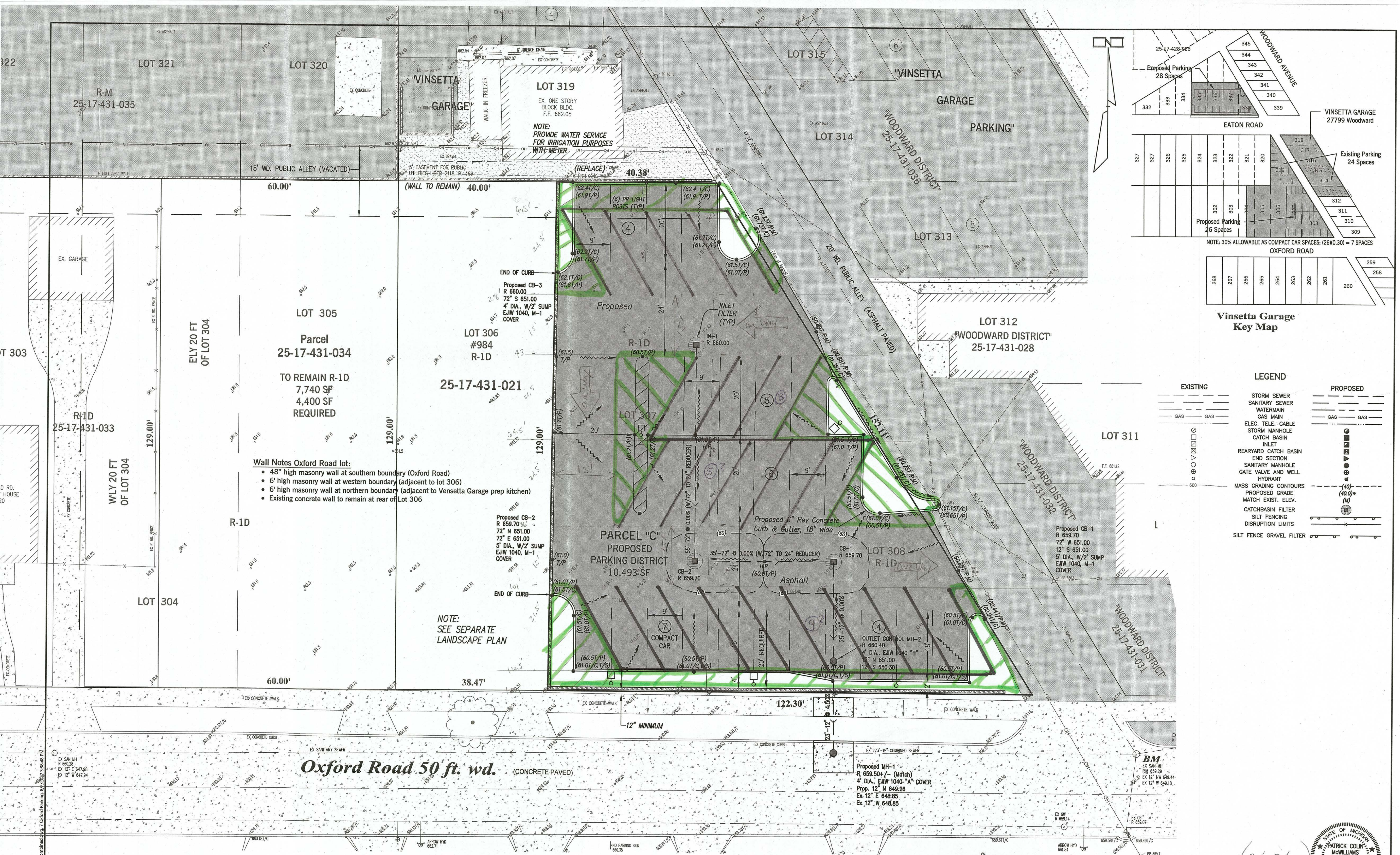
Review from City of Berkley Fire Inspector

Fire Inspector Jon Roberts stamped the plan set July 8, 2022 and stated no additional approvals were needed based on the revisions.

Summary and Recommendation

Staff recommends the Planning Commission approve the plan with the following conditions:

1. The applicant provide the required cut sheets for staff review prior to final approval of the plan;
2. The applicant reduce the light levels at the southern property line of the Oxford lot to 0.0 foot candles;
3. Compliance with the items noted in the DPW August 19, 2022 and HRC August 18, 2022 review letters; and
4. Final site plan approval from DPW, HRC, the Fire Marshall and the Community Development Director.



Vinsetta Garage Key Map

LEGEND

EXISTING	PROPOSED
--- (dashed line)	--- (solid line)
--- (dotted line)	--- (dotted line)
--- (dash-dot line)	--- (dash-dot line)
--- (long-dash line)	--- (long-dash line)
--- (short-dash line)	--- (short-dash line)
--- (dash-dot-dot line)	--- (dash-dot-dot line)
--- (long-dash-dot line)	--- (long-dash-dot line)
--- (short-dash-dot line)	--- (short-dash-dot line)
--- (dash-dot-dot-dot line)	--- (dash-dot-dot-dot line)
--- (long-dash-dot-dot line)	--- (long-dash-dot-dot line)
--- (short-dash-dot-dot line)	--- (short-dash-dot-dot line)
--- (dash-dot-dot-dot-dot line)	--- (dash-dot-dot-dot-dot line)
--- (long-dash-dot-dot-dot line)	--- (long-dash-dot-dot-dot line)
--- (short-dash-dot-dot-dot line)	--- (short-dash-dot-dot-dot line)
--- (dash-dot-dot-dot-dot-dot line)	--- (dash-dot-dot-dot-dot-dot line)
--- (long-dash-dot-dot-dot-dot line)	--- (long-dash-dot-dot-dot-dot line)
--- (short-dash-dot-dot-dot-dot line)	--- (short-dash-dot-dot-dot-dot line)
--- (dash-dot-dot-dot-dot-dot-dot line)	--- (dash-dot-dot-dot-dot-dot-dot line)
--- (long-dash-dot-dot-dot-dot-dot line)	--- (long-dash-dot-dot-dot-dot-dot line)
--- (short-dash-dot-dot-dot-dot-dot line)	--- (short-dash-dot-dot-dot-dot-dot line)
--- (dash-dot-dot-dot-dot-dot-dot-dot line)	--- (dash-dot-dot-dot-dot-dot-dot-dot line)
--- (long-dash-dot-dot-dot-dot-dot-dot line)	--- (long-dash-dot-dot-dot-dot-dot-dot line)
--- (short-dash-dot-dot-dot-dot-dot-dot line)	--- (short-dash-dot-dot-dot-dot-dot-dot line)

Wall Notes Oxford Road lot:

- 48" high masonry wall at southern boundary (Oxford Road)
- 6" high masonry wall at western boundary (adjacent to lot 306)
- 6" high masonry wall at northern boundary (adjacent to Vensetta Garage prep kitchen)
- Existing concrete wall to remain at rear of Lot 306

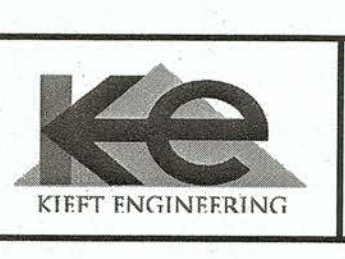
Proposed Parking Spaces = 26

Angled Parking Layout Sketch (Only 21 Spaces or Less)
FCM
8-3-2022

DATE	REVISION	ISSUE
12-1-2019	REVISED PER CLIENT	
5-14-2020	PER CONSENT JUDGEMENT	
10-8-2021	REVISED PER CITY DIRECTOR (10-1-2021)	
12-8-2021	REVISED PER CLIENT (12-1-2021)	
1-28-2022	REVISED PER CITY MEETING LETTER (1-28-2022)	
5-27-2022	REVISED PER CITY MEETING LETTER (5-8 & 9-2022)	
7-29-2022	REVISED PER CITY MEETING (7-27-2022)	

PROPRIETOR:
UNION JOINTS
90 NORTH MAIN STREET
CLARKSTON, MICHIGAN 48346
(248) 830-4937

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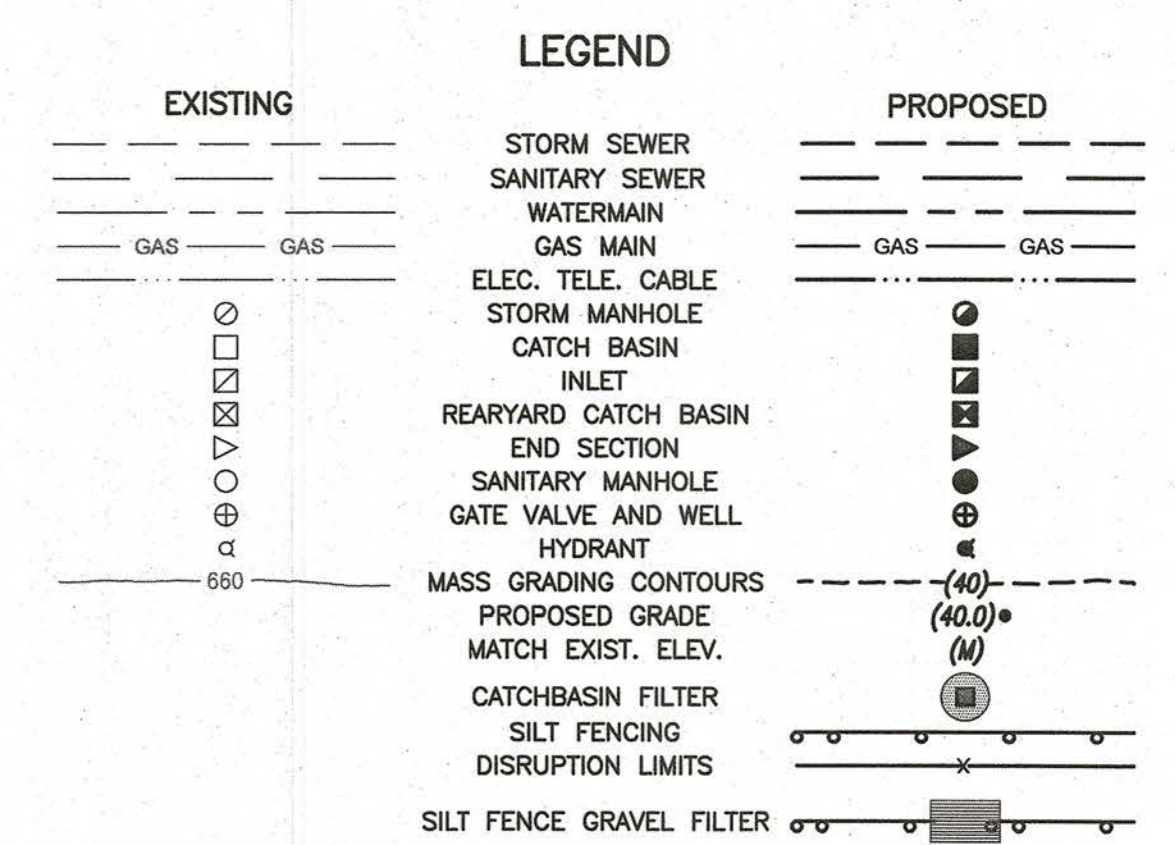
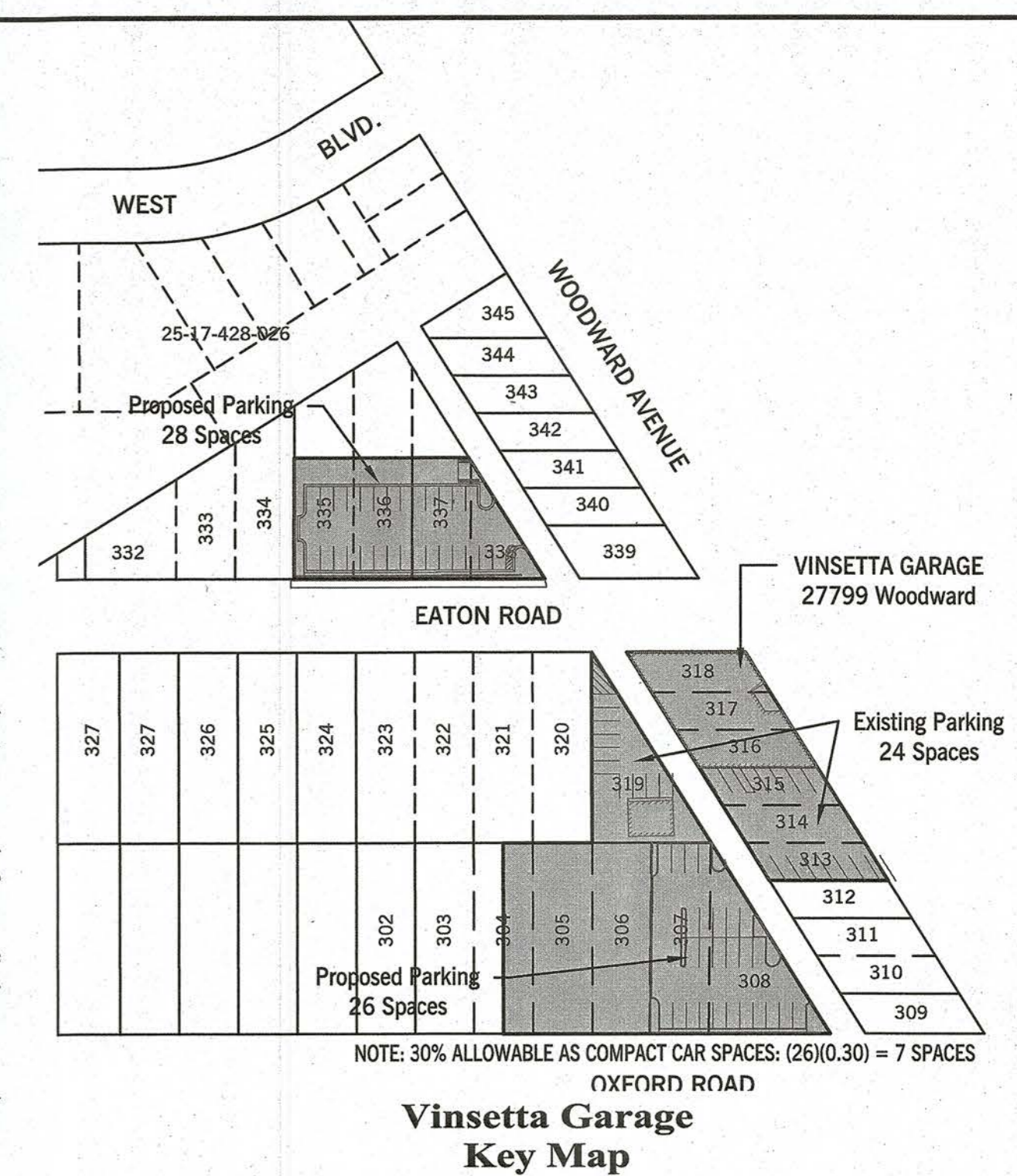
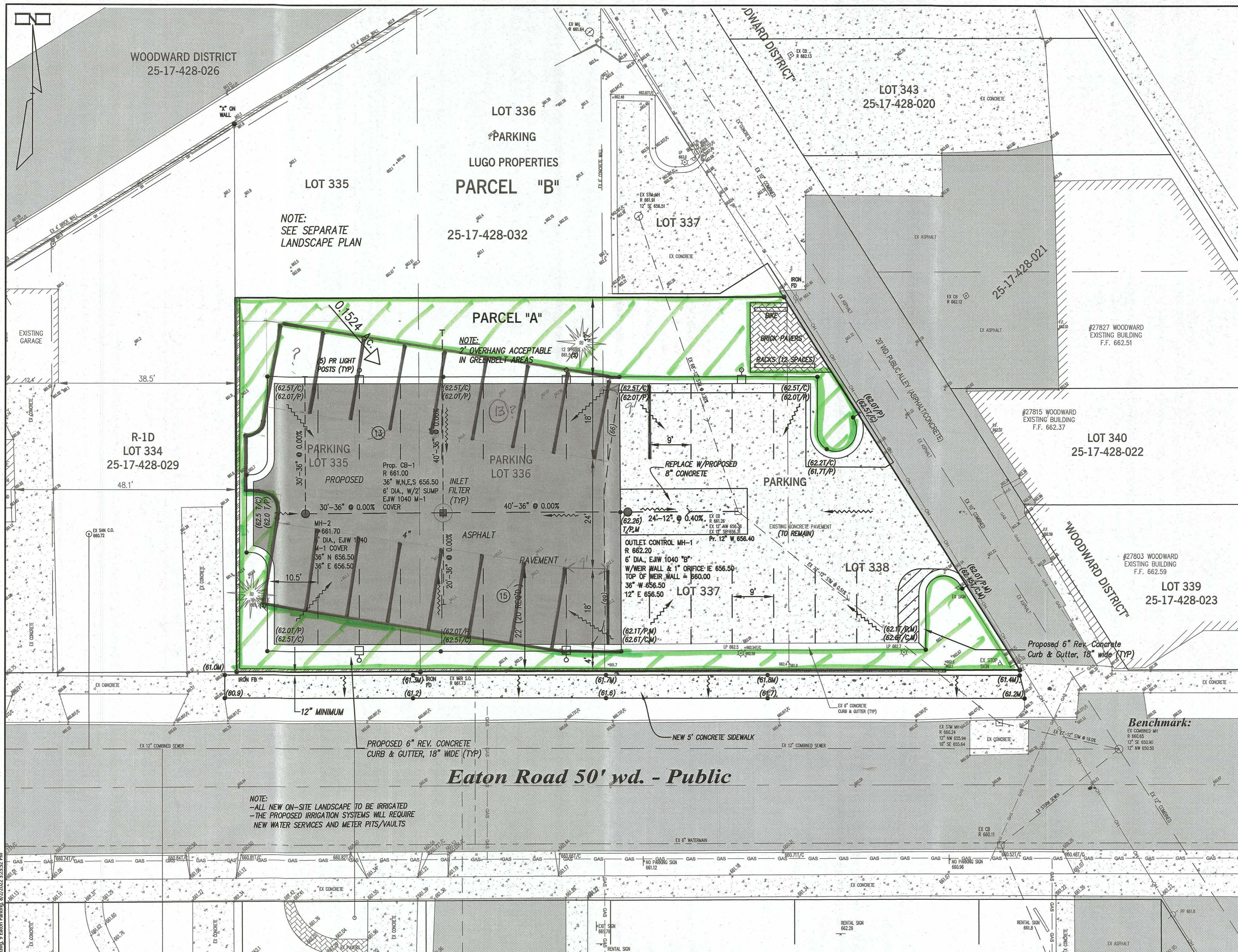
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5852 SOUTH MAIN STREET, SUITE 1, CLARKSTON, MICHIGAN 48346
PHONE (248) 625-5251 www.kiefteng.com FAX (248) 625-7110

DATE 2-23-16	CKD. BY DATE
DRAWN GF	
DESIGN JJS/PCM	
SECTION 17	T-1-N-R-11-E



Proposed Oxford Road Parking Plan
VINSETTA GARAGE
CITY OF BERKLEY, OAKLAND COUNTY, MICHIGAN

SCALE 1" = 10'
SHEET 7 OF 10
KE 2015.344



- Wall Notes Eaton Road lot:**
- 48" high masonry wall at southern boundary (Eaton Road)
 - 6' high masonry wall at western boundary (adjacent to residential)

Proposed Parking Spaces = 28

Shifted Parking Layout Sketch (still 28 spaces or less)

PCM 8-3-2022

DATE: 5-14-2020
ISSUE: PER CONSENT JUDGMENT

DATE: 10-9-2021
ISSUE: REVISED PER CITY DIRECTOR (10-1-2021)

DATE: 5-27-2022
ISSUE: REVISED PER CITY MEETING LETTER (5-2-2022)

DATE: 7-29-2022
ISSUE: REVISED PER CITY REVIEW LETTER (5-9-2022)

DATE: 7-29-2022
ISSUE: REVISED PER CITY MEETING (7-27-2022)

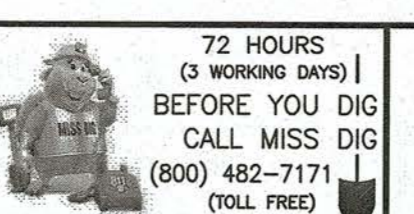
PROPRIETOR:
UNION JOINTS
90 NORTH MAIN STREET
CLARKSTON, MICHIGAN 48346
(248) 830-4937

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KIEFT ENGINEERING, INC.
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS
5852 SOUTH MAIN STREET, SUITE 1, CLARKSTON, MICHIGAN 48346
PHONE (248) 625-5251 www.kiefteng.com FAX (248) 625-7110

DATE 12-29-16 CKD. BY DATE
DRAWN GF
DESIGN JJS/PCM
SECTION 17 T-1-N-R-11-E



Proposed Eaton Road Parking Plan
VINSETTA GARAGE
CITY OF BERKLEY, OAKLAND COUNTY, MICHIGAN

SCALE 1" = 10'
SHEET 9 OF 10
KE 2015.344



APPLICATION FOR SITE PLAN REVIEW

NOTICE TO APPLICANT: Applications for Site Plan review by the Planning Commission must be submitted to the City of Berkley Building Department in **substantially complete form** at least 30 days prior to the Planning Commission's meeting at which the application will be considered. The application must be accompanied by the data specified in the Zoning Ordinance, including fully dimensioned site plans, plus the required review fees.

The Planning Commission meets the fourth Tuesday of the month at 7:00pm in the Council Chambers at the City of Berkley City Hall, 3338 Coolidge Hwy, Berkley, MI 48072.

TO BE COMPLETED BY APPLICANT:

I (We), the undersigned, do hereby respectfully request Site Plan Review and provide the following information to assist in the review:

Project Name: Vinsetta Garage - Eaton and Oxford Parking Lots

Applicant: 27799 Woodward LLC - Union Joints

Mailing Address: 90 N. Main Street, Clarkston, MI 48346

Telephone: [REDACTED]

Email: [REDACTED]

Property Owner(s), if different from Applicant: Curt Catallo and Keith Crain Jr.

Mailing Address: 90 N. Main Street, Clarkston, MI 48346

Telephone: [REDACTED]

Email: [REDACTED]

Applicant's Legal Interest in Property: Owner of properties

LOCATION OF PROPERTY:

Street Address: Eaton Parking Lot Oxford Parking Lot

Nearest Cross Streets: Eaton - 200' west of Woodward Ave Oxford - 140' west of Woodward Ave.

Sidwell Number(s): Eaton - 25-17-428-033 Oxford - 25-17-431-022 &023

PROPERTY DESCRIPTION:

Provide lot numbers and subdivision: (Larkmoor Boulevard Subdivision) Eaton Parking Lot - Lot #'s 335-338
Oxford Parking Lot - Lot #'s 307 & 308

Property Size (Square Feet): Eaton Lot: 11,807 SF (Acres): 0.271 Acres
Oxford: 10,493 SF 0.240 Acres

EXISTING ZONING DISTRICT *(please check):*

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> R-1A | <input type="checkbox"/> Local Business | <input type="checkbox"/> Coolidge |
| <input type="checkbox"/> R-1B | <input type="checkbox"/> Office | <input type="checkbox"/> Downtown |
| <input type="checkbox"/> R-1C | <input type="checkbox"/> Community Centerpiece | <input type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> R-1D | <input type="checkbox"/> Woodward | <input type="checkbox"/> Cemetery |
| <input type="checkbox"/> RM | <input type="checkbox"/> Eleven Mile | <input type="checkbox"/> Parking |
| <input type="checkbox"/> RMH | <input type="checkbox"/> Twelve Mile | |

Present Use of Property: Vacant

Proposed Use of Property: Parking Lots

Is the property located within the Downtown Development Authority? Yes No

PROJECT DESCRIPTION:

Construction of Eaton Parking Lots (28 spaces) and Oxford Parking Lot (26 spaces)

Does the proposed project / use of property require Special Land Use approval? Yes No

Does the proposed project require Variance(s) from the Zoning Board of Appeals? Yes No

If yes, please describe Variances required:

N/A

PLEASE COMPLETE THE FOLLOWING CHART:

Eaton & Oxford Parking Lots for Vinsetta Garage Restaurant

Type of Development	Number of Units	Gross Floor Area	Number of Parking Spaces On Site	Number of Employees on Largest Shift
Attached Residential				
Office				
Commercial	(restaurant)	5,500	24	30
Industrial				
Other				

PROFESSIONALS WHO PREPARED PLANS:

A. Name: Kieft Engineering, Inc. (Patrick McWilliams, P.E.)
 Mailing Address: 5852 S. Main Street, Clarkston, MI 48346
 Telephone: [REDACTED]
 Email: [REDACTED]
 Design Responsibility (engineer, surveyor, architect, etc.): Engineer

B. Name: J. Eppink Partners, Inc. (James Eppink, LA)
 Mailing Address: 9336 Sashabaw Rd. Clarkston, MI 48348
 Telephone: [REDACTED]
 Email: [REDACTED]
 Design Responsibility: Landscape Architect

SUBMIT THE FOLLOWING:

1. Fifteen (15) individually folded copies of the site plans, measuring 24" x 36", sealed by a registered architect, engineer, or surveyor.
2. A pdf file of the site plans, submitted to the Community Development Director.
3. Proof of property ownership (title insurance policy or registered deed with County stamp).
4. Review comments or approval received from County, State or Federal agencies that have jurisdiction over the project, including, but not limited to:
 - N/A
 - Road Commission for Oakland County
 - MI Dept. of Transportation
 - Oakland County Health Division
 - MI Dept. of Environment, Great Lakes & Energy

PLEASE NOTE: The applicant, or a designated representative, **MUST BE PRESENT** at all scheduled meetings, or the Site Plan may be tabled due to lack of representation.

Failure to provide true and accurate information on this application shall provide sufficient grounds to deny approval of a Site Plan Application or to revoke any permits granted subsequent to the site plan approval.

We encourage applicants to make a presentation of the proposed project to the Planning Commission and City Council, as appropriate. To assist in this effort, we have available for your use at meetings a projector, laptop computer and screen. This will allow the Planning Commission and audience to be fully engaged so they can give your project the attention it deserves. Planning Commission meetings are recorded and televised.

PROPERTY OWNER'S APPROVAL: (Initial each line)

U CC I hereby authorize the employees and representatives of the City of Berkeley to enter upon and conduct an inspection and investigation of the above-referenced property.

APPLICANT'S ENDORSEMENT: (Initial each line)

[Signature] TY All information contained therein is true and accurate to the best of my knowledge.

[Signature] TY I acknowledge that the Planning Commission will not review my application unless all information in this application and the Zoning Ordinance has been submitted. I further acknowledge that the City and its employees shall not be held liable for any claims that may arise as a result of acceptance, processing or approval of this site plan application.

[Signature] TY I hereby acknowledge that if engineering or other reviews are required, additional fees must be submitted. Should the review fees be greater than the required minimum, sufficient additional charges will be imposed to satisfy the additional review fees. All fee obligations must be satisfied prior to permit approval.

If an application is withdrawn more than three (3) weeks prior to the meeting date, 90% of the fee will be refunded. If the application is withdrawn less than three (3) weeks prior to the meeting, no refund will be given.



4/21/2022

Signature of Applicant

Date

Tony Yearego, Project Manager

Applicant Name (Print)

Signature of Applicant

Date

Applicant Name (Print)



4/21/2022

Signature of Property Owner Authorizing this Application

Date

Curt Catallo, Owner

Property Owner Name (Print)

OFFICE USE ONLY

Received 4-25-22 Receipt # 00060805 Meeting Date _____ Case # PSP-10-22

Fees: Site Plan Review \$600 Façade Change: \$200 Revision: \$300

Extension \$200 Engineering: Multi-family \$1,500 + \$30/unit

Escrow (New construction) \$1,000 Commercial \$1,000

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

27799 WOODWARD, LLC,
a Michigan limited liability company,

Plaintiff,

v

Case No. 2017-159355-CZ
Hon. Denise Langford Morris

CITY OF BERKLEY,
a Michigan municipal corporation,

Defendant.

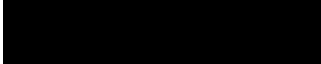
TOM KALAS (P41805)
KALAS KADIAN, P.L.C.
Attorneys for Plaintiff
31350 Telegraph Road, Suite 201
Bingham Farms, MI 48025



LAUREL F. McGIFFERT (P31667)
PLUNKETT COONEY
Attorneys for Defendant City of Berkley
150 W Jefferson, Suite 800
Detroit, MI 48226



JOHN D. STARAN (P35649)
HAFELI STARAN & CHRIST, P.C.
Attorneys for Defendant City of Berkley
2055 Orchard Lake Road
Sylvan Lake, MI 48320-1746



CONSENT JUDGMENT

Upon stipulation and consent of the parties, by and through their respective attorneys, the
Court finds:

A. Plaintiff 27799 Woodward, LLC is a Michigan limited liability company that owns certain real property (hereafter the "Subject Property") in Berkley, Michigan, located west of Woodward Ave., south of Catalpa, and on the north side of Oxford Street commonly known as 960, 972, 984 and 996 Oxford Street, Berkley, Michigan (parcel nos. 25-17-431-023, 022, 021, and 034, respectively). The legal description of the Subject Property is attached as Exhibit 1. The Subject Property on Oxford Street is behind and across a public alley from the Vinsetta Garage restaurant located at 27799 Woodward, Berkley, Michigan. Plaintiff and the Vinsetta Garage are related entities.

B. Defendant City of Berkley ("City") is a Michigan municipal corporation in Oakland County that is organized and exists under the Home Rule Cities Act, MCL 117.1 et seq.

C. Pursuant to the Michigan Zoning Enabling Act, MCL 125.3101, et seq, the City has adopted a Zoning Ordinance and Zoning Map, which have been amended from time to time.

D. In June 2016, Plaintiff filed with the City Plaintiff's Application for Rezoning requesting a conditional rezoning of the Subject Property from R-1D Single-Family Residential District to P-1 Parking District to allow Plaintiff to thereon develop an additional parking lot for the Vinsetta Garage restaurant.

E. On September 16, 2016, the Berkley Planning Commission, after holding a public hearing, recommended denial of Plaintiff's rezoning request.

F. On October 3, 2016, the Berkley City Council denied the rezoning request.

G. Thereafter, Plaintiff filed an application with the Berkley Zoning Board of Appeals requesting a land use variance.

H. On December 12, 2016, the Berkley Zoning Board of Appeals, after holding a public hearing, denied Plaintiff's land use variance request.

I. On June 20, 2017, Plaintiff filed its Complaint in this Court against the City requesting invalidation of the R-1D zoning of the Subject Property, equitable relief and money damages.

J. The parties subsequently participated in facilitative mediation, which took place in 2018.

K. The parties now desire to compromise and settle the lawsuit in accordance with the terms and conditions of this Consent Judgment in order to avoid further litigation costs and expenses and the risks and uncertainties of a trial, and to resolve their differences relative to this matter without any admission or finding of liability.

L. This Consent Judgment is presented to the Court by stipulation of the parties, through their respective attorneys, and the Court determines this Consent Judgment is reasonable and just.

THEREFORE, IT IS ORDERED THAT:

1. The Subject Property shall remain zoned R-1D Single Family Residential District. Nothing in this Consent Judgment prohibits or precludes the City, in its legislative discretion, from later amending the zoning of the Subject Property. But, notwithstanding the zoning of the Subject Property now or as may be later amended, Plaintiff may develop, construct and use the Subject Property in conformance with the terms of this Consent Judgment. The use of the Subject Property in conformance with this Consent Judgment shall be considered to be a lawful and conforming permitted use. In the event of destruction or damage by storm or other casualty, and notwithstanding the zoning of the property at such time, Plaintiff may redevelop and re-use the Subject Property in conformance with this Consent Judgment.

2. Plaintiff may use parcels 25-17-431-023 and 022 on Oxford Street (herein "Oxford parking lot property") for parking use consistent with, and as would be permitted under, the City's P-1 Parking District in effect as of January 1, 2020. In accordance with the P-1 zoning ordinance requirements, Plaintiff shall provide and install a screening wall and landscaping for its parking

lot, and any parking lot lighting shall be designed and shielded to protect against spill-over effects to, or illumination of, adjacent residential properties. Lighting shall not exceed zero (0) foot candles at the western and southern property lines. Plaintiff shall provide photo metrics for the parking lot lighting for review and approval by the City as part of the site plan review and a approval process.

3. Plaintiff shall apply to the City and obtain any required permits or approvals and demolish and remove any existing structures located on 984 Oxford (parcel 25-17-431-021). Demolition and removal shall occur prior to or simultaneous with construction of the Oxford parking lot on parcels 25-17-431-023 and 022.

4. Plaintiff shall build or cause to be built on parcel 25-17-431-021 a new, site-built, single-family residential dwelling conforming to the City's R-1D zoning and applicable codes and regulations. Construction of that new dwelling shall commence no later than 90 days after completion and the city's final approvals of the Oxford parking lot construction on parcels 25-17-431-023 and 022, and shall proceed diligently and continuously to completion, weather permitting. Whether to construct the new dwelling on parcel 25-17-431-021 or to have a third party successor lot purchaser do so, in accordance with the requirements contained herein, shall be Plaintiff's choice.

5. On the remaining, western-most parcel 25-17-431-034, which is currently vacant, Plaintiff shall, within one year after completion and final approval of the Oxford parking lot construction, commence to build, cause to be built, or sell for the purpose of building, one or more additional single-family residential dwellings thereon in accordance with the R-1D zoning and applicable codes and regulations. Both parcels 25-17-431-021 and 034 shall be restricted to single-family residential dwelling purposes and use unless the City, in its sole, legislative discretion, decides to later change the zoning of those parcels to allow a different use.

6. Prior to commencing any construction of the Oxford parking lot on parcels 25-17-431-023 and 022, Plaintiff must apply for and obtain site plan approval from the City Planning

Commission in accordance with the City's Zoning Ordinance. The scope of the City Planning Commission's site plan review shall be to determine whether Plaintiff's site plan is consistent with this Consent Judgment and applicable City ordinances. The Planning Commission shall not have authority to require any modification that is inconsistent with the Consent Judgment or reduces the number of parking spaces below 26.

7. The previous Collaboration Agreement dated April 4, 2016, between the City, Vinsetta Garage Holding, LLC, and Lugo Properties, was terminated by Lugo Properties and replaced in its entirety by the Restated and Amended Collaboration Agreement (herein "Restated Collaboration Agreement") dated February 7, 2020 (copy attached as Exhibit 2). The Restated Collaboration Agreement, upon execution by all applicable parties, shall be implemented diligently and in good faith by Plaintiff and the City in accordance with the terms thereof simultaneous with implementation of this Consent Judgment. Plaintiff shall submit a site plan for construction of a parking lot on the Eaton lots covered by the Restated Collaboration Agreement. Plaintiff shall submit its Eaton parking site plan to the City Planning Commission before or simultaneous with Plaintiff's filing of its site plan for development of the parking lot on Oxford Street. The City Planning Commission shall process and review the Eaton parking lot site plan in accordance with its P-1 District regulations in effect as of January 1, 2020, and its site plan review ordinance requirements and shall process the site plan without undue delay, time being of the essence. The scope of the site plan review shall be to determine whether Plaintiff's site plan is consistent with this Consent Judgment and applicable City ordinances. No changes or modifications shall be required to the site plan that result in less than 28 parking spaces being constructed. Upon receiving site plan approval, Plaintiff shall proceed in good faith and with due diligence to secure engineering and other necessary permits and approvals and to commence construction of the Eaton parking lot. The Eaton parking lot shall be constructed before or simultaneous with construction of the Oxford parking lot. Whether to construct the Eaton parking lot before or simultaneous with the Oxford parking lot construction shall be Plaintiff's choice. Issuance by the

City of site plan approvals and permits for the Eaton and Oxford parking lots shall not be unreasonably delayed or withheld, time being of the essence.

8. Plaintiff shall commence construction of the Oxford and Eaton parking lots within 60 days, weather permitting, after receiving final engineering and permit approvals from the City and any other public agencies with jurisdiction over the parking lot construction. Plaintiff intends to construct the Oxford and Eaton parking lots at the same time; thus, Plaintiff may delay construction of the Oxford parking lot until it receives all final site plan, engineering and permit approvals for both the Oxford and Eaton parking lots from the City and any other public agencies with jurisdiction over the parking lots construction. To the extent possible, the Eaton and Oxford parking lot screening walls shall be constructed using similar materials so as to show resemblance in appearance, and the parking lot surfaces will consist of asphalt paving. The screening walls may consist of masonry construction or such other similar or decorative material presented by Plaintiff and approved by the Planning Commission.

9. The public alley behind the Vinsetta Garage restaurant shall allow north and southbound vehicle traffic, and any current signs indicating otherwise shall be removed. Vehicular ingress and egress to the Oxford parking lot shall be solely via the adjacent public alley to the east. Likewise, vehicular ingress and egress to the Eaton parking lot shall be solely via the adjacent public alley to the east. There shall be no other curb cuts or driveways proposed nor permitted from either parking lot onto Oxford or Eaton Streets.

10. After the Oxford and Eaton parking lots are constructed and put into operation, Plaintiff and Car Bar, LLC d/b/a Vinsetta Garage Restaurant (herein "Vinsetta Garage") may, at its option, discontinue valet parking service and any leases, agreements, or arrangements it currently has for offsite, shared parking.

11. Plaintiff shall ensure that the management of the Vinsetta Garage will use its best efforts to discourage and prohibit its employees from parking on the street on Oxford or Eaton Streets, and Plaintiff shall further ensure that the management of Vinsetta Garage will use its best

efforts to educate and discourage its customers and visitors from parking on the street on Oxford and Eaton Streets.

12. No signs, except for directional and traffic control, and signs restricting parking to Vinsetta Garage patrons and indicating violators may be towed, shall be allowed at or within the Oxford and Eaton parking lots. Advertising signs are prohibited, but signs with towing information are allowed.

13. Except as modified in this Consent Judgment, development and use of the Oxford and Eaton parking lots shall conform to the City's Zoning Ordinance and all other applicable codes and regulations. No other variances or waivers from the City's Zoning Ordinance or other codes and regulations may be requested or granted for the development and use of the parking lots and Subject Property, unless required to meet the intention of the parties under this Consent Judgment and consistent with the minimum number of required parking spaces for Eaton and Oxfords. Once the Eaton and Oxford parking lots are constructed and put in use, Plaintiff and Vinsetta Garage Restaurant shall be deemed to be in compliance with the City parking requirements as they pertain to these parties and their current uses and occupancy loads at the time of entry of this Consent Judgment.

14. Notwithstanding the foregoing, the parties acknowledge that some minor modification of the site plans may result from further engineering or requirements of other public agencies. Minor modifications shall be allowed by the City if the modification is substantially in compliance with this Consent Judgment, the parties' intent, and the final site plans. Such minor modifications shall not, however, enlarge the parking lot on Oxford beyond the current boundaries of parcels 25-17-431-023 and 022.

15. Plaintiff and the City for themselves, and their boards, commissions, officials, officers, employees, contractors, and related entities, mutually release and discharge each other from any and all claims, demands, causes of action, suits, liabilities, damages and rights which may now exist or which may subsequently accrue by reason of acts, events, circumstances,

incidents, transactions, or occurrences arising out of or relating to this lawsuit and existing on the date of entry of this Consent Judgment, whether known or unknown on that date. This mutual release does not, however, bar claims, actions or proceedings brought by either party to construe or enforce this Consent Judgment.

16. This Consent Judgment shall be recorded with the Oakland County Register of Deeds, and the rights, duties, responsibilities, obligations, restrictions, and covenants herein shall run with the land and shall bind and inure to the benefit of the parties' respective successors, grantees and assigns.

17. To the extent this Consent Judgment conflicts with any City ordinance or regulation, the terms of this Consent Judgment shall control. To the extent this Consent Judgment is silent on issues regulated by City ordinance or regulation, then the City ordinance or regulation shall control.

18. The terms of this Consent Judgment may be amended or modified only by written agreement of the parties and approved or ordered by the Court. Minor modifications to the final Site Plans, may be approved administratively by the City without having to amend this Consent Judgment.

19. The parties and their respective successors and assigns shall treat each other in good faith and shall take no action which is contrary to or interferes with the spirit of this Consent Judgment, nor omit any action which is necessary or convenient to or consistent with the spirit and intent of this Consent Judgment.

20. By their execution of this Consent Judgment, the parties represent and warrant that they have the authority to execute this Consent Judgment and bind their respective entities, successors and assigns to its terms and conditions.

21. Any clerical errors or mistakes in document or exhibit descriptions contained in this Consent Judgment may be corrected by the parties, and all parties agree to cooperate in

making such corrections in order to effectuate the spirit and intent of the parties in entering into this Consent Judgment

22. This Consent Judgment is hereby deemed to include all exhibits attached hereto and any attached plans referenced herein, said exhibits and plans being incorporated herein and made a part hereof fully and to the same extent as if the contents of the exhibits and plans were set out in their entirety in this Consent Judgment. All references to this Consent Judgment are deemed to be a reference to the body of this Judgment and to the exhibits and the attached plans.

23. Each party hereby acknowledges that all parties hereto participated equally in the negotiation and drafting of this Consent Judgment and that, accordingly, no court construing this Consent Judgment shall construe it more stringently against one party than the other.

24. The Court retains continuing jurisdiction to interpret and enforce this Consent Judgment.

THIS CONSENT JUDGMENT RESOLVES ALL PENDING CLAIMS AND CLOSES THE CASE.

2/7/2020

/s/ Denise Langford Morris
Hon. Denise Langford Morris DC
Circuit Court Judge

Approved for Entry:

27799 Woodward, LLC

By:  _____

Its: Authorized Member

City of Berkley

By:  _____

Its: Mayor (Per City Council approval
2020)


By:  _____

Its: Clerk (Per City Council approval
Feb. 4, 2020)

27799 Woodward, L.L.C.

By: 

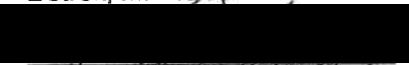
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City of Berkley

By: 

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150 W Jefferson, Suite 800
Detroit, MI 48226



By: 

JOHN D. STARAN (P35649)
HAFELI STARAN & CHRIST, P.C.
Attorneys for Defendant City of Berkley
2055 Orchard Lake Road
Sylvan Lake, MI 48320-1746



Prepared By and
When Recorded Return to:

JOHN D. STARAN (P35649)
HAFELI STARAN & CHRIST, P.C.
2055 Orchard Lake Road
Sylvan Lake, MI 48320-1746





Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Date: July 11, 2022

August 15, 2022

Rezoning and Site Plan Review For City of Berkley, Michigan

Applicant:	Anil Thakady, Union Joints
Project Name:	Vinsetta Garage Parking
Plan Date:	July 27, 2022
Location:	Oxford Road and Eaton Road
Zoning:	Parking District and R1-D District
Action Requested:	Rezoning and Site Plan Approval

BACKGROUND

Vinsetta Garage has identified two locations for additional parking. The first is located on the north side of Eaton, west of the alley that runs parallel to Woodward. The second site is located on the northside of Oxford Road, west of the alley that runs parallel to Woodward. Both sites are privy to a consent judgment. Please see section below for more details.

The Eaton Road site is one (1) parcel with all of lot 338, and parts of lots 335, 336, and 337. The site is zoned Parking District, which permits the use of parking. The Oxford Road site is one (1) parcel includes lots 307 and 308, and ½ of the vacated alley. The site is zoned R1-D. The conversion of the site to parking lot is part of the consent judgement.

Richard K. Carlisle, *President* Douglas J. Lewan, *Executive Vice President* John L. Enos, *Principal*
David Scurto, *Principal* Benjamin R. Carlisle, *Principal* Sally M. Elmiger, *Principal* Craig Strong, *Principal* R. Donald Wortman, *Principal*
Laura K. Kreps, *Associate* Paul Montagno, *Associate*

Site Location:





Proposed Use of Subject Parcels:

Parking for Vinsetta Garage

Surrounding Property Details:

Eaton:

Direction	Zoning	Use
North	Woodward District	Commercial
South	Parking District and Multiple Family RM	Commercial/Multiple Family Residential
West	R-1D District	Single Family Residential
East	Woodward District	Alley/Commercial

Oxford:

Direction	Zoning	Use
North	Parking District	Commercial
South	Woodward District and R-1D	Single Family Residential and Commercial
West	R-1D	Single Family Residential
East	Woodward District	Alley/Commercial

Items to be addressed: None.

ZONING MAP



NATURAL FEATURES

The sites have been graded for parking and buildings. There are no existing natural resources.

NEIGHBORHOOD COMMENTS

The neighborhood has submitted the following comments from Planning Commission consideration:

- 1) In advance of Planning Commission and City Council meetings to approve site plans for Eaton and Oxford, the City meets with Residents for discussion and input on submitted plans;
- 2) Clear, specific and enforceable timelines for the Eaton and Oxford developments – from current demolition to full completion – be set, followed, and enforced;

- 3) The Vinsetta Garage be held accountable for their actions and to the fulfillment of their written and verbal agreements and promises to the City and to the Residents;
- 4) The City begin reclamation, rejuvenation, and beautification of the neighborhood in the areas under its control;
- 5) Reorient parking to angled parking;
- 6) Parking lot screen walls – especially those facing residences must be a minimum of 5 feet and of brick material matching the historic Vinsetta Garage; see touted examples at Westborn, Berkley Public Library, Flagstar Bank, Einstein Bagels, even Northpointe; per Berkley Code of Ordinance Sec.138-222 a screen wall abutting a residential property must be a minimum of 6 feet;
- 7) Parking lot screen walls setback as with residential fences and landscape “at least 12 inches from the sidewalk” (per Berkley Code of Ordinance Sec.138-85);
- 8) Removal of unnecessary 2-foot concrete splash walk inside parking lot to accommodate 2-foot (or more) setback between parking lot wall and sidewalk to provide planter strips for exterior hedges,
- 9) Illumination and light study to comply with Consent Judgment “Lighting shall not exceed zero (0) foot candles at the western and southern property lines” (CJ 2 (p.4));
- 10) Planter strips within parking lots to mitigate light pollution et al;
- 11) Increased vegetation: all;
- 12) Planter strips for vegetation/foilage 1) between sidewalk and wall facing the residences (facing south; hedges), 2) along west walls separating parking from residences, and 3) within parking lot itself to mitigate light pollution, sound and smell as well as to redress total tree removal from these properties; and
- 13) With property yard lawns/between the sidewalk and the street, trees every 6 feet rather than the 31.5 feet described in the landscape plan.

Some of these recommendations are not consistent with the consent judgment. However, the Planning Commission should keep these comments in mind when reviewing the application.

CONSENT JUDGEMENT

In 2020, the city and the applicant entered into a consent judgement. As part of that consent the following items were noted as provisions:

1. Oxford Lot only: The subject property shall remain R-1D. However, the plaintiff (applicant) may use parcels 25-17-431-022 and 023 for parking use as permitted under the City’s P-1 District. In accordance with P-1 District, plaintiff shall install a screening wall, landscaping, and lighting. Lighting shall not exceed zero (0) footcandles at the western and southern property line.

2. Oxford Lot only: Plaintiff shall apply and receive permits to demolish any structure at 984 Oxford (parcel 25-17-431-021). Demolition shall concur prior or concurrently with the construction of the parking lot.
3. Oxford Lot only: Plaintiff shall build or have built on parcel 25-17-431-021 a new single-family residential dwelling in accordance with R-4 District requirements. Construction shall commence no later than 90 days after completion of parking lot.
4. Oxford Lot only: On the remaining, western-most parcel (25-17-431-034), which is currently vacant, the applicant shall build or have built, one or more single family residential dwelling(s) in accordance with R-4 District requirements.
5. Both Lots: Applicant must receive site plan approval from the Planning Commission in accordance with City's Zoning Ordinance.
6. Both Lots: Construction of both Eaton and Oxford parking lots shall commence no later than 60 days after final engineering and permit approvals.
7. Both Lots: All access to the Eaton and Oxford parking lots shall be via the public alley. No direct access from Eaton or Oxford.
8. Oxford Lot: No changes or modifications shall be required to the Eaton parking lot site plan that result in less than 26 parking spaces.
9. Eaton Lot: No changes or modifications shall be required to the Eaton parking lot site plan that result in less than 28 parking spaces. Eaton lot shall be built concurrently with the Oxford lot.

There were other provisions but none that dealt with site plan issues. The applicant is permitted a total of 28 spaces in the Eaton Road lot and 26 spaces in the Oxford Road lot. Outside of items noted below, we find that the applicant has complied with the provisions of the consent judgement.

EATON ROAD PARKING LOT

Layout

The Eaton Road parking lot includes 28 spaces. The parking lot is accessed off the public alley and served with a 24-foot-wide parking lot aisle.

Section 138-220 (b) allows up to 30 percent, or 8.4 spaces in the Eaton Lot, to be compact spaces with an accessible rectangle of eight feet (8') in width and sixteen feet (16') in length. Based on our recommendation the eight (8) spaces along the southern property line were converted to compact spaces, with signs for "small cars only" placed on the screen wall. The conversion to compact spaces brings these spaces into compliance with the Zoning Ordinance, but also allows for more green space with additional landscaping to buffer the adjacent residential uses.

Landscaping/Screening

Per the Restated and Amended Collaboration Agreement (Exhibit 2 of the Consent Judgement), the northern part of Lot 337, 336, & 335 have been transferred to the ownership of Lugo Properties. Union Joints (Vinsetta Garage) retained ownership of the southern portion of parcels (now one lot 25-17-428-033). That said, we still question the need to provide a 17-foot buffer to this area if the future use is unknown and may be parking.



The applicant has provided a landscape plan. The applicant is providing six-foot tall masonry wall with limestone cap along the western boundary and a four-foot-tall wall along Eaton Road. In addition, there is a four foot (4') wide landscape buffer. In review of the landscape plan, we offer the following comments:

- The limited width of the buffer and the low growing profile of the plants does not provide a sufficient buffer.
- There is no internal landscaping within the parking lot.
- Burning bush is a non-native, invasive species. We recommend that these be replaced with native species of the same size and growth pattern, such as chokeberry.
- The applicant is providing 17-foot buffer along the northern property line. The buffer does not seem to have a purpose, and the future use of this area may be parking. We know the current and anticipated future use of the property to the west is single-family residential. A more practical application of additional screening would be along the western property line.

Can the applicant reconfigure the parking lot to add more internal landscaping and a greater buffer along the western property line? If this requires reduction/elimination of landscape buffer along the northern property line, it is worth the tradeoff, and the applicant can maintain the required 28 spaces.

Lighting

The applicant is proposing an additional five (5) pole mounted lights to the two (2) existing pole mounted lights. While the applicant has noted that photometric plan follows existing light pole height and spacing requirements, the photometric plan still does not indicate the pole height, either of the existing or proposed lights. As per our previous review, the applicant has reduced the height of the lights to 12-feet. Lastly, we request cut sheets of the lights in order to evaluate that all provisions of Sec. 138-143 have been met.

Items to be Addressed: 1). Consider reconfiguration of the parking lot to add more internal landscaping and a greater buffer along the western property line; 2). Amend landscape plan; and 3). Provide cut sheets of proposed lighting fixture.

OXFORD ROAD PARKING LOT

Layout

The Oxford Road parking lot includes 26 spaces. The parking lot is accessed off the public alley at two points and served with 24-foot-wide parking lot aisles. The parking on the southern end remains deficient. As requested, the applicant is utilizing the thirty percent (30%) allowance for seven (7) compact spaces. The reduction in width of spaces allows for additional landscaping or green space within the parking lot or to the west.

Landscaping/Screening

The applicant is providing six-foot tall masonry wall with limestone cap along the western boundary and a 4-foot-tall wall along Oxford Road. Per the request of the neighbors, we recommend that the applicant provide, and the Planning Commission allow a 5-foot wall along Oxford. The additional height is needed to screen lights and noise from not only the parking lot but also from Woodward.

In addition, there small planting area in the northwest and southwest portion of the parking lot. We recommend that the burning bushes proposed be replaced with a native species, such as chokeberry. The applicant proposes three (3) ginkgo trees and one (1) locust adjacent to the alley and four (4) maple trees along Oxford.

Twenty-six (26) spaces were permitted in the consent judgment. While the site plan provides 26 spaces, there is no internal landscaping, the landscaping overall is very minimal, and no landscape transition has been provided along the western property line. Could the applicant consider making the drive-aisle along the western property line one-way to reduce the width to 15-width and add a 5-foot landscape strip along the western property line?

Lighting

The applicant is proposing five (5) single fixture pole mounted lights and one (1) double fixture pole mounted light. The lights exceed the Consent Judgement requirement of 0.0 footcandles along the southern property line. A shield added to the back of the lights along the southern property line would likely bring the lighting levels into compliance with 0.0 footcandles at the southern property line per the consent judgment.

We note the applicant is proposing six (6) lights, which is intense for a small site. The applicant should reduce number of poles.

The neighbors and other stakeholders raise interesting points; some of which the applicant has addressed or can address. Other requests may not be able to be met while maintaining 26 parking spaces. However, overall, we question if the site plan standards in Section 138-679 of the Zoning Ordinance are met as presented. Reductions on the impacts upon adjacent neighbors particularly to the west, and Oxford Road to the south should be considered.

Methods to reduce impact include:

- Increase the height of the wall along Oxford to a minimum of five feet (5')
- Increase overall landscaping:
 - Increase interior landscaping, including landscape strips in parking lot.
 - Consider making the drive-aisle along the western property line one-way to reduce the width to 15-width and add a 5-foot landscape strip along the western property line.
- Reducing number of light poles.
- Comply with lighting standards in the Consent Judgment.

Items to be Addressed: *1). Increase the wall along Oxford to a minimum of five feet (5'); 2). Increase overall landscaping; 3). The applicant should consider making the drive-aisle along the western property line one-way to reduce the width to 15-width and add a 5-foot landscape strip along the western property line; 4). Reduce number of pole lights if possible and 5). Reduce lighting level at southern property line to 0.0 footcandles.*

RECOMMENDATION

The revised plans have not substantially changed from a planning and zoning point of view since our previous review. In response to the majority of our comments, the applicant has referred back to the consent judgement and not made changes. The City has requested that the applicant provide alternate parking layouts to demonstrate how the configurations suggested by the

residents and/or our review, such as moving the buffer to the west, are not feasible within the constraints of the consent judgement.

We recommend that the Planning Commission discuss the application with the applicant to see if additional site plan amendments can be made to reduce impact upon adjacent neighbors in order to bring the site plan into compliance with the site plan standards in Section 138-679 of the Zoning Ordinance. Discussion should include:

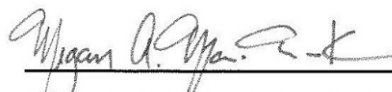
- Parking lot reconfiguration
- Increase the height of the wall along Oxford to a minimum of five feet (5')
- Increase overall landscaping:
 - Increase interior landscaping, including landscape strips in parking lot.
 - Consider making the drive-aisle along the western property line one-way to reduce the width to 15-width and add a 5-foot landscape strip along the western property line.
- Reduce number of light poles.

We look forward to discussing this with the Planning Commission.

Sincerely,



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



CARLISLE/WORTMAN ASSOC., INC.
Megan Masson-Minock, AICP
Senior Associate




CITY OF BERKLEY
DEPARTMENT OF PUBLIC WORKS
3238 BACON AVE, BERKLEY, MICHIGAN 48072

Transmittal Memo

To: Kristen Kapelanski, Community Development Director (via email)

Cc: Kim Anderson, Community Development Department (via email)
Ric Chalmers, Assistant DPW Director (via email)
Eddie Zmich, HRC (via email)

From: Shawn Young, DPW Director 

Date: August 19th, 2022

Subject: Eaton and Oxford Parking Lots associated with Vinsetta Garage Review

We have reviewed the site plans provided by the Community Development Department on August 3rd, 2022. Please find our comments below:

1. The existing sanitary pipes and connections from demolished homes shall be shown on the survey and demolition/removal plan. These lines are private and may require a licensed plumber to verify locations and size. All existing sewer connections cannot be reused and are required to be abandoned within 2' of the public main. Approximate tap and lead locations were previously supplied to the applicant. Please indicate this work on the demolition plan with Right of Way impacts shown.
2. The existing water services were retired at the mainline prior to the house demolitions. The proposed Irrigation Systems will require new Water Services and Meter Pits/Vaults which were noted on the plans. New water service and meter vault details and location to be shown on the plan.
3. A traffic control plan shall be added to the plan set to account for the proposed Right of Way impacts.

A response letter from the applicant to these comments would be helpful in subsequent reviews.

Feel free to call with any questions or concerns. Thank you.



August 18, 2022

City of Berkley
3338 Coolidge Highway
Berkley, Michigan 48072

Attention: Ms. Kristen Kapelanski, Community Development Director
Mr. Matthew Baumgarten, City Manager

Re: Vinsetta Garage
Eaton & Oxford Parking Lots
Engineering Site Plan – Review No. 3
City of Berkley, MI

HRC Job No. 20220259.02

Dear Ms. Kapelanski and Mr. Baumgarten:

As Consulting Engineers for the City of Berkley, and in accordance with your request, we have completed the Engineering Site Plan review of the proposed subject developments located on Oxford Road and Eaton Road for compliance with the City of Berkley's engineering and site plan requirements. The plans were prepared by Kieft Engineering, Inc. of Clarkston, Michigan, with an issue date of July 27, 2022. The proposed project scope includes the expansion of the existing parking lots into neighboring parcels on both Oxford Road and Eaton Road. We hereby offer the following comments:

General:

1. A traffic control, or Maintenance of Traffic (MOT), plan and sequence of construction must be added to the plans, including an estimated duration for any lane closures that may be required. **This item is still applicable.**
2. All existing utilities and service leads must be shown on the plans. *This includes the service leads from any previously demolished homes on the proposed site. All utilities and service leads must be shown. The applicant has noted that the existing utility information is unknown, and that the locations will be verified and properly abandoned as needed during construction. This item has been satisfactorily addressed.*

Storm Drainage and Detention/Sanitary Sewer:

1. Stormwater runoff calculations have been provided using a 100-year, 24-hour storm event, however, the total site area for the Eaton Road development is not included in the calculations. Only the proposed development is shown in the calculations. This must be revised to include both the existing and proposed lots. *The city ordinances state that the stormwater retention requirements apply to any development or renovation. There are renovations proposed within the existing lots as well as the development of the proposed new lot. Calculations for the full site must be provided. As per the 7/27/2022 meeting with the City, the Applicant, and their respective attorneys, it was agreed that stormwater calculations will only be required for the proposed parking lot, as the renovations to the existing lot are minor. The calculations for the proposed lot demonstrates that adequate storage to detain the required volume of stormwater has been provided in the proposed design. As such, since the stormwater system will be privately owned and maintained by the Applicant, the City will maintain the requirement that the constructed storm detention system be certified by way of a signed/sealed letter by the Applicant's engineer upon completion. This item has been satisfactorily addressed.*

2. The catch basin from *Parcel B* of the Eaton Road *connects to the storm sewer system in Parcel A*, however, this drainage area from *Parcel B* is not included in the stormwater calculations. The calculations must be revised to include the drainage area that flows to this catch basin *to ensure that the total flow of stormwater into the City sewer is within the stormwater runoff requirements*, or the storm sewer from this catch basin must be rerouted to the nearby sewer in the public alley with DPW approval. **As per the 7/27/2022 meeting with the City, the Applicant, and their respective attorneys, it was discussed and determined it would be unlikely that an easement would be granted to alter the existing catch basin in the neighboring lot or for a joint stormwater maintenance agreement to be signed in light of the standing consent judgement between the two (2) property owners. As such, the existing connection will be allowed to remain as-is. This item is no longer applicable.**
3. The developer will be required to prepare and enter into a perpetuity maintenance agreement with the City for the proposed private stormwater systems. The Applicant must contact the City DPW regarding this item prior to commencing construction. **This item is still applicable.**

Recommendation:

Based on our aforementioned comments, we recommend approval of the proposed Site Plan subject to the Applicant providing the traffic control plans and stormwater maintenance agreement.

If you have any questions or require any additional information, please contact the undersigned.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



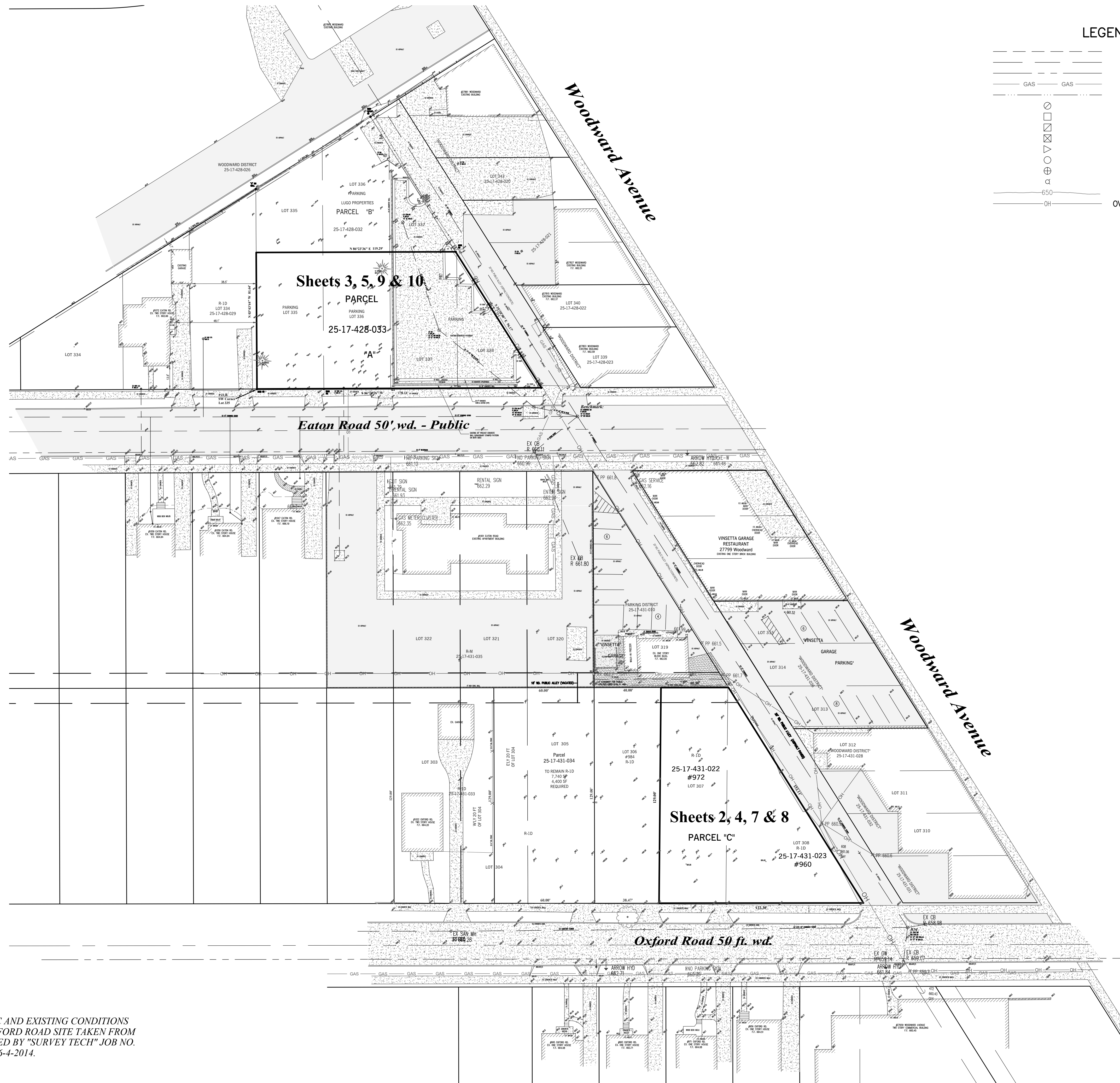
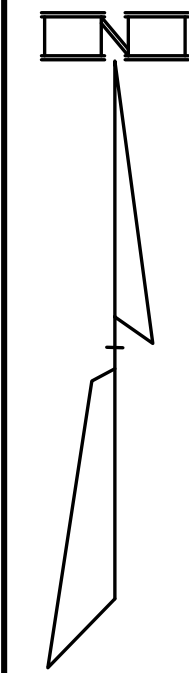
Edward D. Zmich
Project Manager



Mitch Stark
Review Engineer

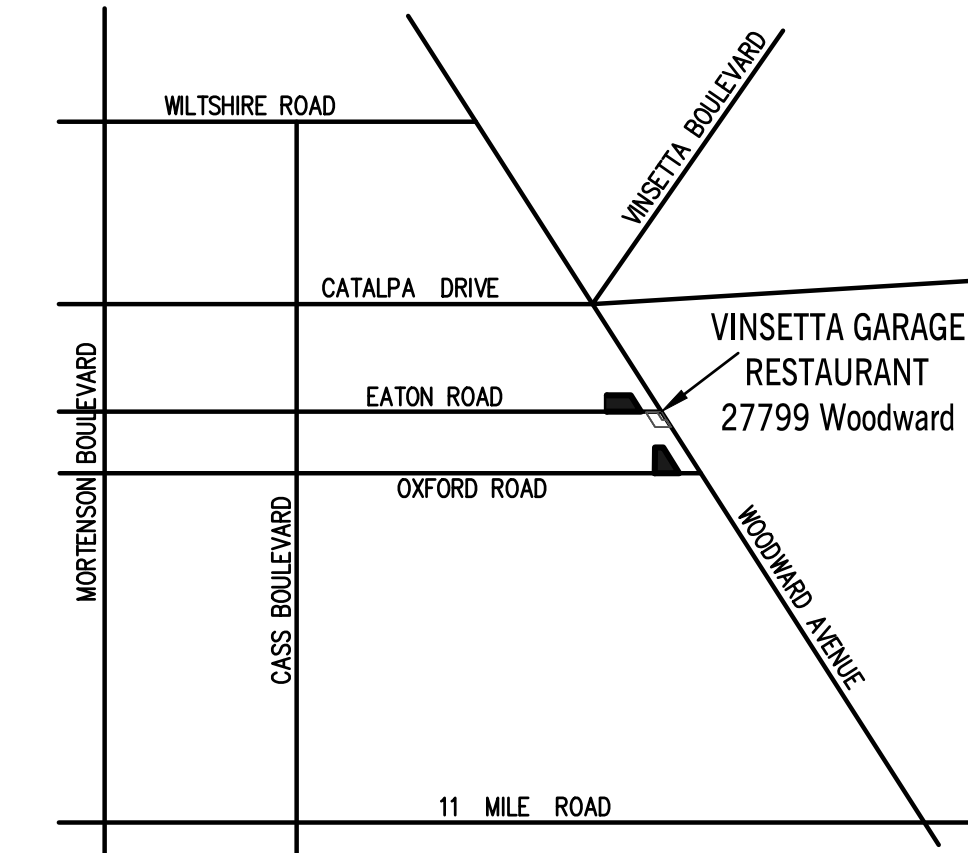
EDZ/MAS/mas

pc: City of Berkley; Mr. Shawn Young
HRC; R. Alix, File
Kieft Engineering; Patrick McWilliams



LEGEND

- STORM SEWER
- SANITARY SEWER
- WATERMAIN
- GAS MAIN
- ELEC. TELE. CABLE
- STORM MANHOLE
- CATCH BASIN
- INLET
- REARYARD CATCH BASIN
- END SECTION
- SANITARY MANHOLE
- GATE VALVE AND WELL
- HYDRANT
- EXISTING CONTOURS
- OVERHEAD TELE, ELEC, CATV



Location Map
SCALE 1" = 1000'

Note:

ALL EXISTING UTILITIES SHOWN ON THIS TOPOGRAPHIC SURVEY HAVE BEEN TAKEN FROM VISUAL OBSERVATION, AND RECORD MAPPING, WHERE AVAILABLE. NO GUARANTEE IS MADE, OR SHOULD BE ASSUMED, AS TO THE COMPLETENESS OR ACCURACY OF THE UTILITIES SHOWN ON THIS DRAWING. PARTIES UTILIZING THIS INFORMATION SHALL FIELD VERIFY THE ACCURACY AND COMPLETENESS OF OVERHEAD AND UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION ACTIVITIES.

Parcel A: 25-17-428-033

Lot 338 and part of Lots 335, 336 and 337 of "Larkmoor Boulevard Subdivision" of part of Sections 16 and 17, T1N., R11E., Royal Oak Township (now City of Berkley), Oakland County, Michigan, as recorded in Liber 9 of plats, Page 8, Oakland County Records, described at: Beginning at the Southwest corner of said Lot 335; thence N03°43'44"W 81.64 feet along the West lot line of said Lot 335; thence N86°23'36"E 119.29 feet to a point on the Westerly right of way line of 20 foot wide public alley; thence along said right of way line S35°38'00"E 96.17 feet to the Southeast corner of said Lot 338; thence S86°21'26"W 170.11 feet along the South line of said Lots 335 thru 338 inclusive to the Point of Beginning. Said description contains 11,807 square feet, or 0.271 acres, more or less.

Proposed Rezoning

Parcel "C" - Proposed Parking District: Oxford Road
LOTS 307 & 308, ALSO 1/2 OF VACATED ALLEY ADJACENT TO SAME, ALL LOCATED WITHIN "LARKMOOR BOULEVARD SUBDIVISION", OF PART OF SEC'S 16 & 17, CITY OF BERKLEY, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 9 OF PLATS, PAGE 8, OAKLAND COUNTY RECORDS.

Sheet Index:

1. Cover Sheet/Overall Existing Conditions Plan
2. Existing Conditions Plan - Oxford Road Lot
3. Existing Conditions Plan - Eaton Road Lot
4. Demolition Plan - Oxford Road Lot
5. Demolition Plan - Eaton Road Lot
6. Overall Proposed Parking Lot Plan
7. Oxford Road Parking Lot Plan
8. Oxford Road Storm Profiles, Calculations & Details
9. Eaton Road Parking Lot Plan
10. Eaton Road Storm Profiles, Calculations & Details

NOTE:

TOPOGRAPHIC AND EXISTING CONDITIONS DATA FOR OXFORD ROAD SITE TAKEN FROM PLAN PREPARED BY "SURVEY TECH" JOB NO. 12033, DATED 6-4-2014.

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DATE	ISSUE
5-14-2020	PER CONSENT JUDGEMENT
10-8-2021	REVISED PER CITY DIRECTOR (10-1-2021)
5-25-2022	REVISED PER CITY MEETING/LETTER (5-2-2022)
5-27-2022	REVISED PER CITY REVIEW LETTER (5-6 & 9-2022)

PROPRIETOR:
UNION JOINTS
90 NORTH MAIN STREET
CLARKSTON, MICHIGAN 48346
(248) 830-4937

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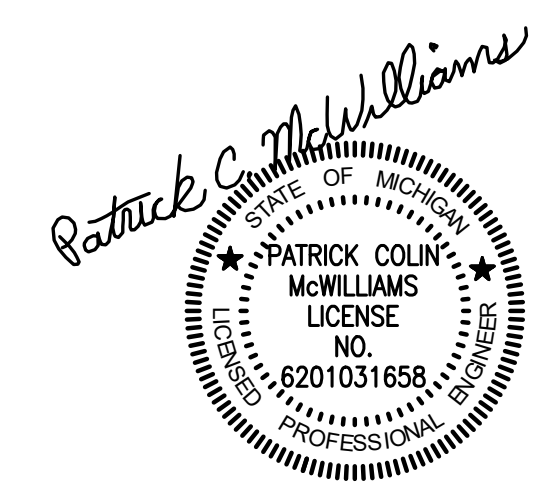
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PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS
5852 SOUTH MAIN STREET, SUITE 1, CLARKSTON, MICHIGAN 48346
PHONE (248) 625-5251 www.kiefteng.com FAX (248) 625-7110

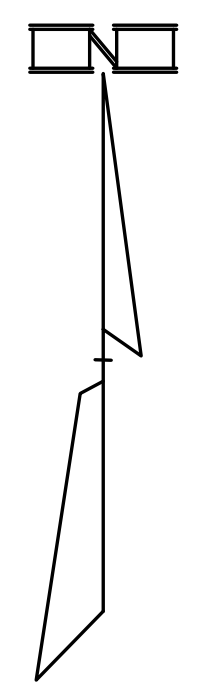
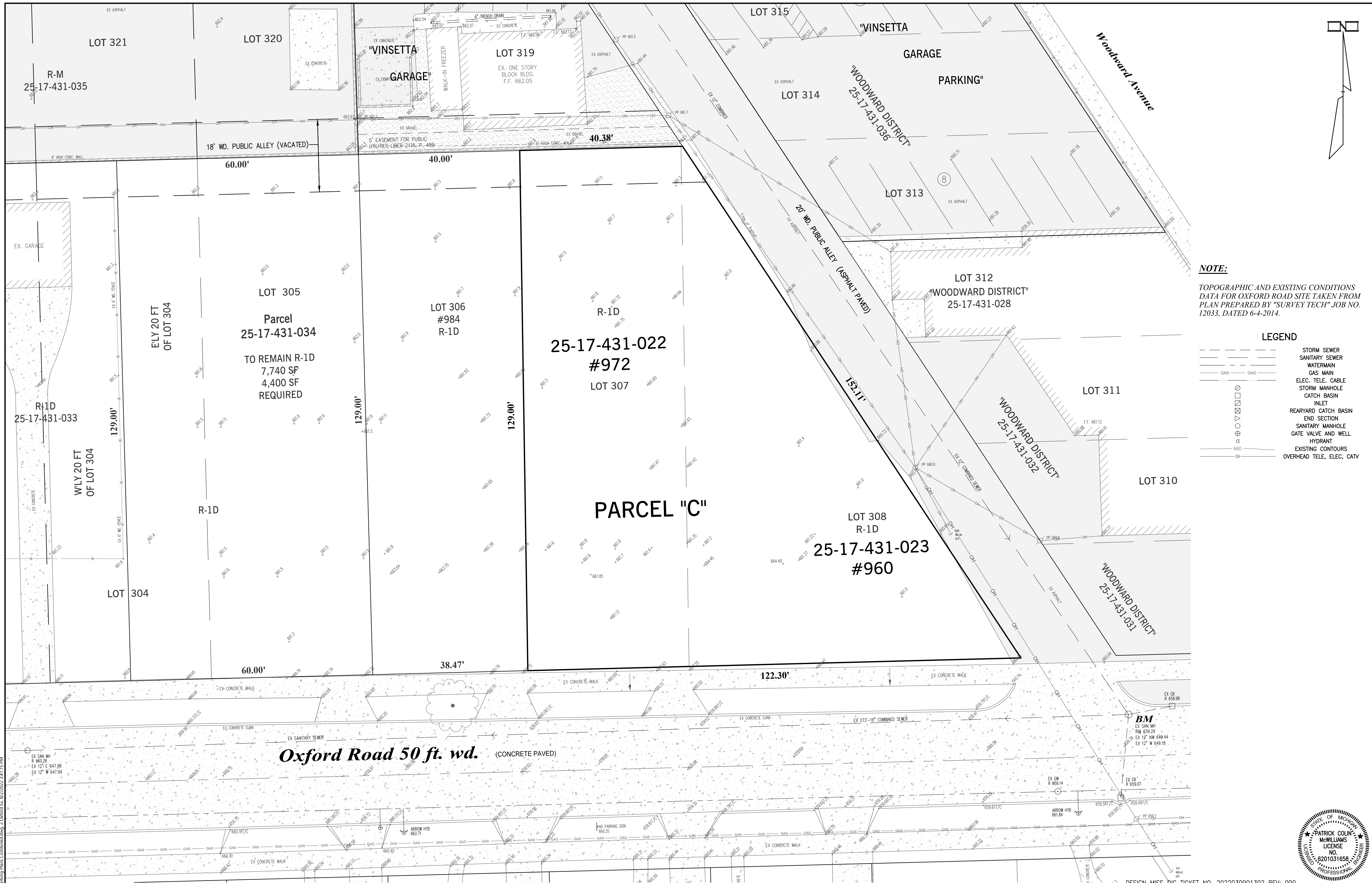
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DESIGN	JJS/PCM		
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Cover Sheet/Overall Existing Conditions Plan
VINSETTA GARAGE
CITY OF BERKLEY, OAKLAND COUNTY, MICHIGAN

SCALE	1" = 30'
SHEET	1 OF 10
PROJECT	KE 2015.344





NOTE:
 TOPOGRAPHIC AND EXISTING CONDITIONS DATA FOR OXFORD ROAD SITE TAKEN FROM PLAN PREPARED BY "SURVEY TECH" JOB NO. 12033, DATED 6-4-2014.

LEGEND

	STORM SEWER
	SANITARY SEWER
	WATERMAIN
	GAS MAIN
	ELEC. TELE. CABLE
	STORM MANHOLE
	CATCH BASIN
	INLET
	REARYARD CATCH BASIN
	END SECTION
	SANITARY MANHOLE
	GATE VALVE AND WELL
	HYDRANT
	EXISTING CONTOURS
	OVERHEAD TELE, ELEC, CATV

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12-8-2021	REVISED PER CLIENT (12-1-2021)
3-22-2022	REVISED PER CITY MEETING LETTER (3-2-8-2022)
5-27-2022	REVISED PER CITY REVIEW LETTER (5-6 & 9-2022)

PROPRIETOR:
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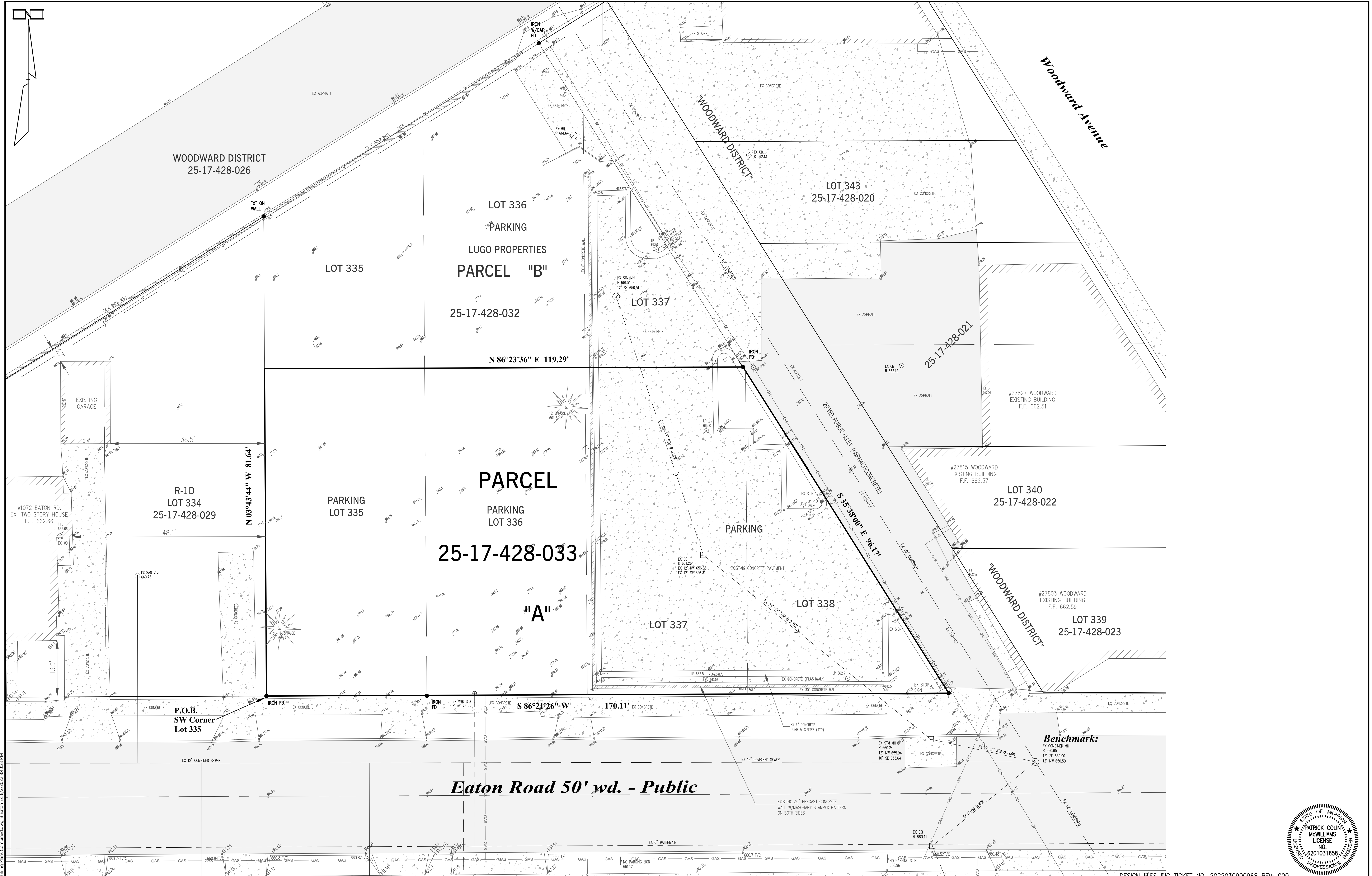


Existing Conditions Plan-Oxford Road
 VINSETTA GARAGE
 CITY OF BERKLEY, OAKLAND COUNTY, MICHIGAN

SCALE 1" = 10'
SHEET 2 OF 10
KE 2015.344



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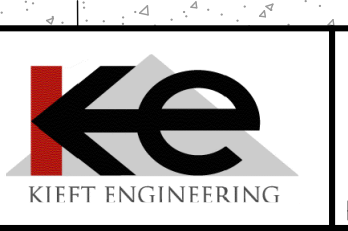


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DATE	ISSUE
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10-8-2021	REVISED PER CITY DIRECTOR (10-1-2021)
12-8-2021	REVISED PER CLIENT (12-1-2021)
3-22-2022	REVISED PER CITY MEETING LETTER (3-2, 8-2022)
5-27-2022	REVISED PER CITY REVIEW LETTER (5-6 & 9-2022)

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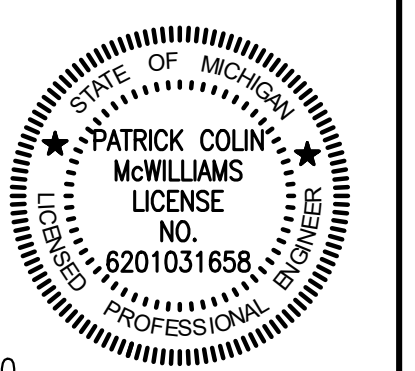


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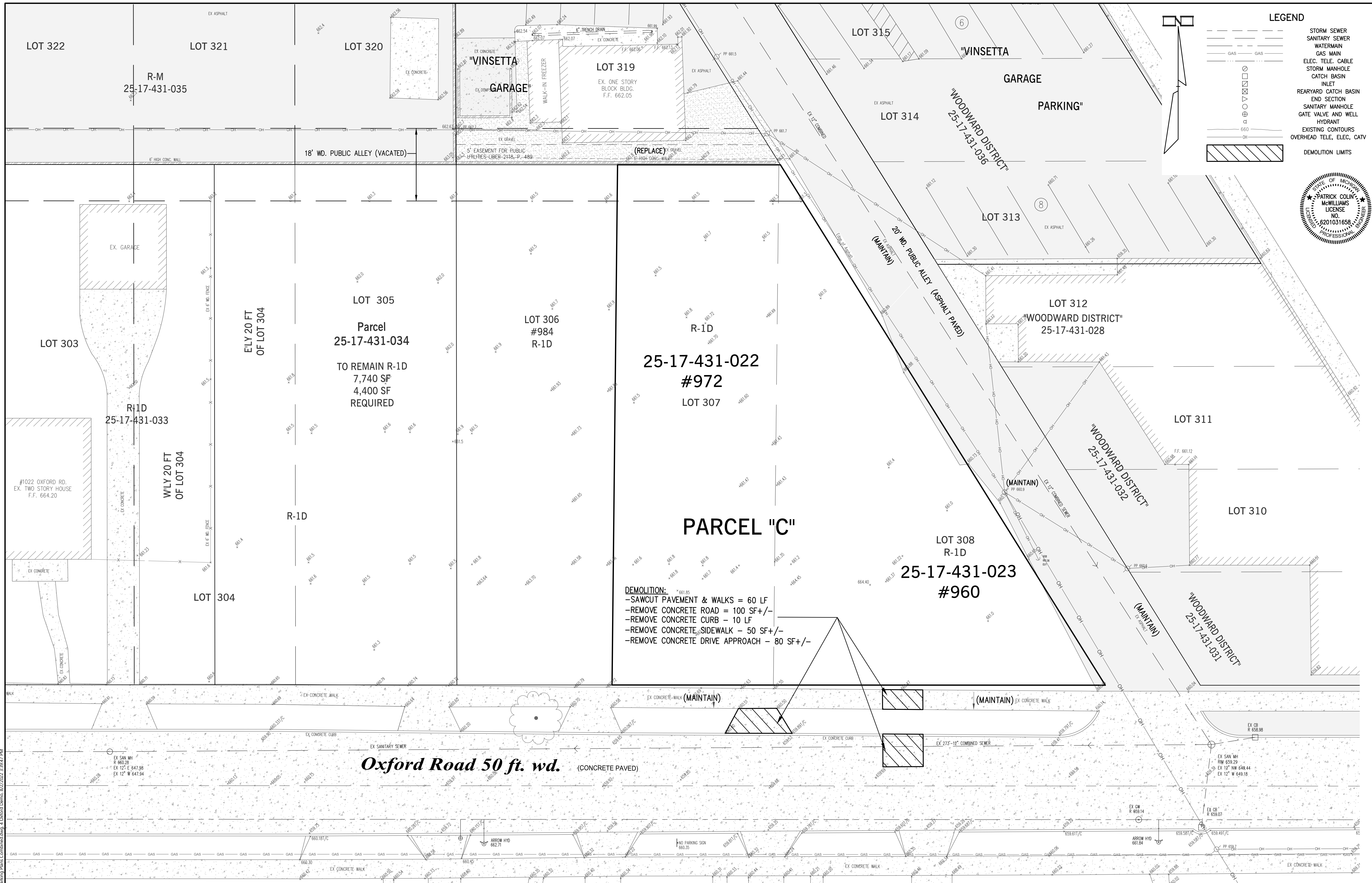


Existing Conditions Plan - Eaton Road
 VINSETTA GARAGE
 CITY OF BERKLEY, OAKLAND COUNTY, MICHIGAN



SCALE 1" = 10'
 SHEET 3 OF 10
 KE 2015.344

DESIGN MISS DIG TICKET NO. 2022030900968 REV. 000



LEGEND

	STORM SEWER
	SANITARY SEWER
	WATERMAIN
	GAS MAIN
	ELEC. TELE. CABLE
	STORM MANHOLE
	CATCH BASIN
	INLET
	REARYARD CATCH BASIN
	END SECTION
	SANITARY MANHOLE
	GATE VALVE AND WELL
	HYDRANT
	EXISTING CONTOURS
	OVERHEAD TELE, ELEC, CATV
	DEMOLITION LIMITS



DEMOLITION:

- SAWCUT PAVEMENT & WALKS = 60 LF
- REMOVE CONCRETE ROAD = 100 SF+/-
- REMOVE CONCRETE CURB = 10 LF
- REMOVE CONCRETE SIDEWALK = 50 SF+/-
- REMOVE CONCRETE DRIVE APPROACH = 80 SF+/-

Oxford Road 50 ft. wd. (CONCRETE PAVED)

DATE	ISSUE
4-26-19	REVISED PER CITY
12-23-19	REVISED PER CLIENT
1-14-2020	PER CONSULT JURISDICTION
10-8-2021	REVISED PER CITY DIRECTOR (10-1-2021)
12-8-2021	REVISED PER CLIENT (12-1-2021)
3-22-2022	REVISED PER CITY MEETING LETTER (1-2-2, 8-2022)
5-27-2022	REVISED PER CITY REVIEW LETTER (5-5 & 9-2022)

PROPRIETOR:
UNION JOINTS
90 NORTH MAIN STREET
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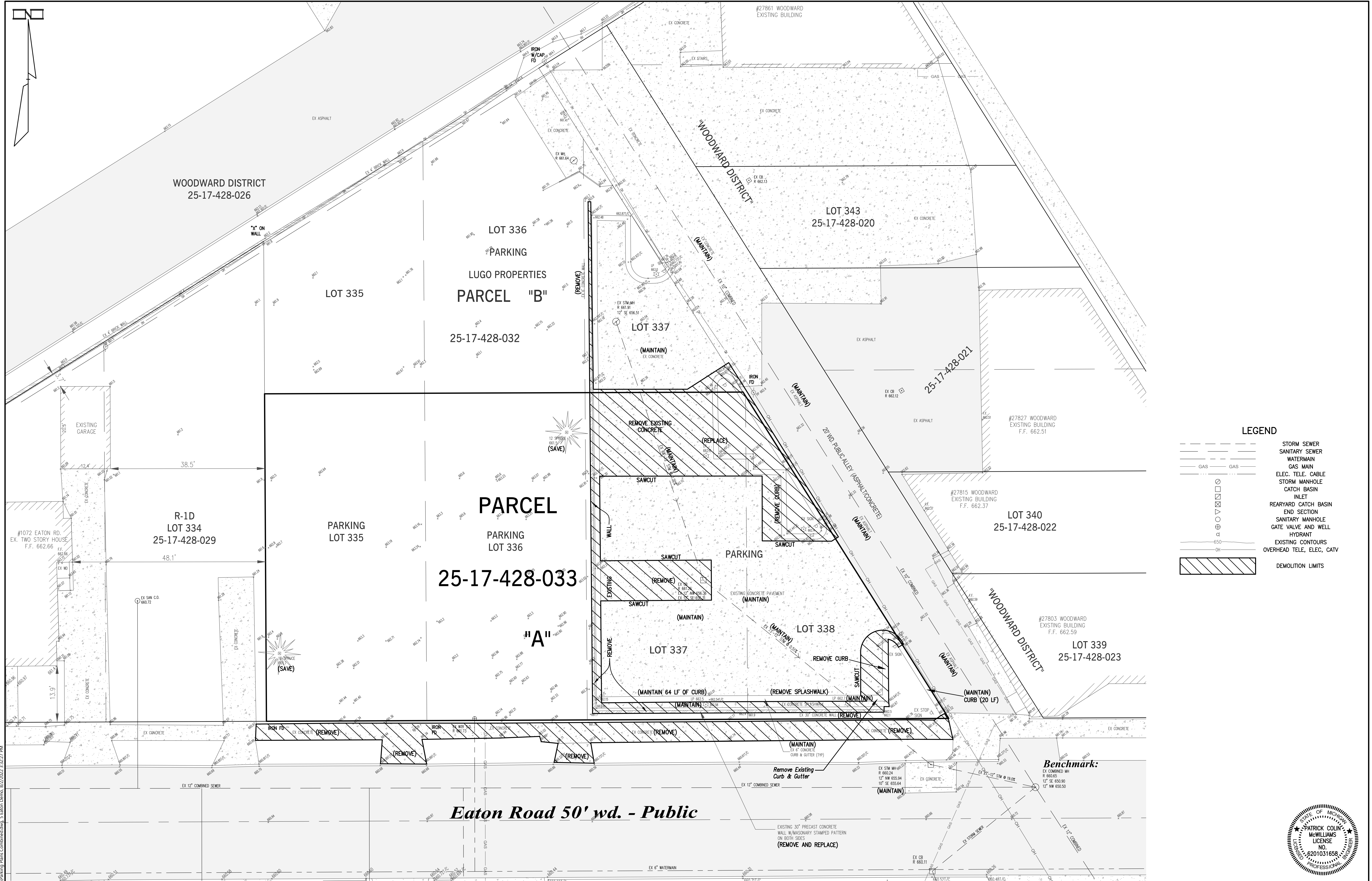
DATE 2-23-16	CKD. BY	DATE
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Demolition Plan - Oxford Road Lot
VINSETTA GARAGE
CITY OF BERKLEY, OAKLAND COUNTY, MICHIGAN

SCALE 1" = 10'
SHEET 4 OF 10
KE 2015.344

©2015,344 Union Parking Plans Combined.dwg - Oxford Demo, 8/22/2022, 3:38:47 PM



LEGEND

	STORM SEWER
	SANITARY SEWER
	WATERMAIN
	GAS MAIN
	ELEC. TELE. CABLE
	STORM MANHOLE
	CATCH BASIN INLET
	REARYARD CATCH BASIN END SECTION
	SANITARY MANHOLE GATE VALVE AND WELL HYDRANT
	EXISTING CONTOURS
	OVERHEAD TELE, ELEC, CATV
	DEMOLITION LIMITS

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 10-5-2021 REVISED PER CITY DIRECTOR (10-1-2021)
 1-5-2021 REVISED PER CLIENT (1-5-2021)
 3-22-2022 REVISED PER CITY MEETING/LETTER (3-2-8-2022)
 5-27-2022 REVISED PER CITY REVIEW LETTER (5-6 & 9-2022)

PROPRIETOR:
 UNION JOINTS
 90 NORTH MAIN STREET
 CLARKSTON, MICHIGAN 48346
 (248) 830-4937

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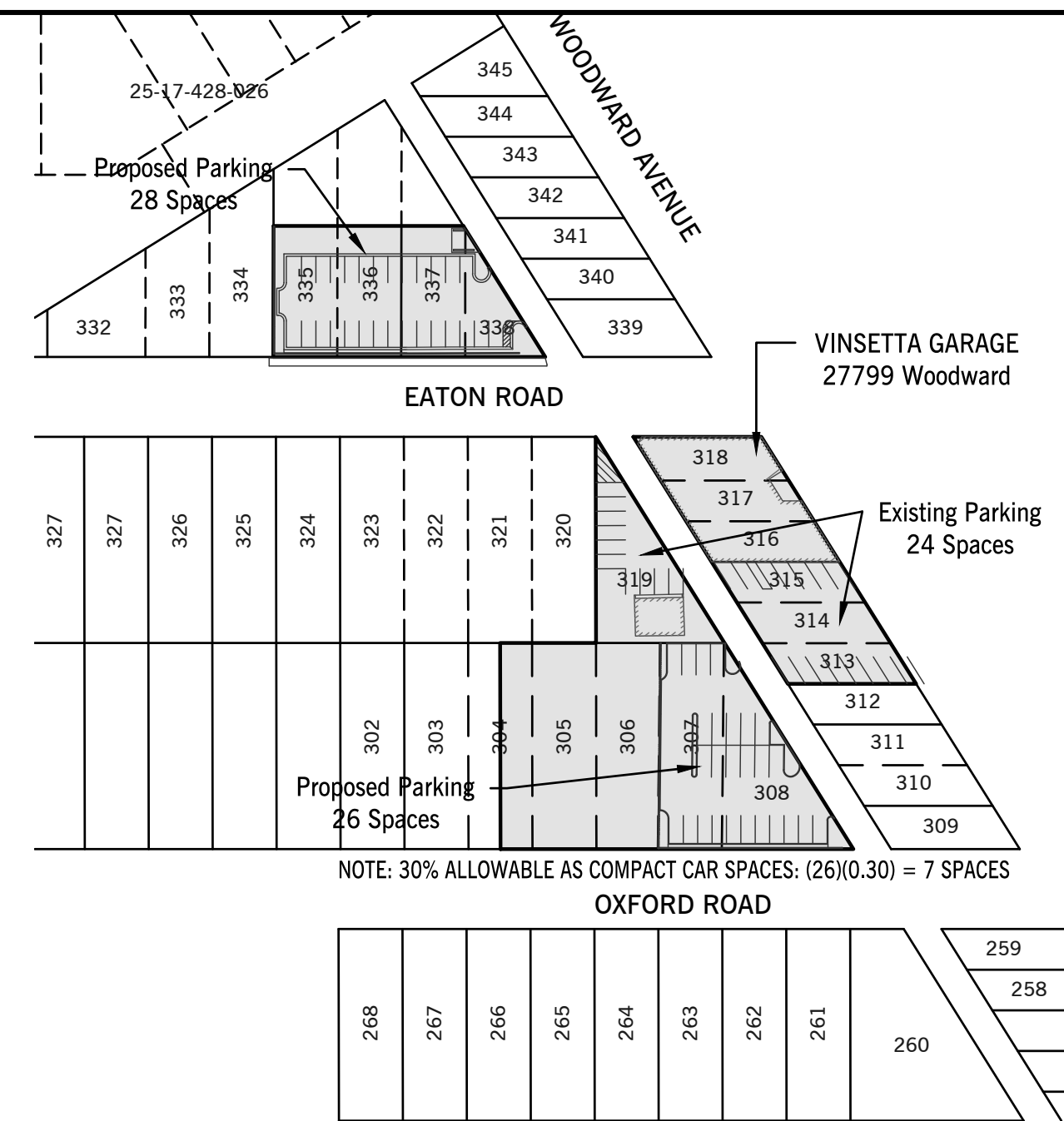
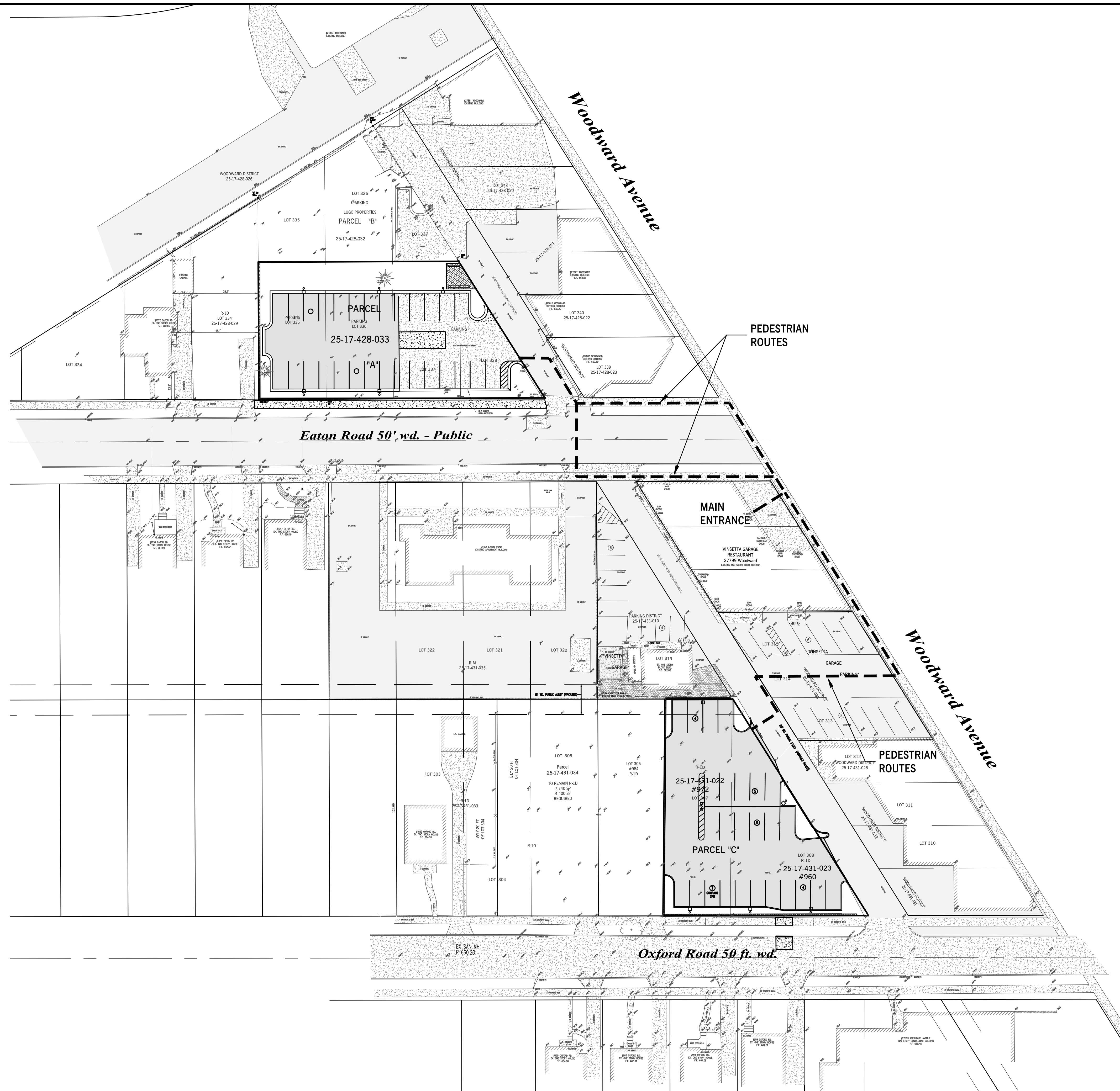
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 5852 SOUTH MAIN STREET, SUITE 1, CLARKSTON, MICHIGAN 48346
 PHONE (248) 625-5251 www.kiefteng.com FAX (248) 625-7110

DATE 12-29-16 CKD. BY DATE
 DRAWN GF
 DESIGN JJS/PCM
 SECTION 17 T-1 -N- R-11 -E.

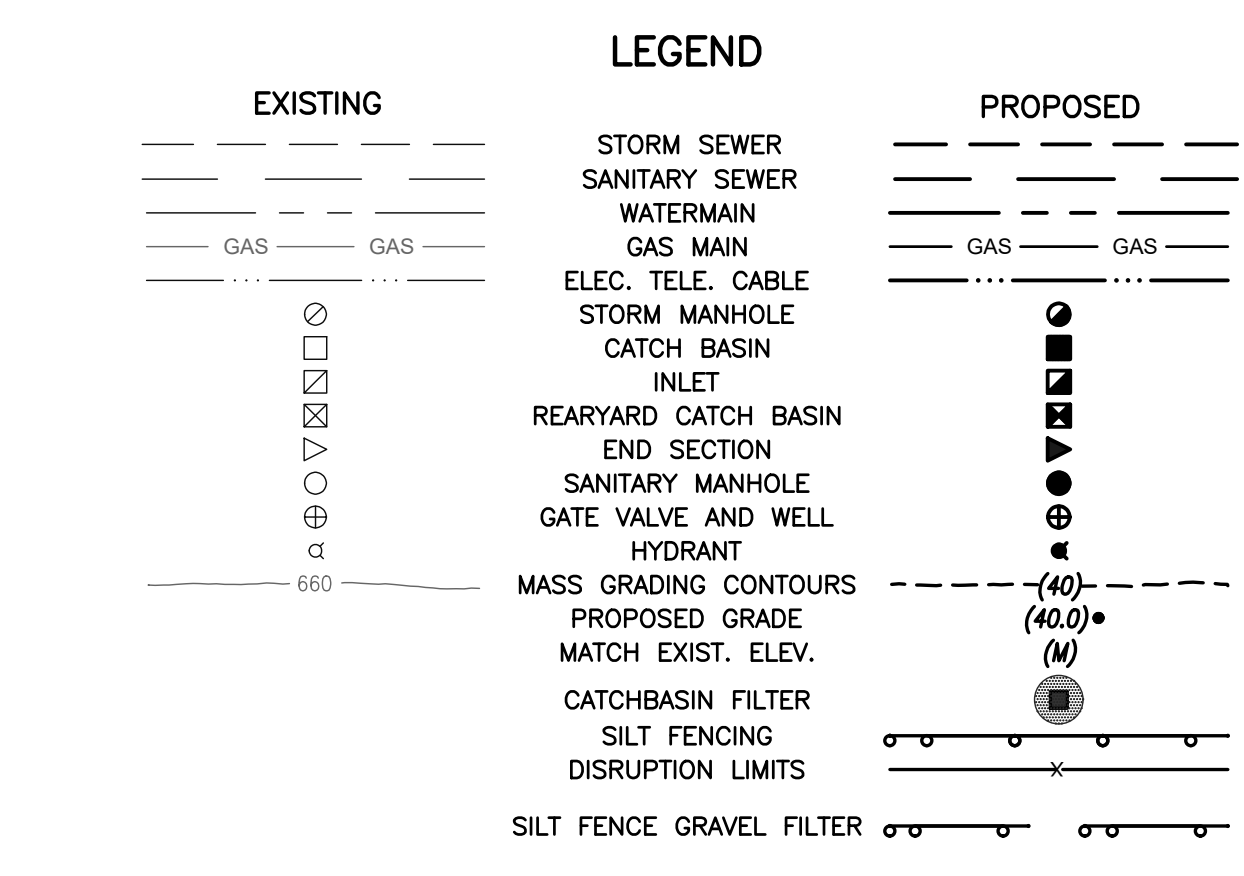


Demolition Plan - Eaton Road Lot
 VINSETTA GARAGE
 CITY OF BERKLEY, OAKLAND COUNTY, MICHIGAN

SCALE 1" = 10'
 SHEET 5 OF 10
 KE 2015.344



Vinsetta Garage Key Map

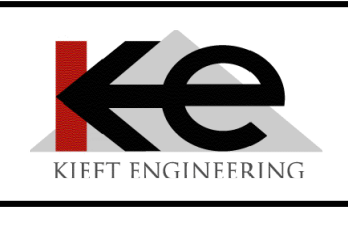


C:\2015\344\VinsettaGarage\Overall Parking_6 Overall Parking.dwg, 8/2/2022, 3:34:36 PM

DATE	ISSUE	DESCRIPTION
5-14-2020	PER CONSENT JUDGMENT	
10-8-2021	REVISED PER CITY DIRECTOR (10-1-2021)	
3-22-2022	REVISED PER CITY MEETING/LETTER (3-2-2022)	
7-27-2022	REVISED PER CITY REVIEW LETTER (5-8 & 9-2022)	
7-29-2022	REVISED PER CITY MEETING (7-27-2022)	

PROPRIETOR:
UNION JOINTS
90 NORTH MAIN STREET
CLARKSTON, MICHIGAN 48346
(248) 830-4937

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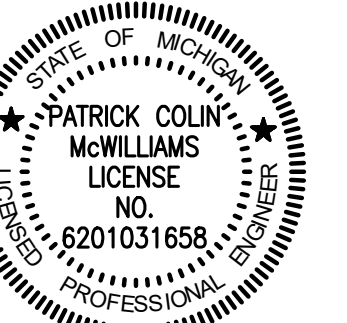


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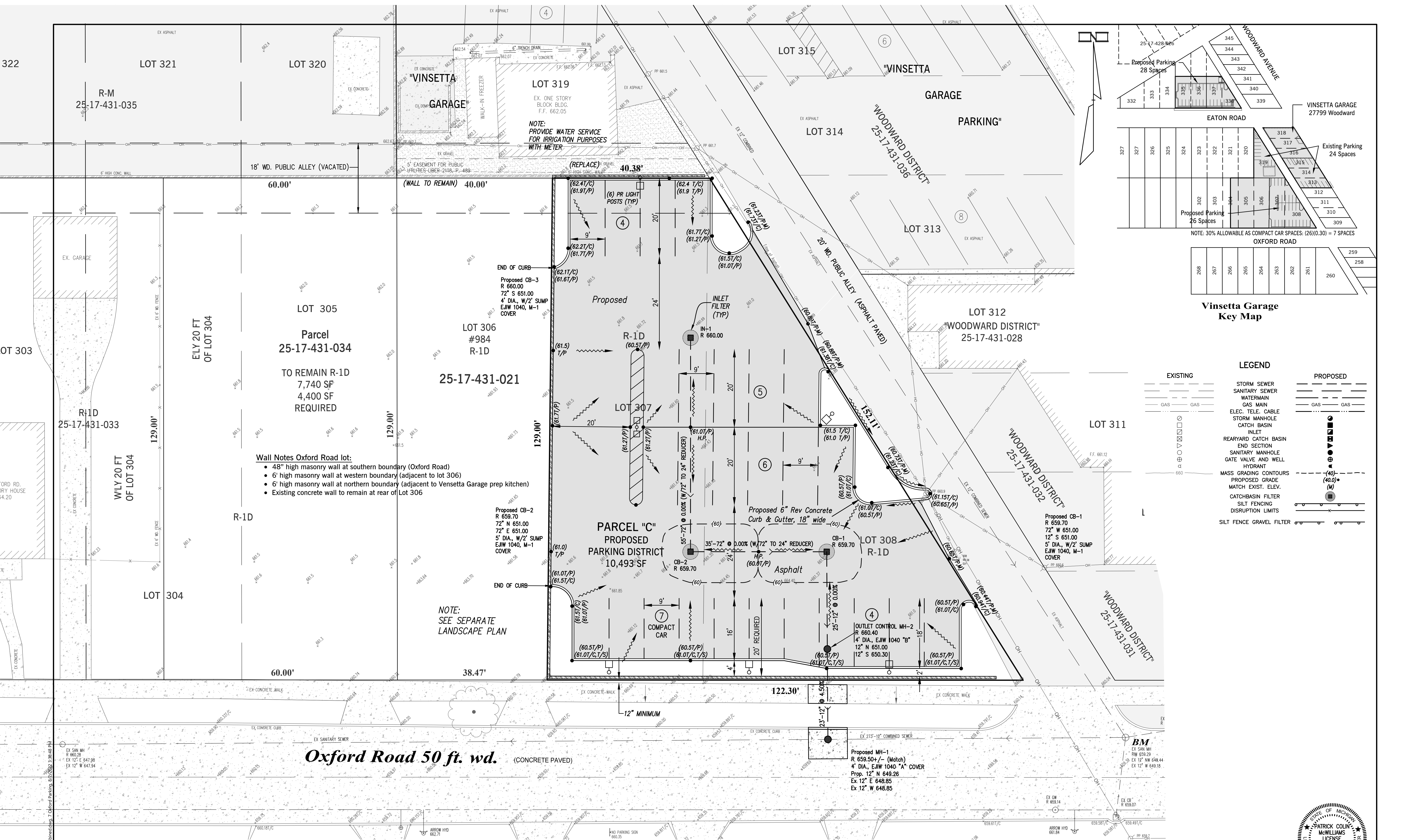
DATE 12-29-16 CKD. BY DATE
DRAWN GF
DESIGN JJS/PCM
SECTION 17 T- 1 -N, R- 11 -E



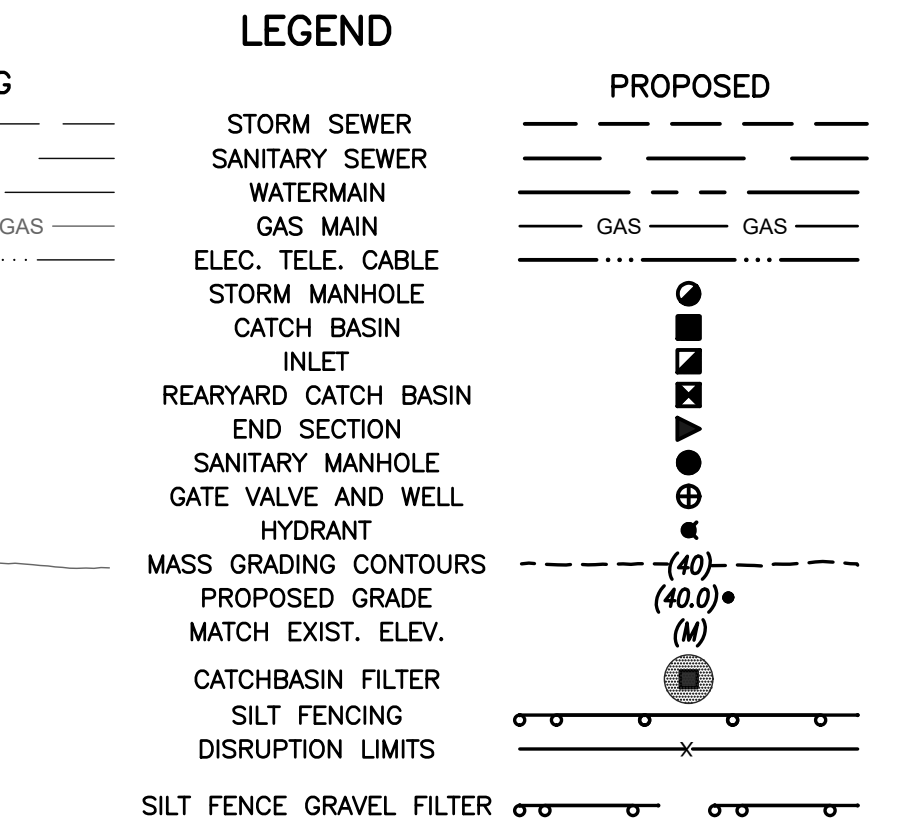
Overall Proposed Parking Lot Plan
VINSETTA GARAGE
CITY OF BERKLEY, OAKLAND COUNTY, MICHIGAN



SCALE 1" = 30'
SHEET 6 OF 10
KE 2015.344



- Wall Notes Oxford Road lot:**
- 48" high masonry wall at southern boundary (Oxford Road)
 - 6' high masonry wall at western boundary (adjacent to lot 306)
 - 6' high masonry wall at northern boundary (adjacent to Vinsetta Garage prep kitchen)
 - Existing concrete wall to remain at rear of Lot 306



Proposed Parking Spaces = 26

DATE	ISSUE
12-3-19	REVISED PER CLIENT
5-14-2020	PER CONSENT JUDGMENT
10-2-2021	REVISED PER CITY DIRECTOR (10-1-2021)
12-8-2021	REVISED PER CLIENT (12-1-2021)
3-22-2022	REVISED PER CITY MEETING/LETTER (3-2-2022)
5-2-2022	REVISED PER CITY RESOLV/LETTER (5-6 & 8-9-2022)
7-26-2022	REVISED PER CITY MEETING (7-27-2022)

PROPRIETOR:
 UNION JOINTS
 90 NORTH MAIN STREET
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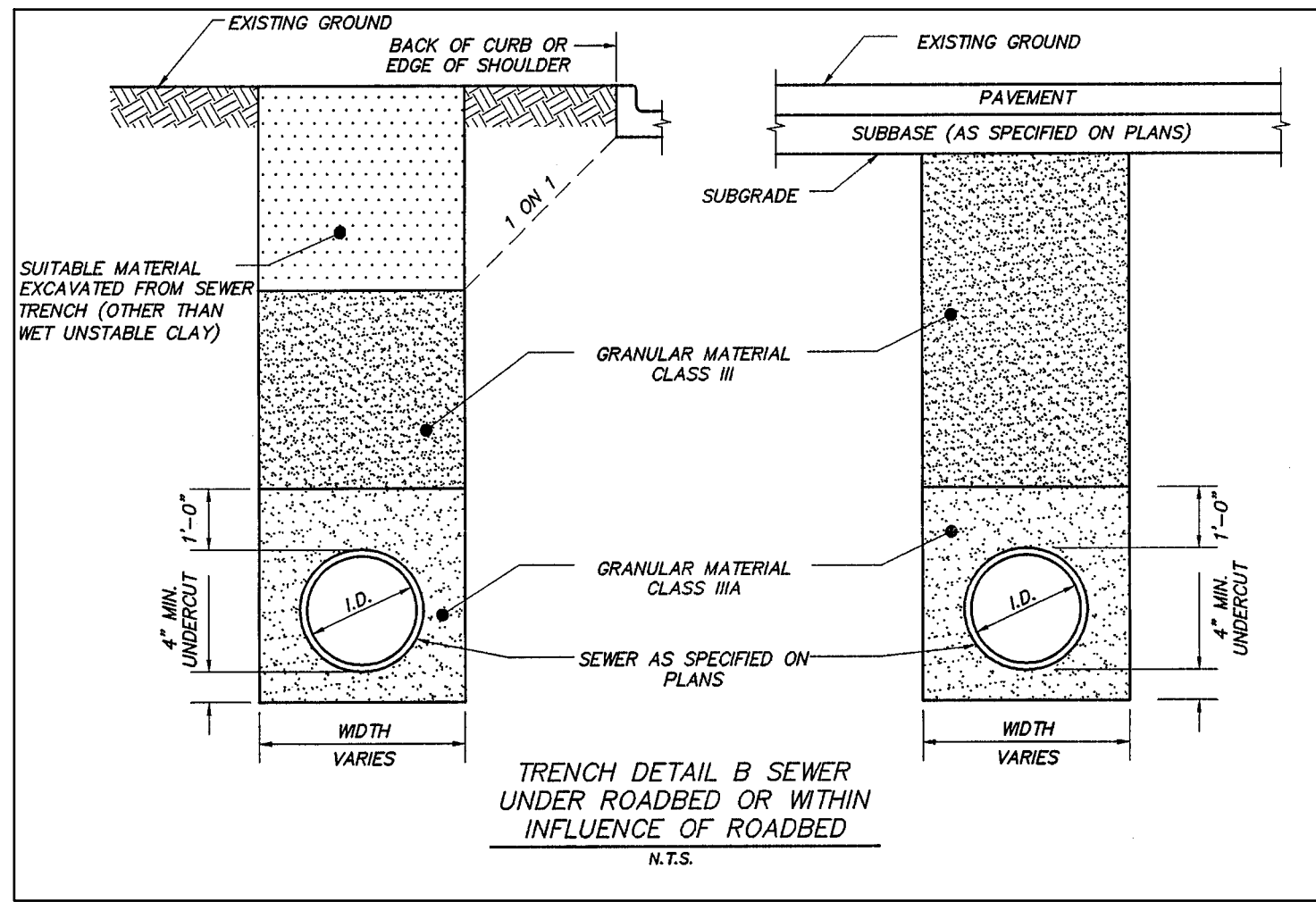
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DATE	2-23-16	CKD. BY	DATE
DRAWN	GF		
DESIGN	JJS/PCM		
SECTION	17	T-1 -N- R-11 -E.	



Proposed Oxford Road Parking Plan
 VINSETTA GARAGE
 CITY OF BERKLEY, OAKLAND COUNTY, MICHIGAN

SCALE 1" = 10'
 SHEET 7 OF 10
 KE 2015.344



LAND USE SUMMARY

CHARACTERISTIC	EXISTING CONDITIONS	PROPOSED CONDITIONS
TOTAL DEVELOPMENT AREA (ACRES)	0.24	0.24
IMPERVIOUS AREA (ACRES)	0	0.23
TOTAL PERVIOUS AREA (ACRES)	0.24	0.01

PERVIOUS AREA BREAKDOWN BY COVER TYPE

MEADOW/FALLOW/NATURAL AREAS (NON-CULTIVATED)	EXISTING	PROPOSED
PREDOMINANT NCRS SOIL TYPE (A, B, C, OR D)	D	D

IMPROVED AREAS (TURF GRASS, LANDSCAPE, ROW CROPS)	EXISTING	PROPOSED
PREDOMINANT NCRS SOIL TYPE (A, B, C, OR D)	D	D

WOODED AREAS	EXISTING	PROPOSED
PREDOMINANT NCRS SOIL TYPE (A, B, C, OR D)	D	D

	PROPOSED POND AREA (ACRES)	REQUIRED CPVC VOLUME (CUBIC FEET)	PROVIDED CPVC VOLUME (CUBIC FEET)	REQUIRED ED VOLUME (CUBIC FEET)	REQUIRED VOLUME ₁₀₀ (CUBIC FEET)	PROVIDED VOLUME ₁₀₀ (CUBIC FEET)
	0	1,045	0	1,528	2,207	2,432

100 YEAR UNDERGROUND DETENTION CALCULATION (I.E. WITH OUTLET)

TOTAL CONTRIBUTING AREA A = 0.24

HYDROLOGIC SOIL GROUP D FROM USDA WSS

RUNOFF COEFFICIENT C = 0.95 0.23 + 0.30 0.01 + 1.00 0.24

C = 0.92

SHEET K = 0.48 L = 55 FT S = 3.45 V = KS^{1/2} = 0.89 FT/S

T_r = L / (3,600 V) = 0.0171 HR = 1.03 MIN

T_c = Σ T_r = 1.0 MIN

I₁₀₀ = 83.3 / ((T_c + 9.17)^{0.885}) = 12.70 IN/HR

CHANNEL PROTECTION VOLUME CONTROL: RECHARGE V_{CPVC} = 4,719 GA = 1,045 CF

SOILS INFILTRATION RATE FROM BORINGS = 0.00 IN/HR BELOW 0.24 IN/HR, INFILTRATION IMPRACTICAL & WAIVED

EXTENDED DETENTION V_{ED} = 6,897 GA = 1,528 CF

DETENTION & FLOOD CONTROL

Q_{0.95} = 1.1055-0.206ln(A) = 1.399 CFS/AC

Q_{100P} = Q_{0.95}A = 0.336 CFS

V_{100P} = 18,985 GA = 4,205 CF

Q_{100R} = C₁₀₀A = 2.81 CFS

R = 0.206 - 0.15ln(Q_{100P}/Q_{100R}) = 0.525

100-YEAR STORAGE VOLUME V_{100S} = V_{100P}R = 2,207 CF = 2,207 CF PER CPVC

WAS VOLUME CONTROL MET FOR CPVC? Y or N **N**

V_{100S} OR V_{ED} CONTROL? V_{100S} 2,207 CF REQ'D

Q_{ED} = V_{ED} / 172.800 = 0.009 CFS

ORIFICE CALCULATIONS

Q₀ = 0.82 (A₀)^{3/2} (2gh)^{1/2}

A₀ = AREA ORIFICE PIPE = 32.2 FT²

H = 50% DEPTH OF HEAD (TOP STORAGE) ABOVE INVERT OF OUTLET PIPE

TOP STORAGE = 657.00 INVERT = 651.00

H = 3.00 FT

EXTENDED DETENTION OUTLET A₀ = Q_{ED} / (0.82 (2gh)^{1/2}) = 0.0010 SF = 0.148 IN²

D₀ = DIAMETER OF ORIFICE D₀ = √(4A₀) = 0.0381 FT = 0.43 INCH USE 1" RESTRICTION TO OFFSET CLOGGING

A₀ = πD² / 4 = 0.785 IN²

A₀/A₁ = 0.19 → USE 1 1" HOLES EQ. SPACED AT WER WALL INVERT OUTLET

UNDERGROUND DETENTION BASIN

DIAMETER OF U.G. STORAGE PIPES = 72 IN

LENGTH OF U.G. STORAGE PIPES = 82 LF

DESIGN HIGH WATER/STORAGE ELEVATION = 657.00

1 FT FREEBOARD ELEVATION = 658.00

STORAGE REQUIRED = 2,207 CF

STORAGE PROVIDED = 2,318 CF

PARKING INFORMATION

PARKING REQUIRED = 63 SPACES

PARKING PROVIDED:

VINSETTA GARAGE RESTAURANT LOT; EXISTING = 24 SPACES (INCLUDES 2 ADA) PROPOSED = 23 SPACES (INCLUDES 4 ADA)

OXFORD LOT; PROPOSED = 26 SPACES

EATON LOT; PROPOSED = 28 SPACES

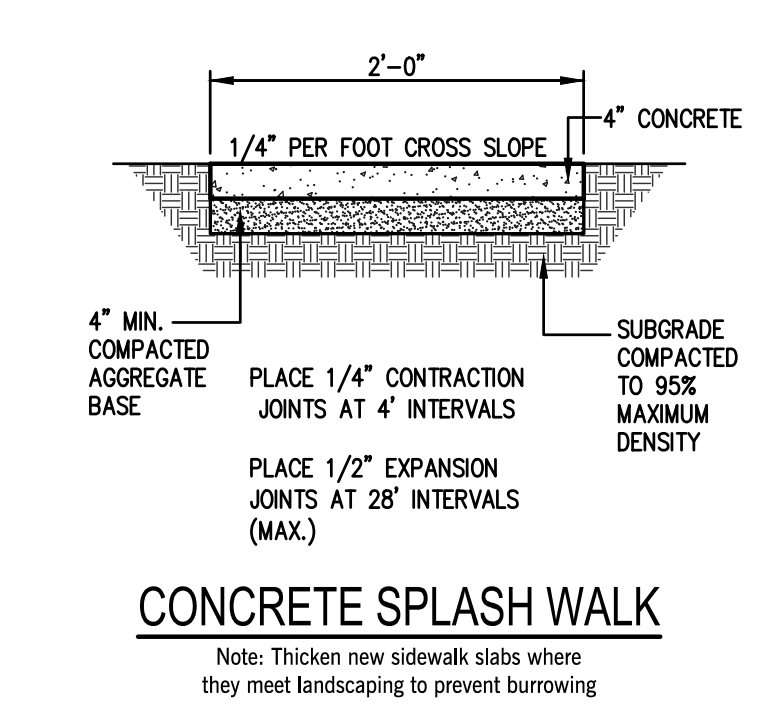
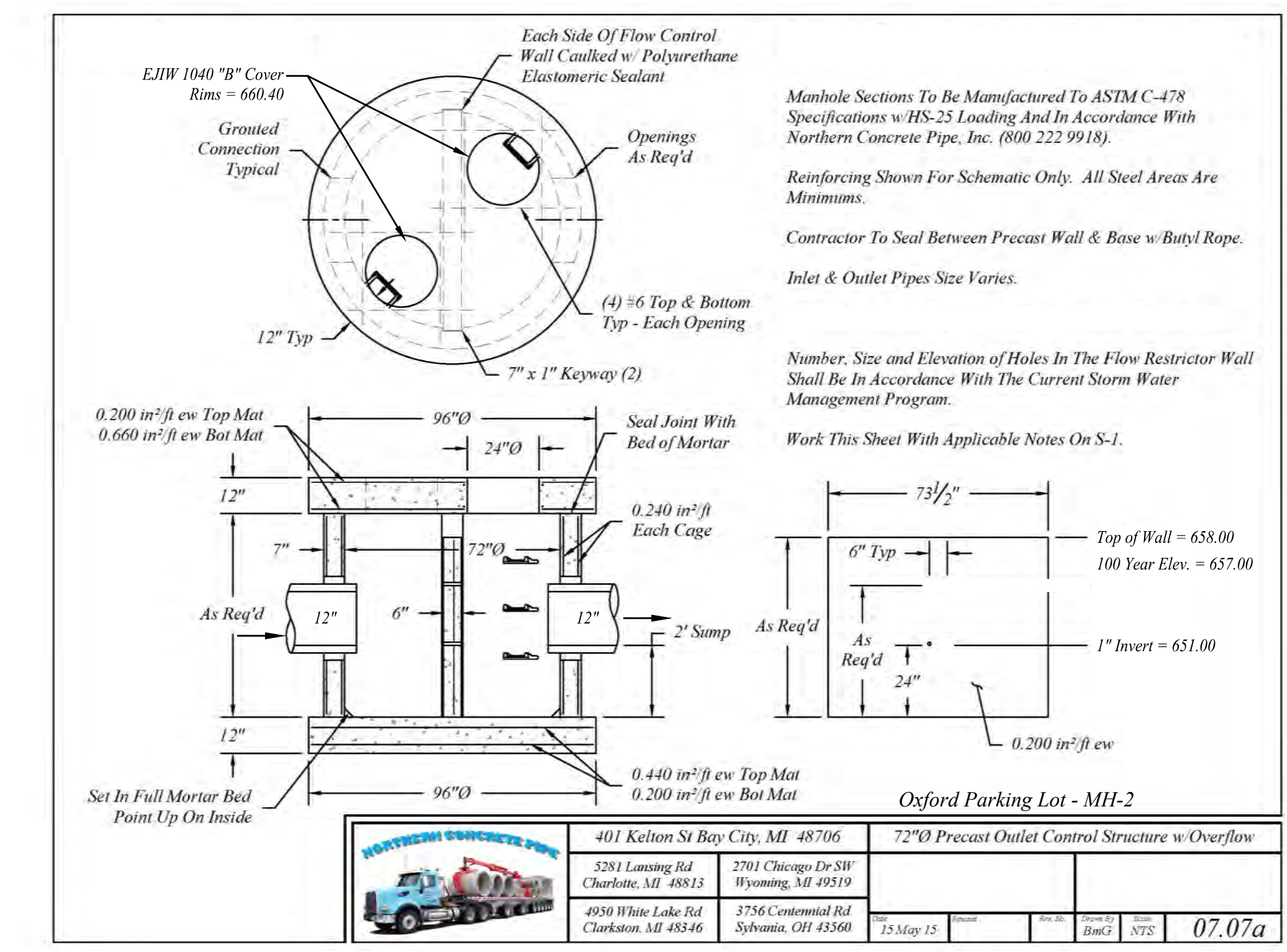
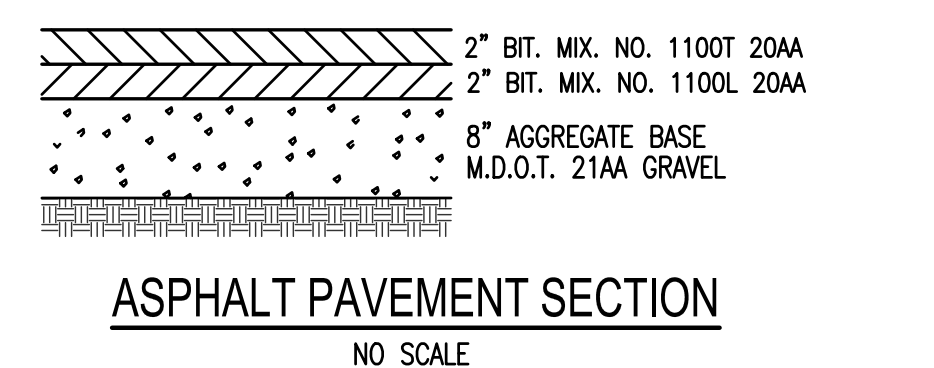
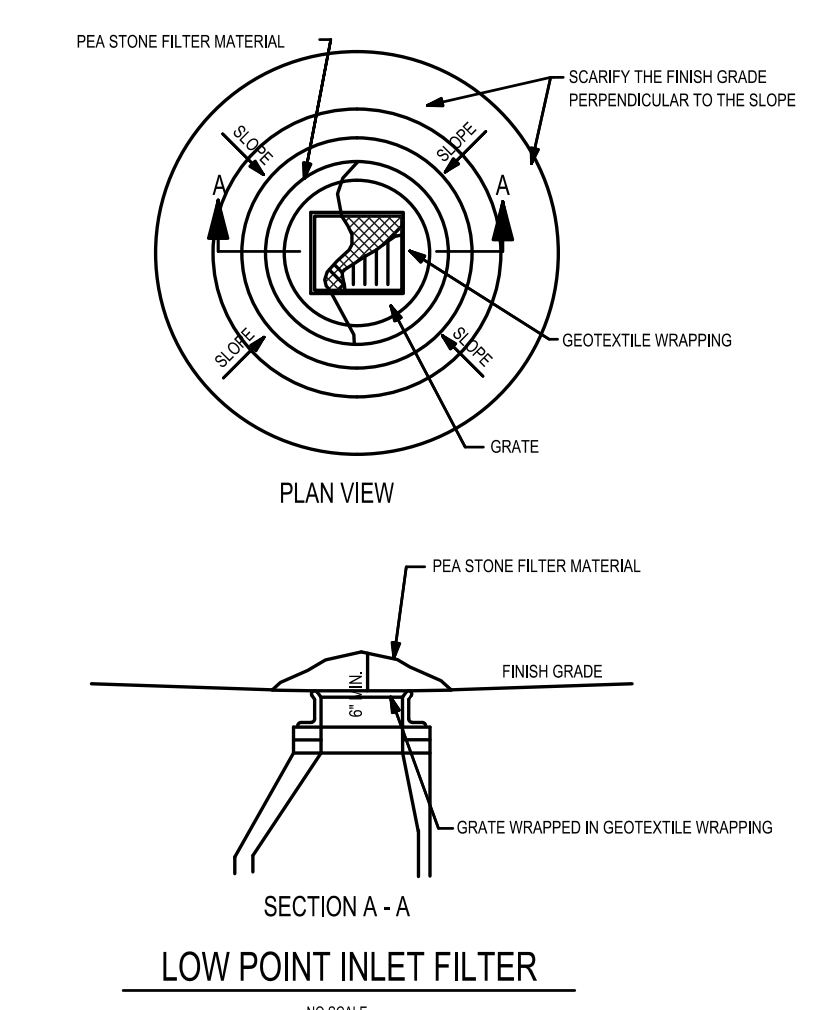
TOTAL PROVIDED = 77 SPACES (INCLUDES 4 ADA)

STORM SEWER CALCULATION

Q₁₀ = AC₁; A = 0.24 AC., C = 0.92, I = 175 / 15+25 = 175 / 40 = 4.38

Q₁₀ = (0.24 AC)(0.92)(4.38) = 0.97 CFS, REQUIRED

A 12" @ 2.00% HAS Q = 5.05 CFS, OK



Benchmark Note:
RIM OF SEWER MANHOLE ELEVATION = 659.29 (U.S.G.S.)

Detention Note:
BASED UPON CITY OF BERKLEY REQUIREMENTS AN EJIW 1040C - 4 SLOT RESTRICTED COVER.

Lighting Note:
THE UNDERGROUND ELECTRICAL FOR LIGHTING SHALL BE DESIGN BUILD. THE CONTRACTOR SHALL LOCATE THE ELECTRICAL SERVICE ON-SITE.

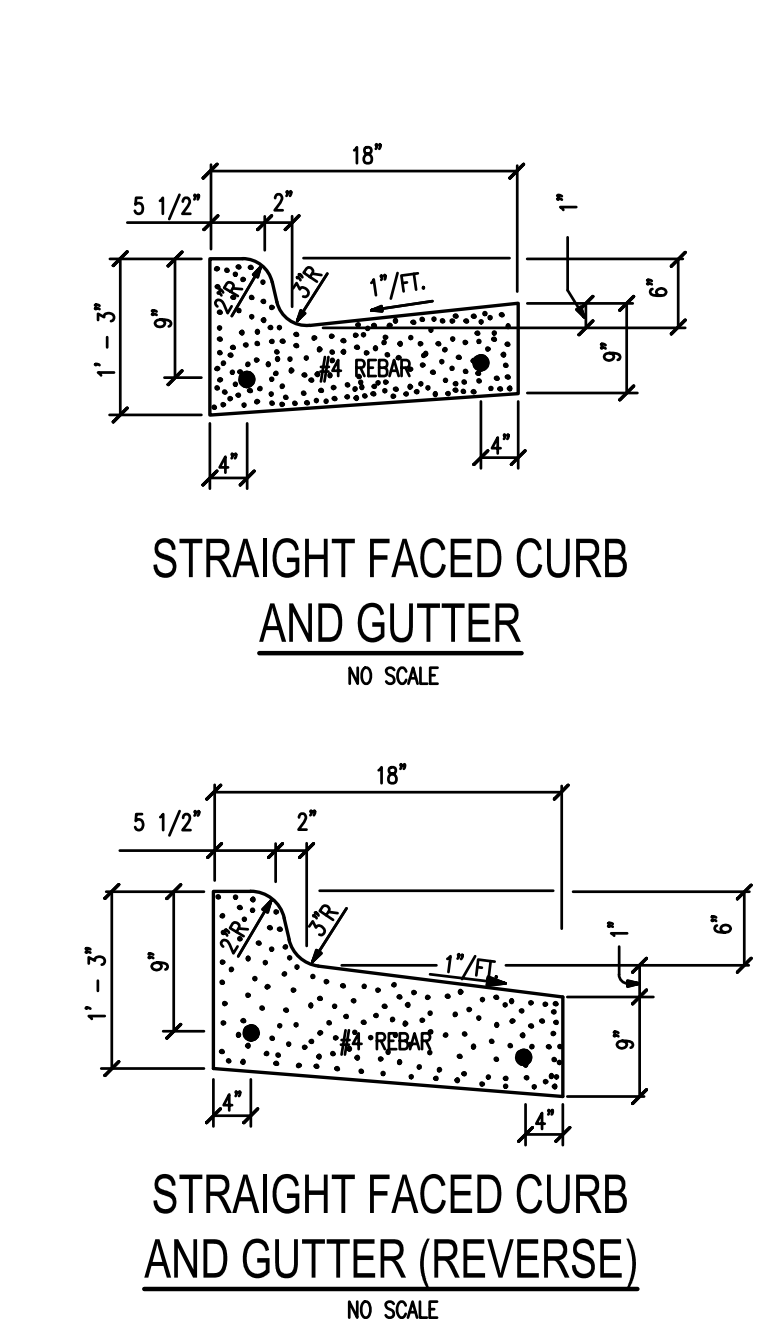
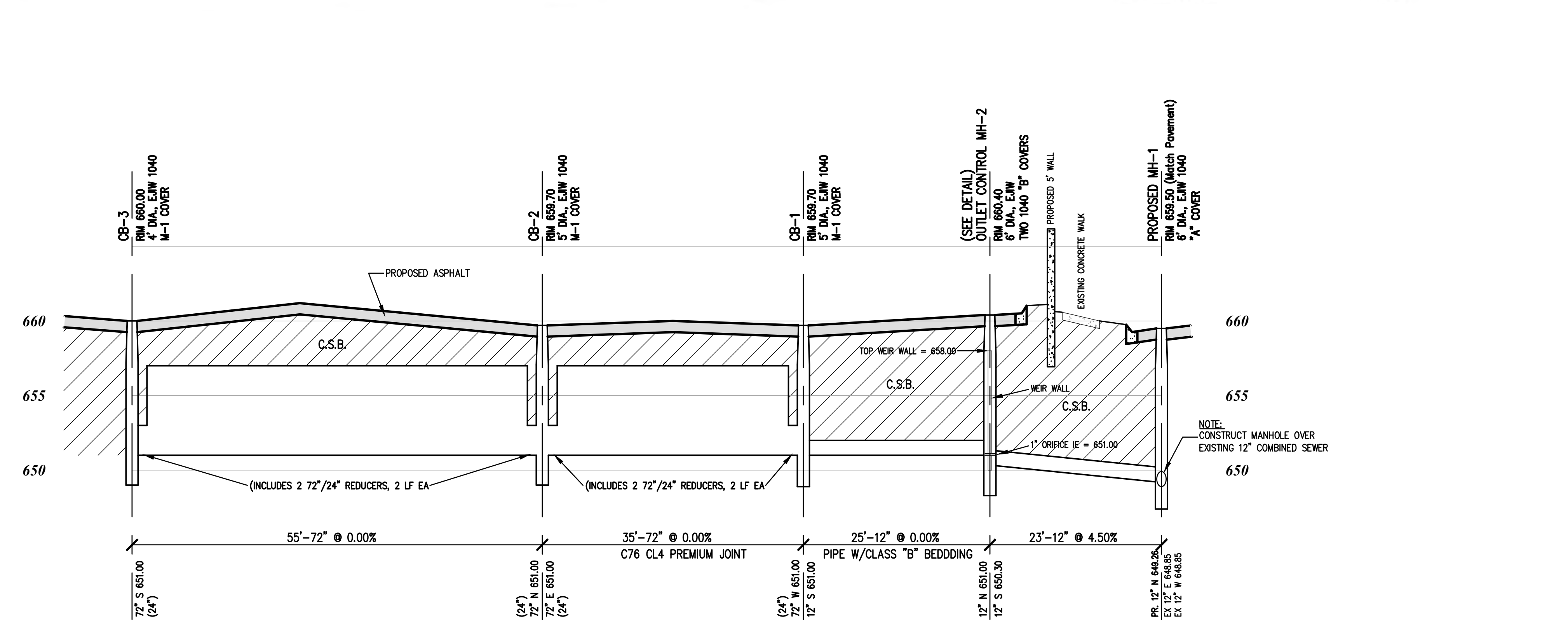
Estimated Quantities:

DEMOLITION:
REMOVE 6' HIGH CONCRETE WALL - 40 LF
SAWCUT PAVEMENT & WALKS - 60 LF +/-
REMOVE CONCRETE ROAD - 100 SF +/-
REMOVE CONCRETE CURB - 10 LF
REMOVE CONCRETE SIDEWALK - 50 SF +/-
REMOVE CONCRETE DRIVE APPROACH - 80 SF +/-

PAVING & WALLS:
4" ASPHALT ON 8" 21AA GRAVEL - 1,120 SY
4" CONCRETE SPLASH WALK - 0 SY
6" REVERSE CONCRETE CURB & GUTTER, 18" WIDE - 350 LF
5' HIGH MASONRY BRICK WALL (ALONG WEST & NORTH PLS - 168 LF
5' HIGH MASONRY BRICK WALL (ALONG OXFORD ROAD) - 105 LF
REPLACE 8" CONCRETE ROAD - 100 SF +/-
REPLACE CONCRETE CURB - 10 LF
REPLACE CONCRETE SIDEWALK - 50 SF +/-

STORM SEWER:
12" C76 CL4 SEWER PIPE - 48 LF
72" C76 CL4 SEWER PIPE - 90 LF
60" TO 24" REDUCERS, 2 LF - 4 EA
4' DIA. CATCH BASIN W/2' SUMP - 1 EA
5' DIA. CATCH BASIN W/2' SUMP - 2 EA
4' DIA. MANHOLE W/WEIR WALL - 1 EA
4' DIA. MANHOLE OVER EXISTING 12" COMBINED SEWER - 1 EA

SOIL EROSION CONTROL:
LOW POINT INLET FILTER - 3 EA
DISRUPTION AREA - 0.24 ACRES



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3-22-2022	REVISED PER CITY MEETING/LETTER (3-2-2022)
5-2-2022	REVISED PER CITY MEETING/LETTER (5-6 & 9-2022)
7-26-2022	REVISED PER CITY MEETING (7-27-2022)

PROPRIETOR:
UNION JOINTS
90 NORTH MAIN STREET
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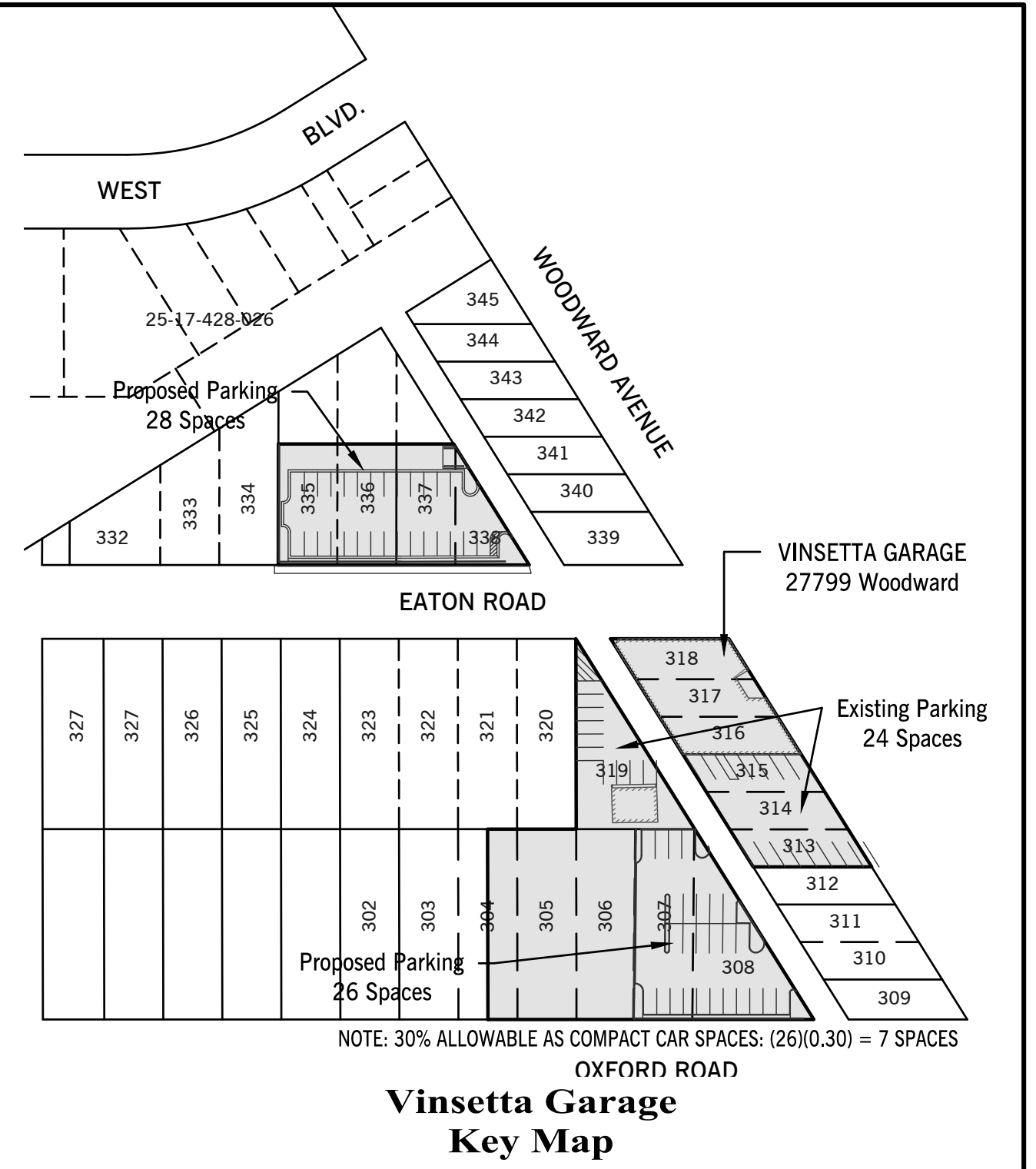
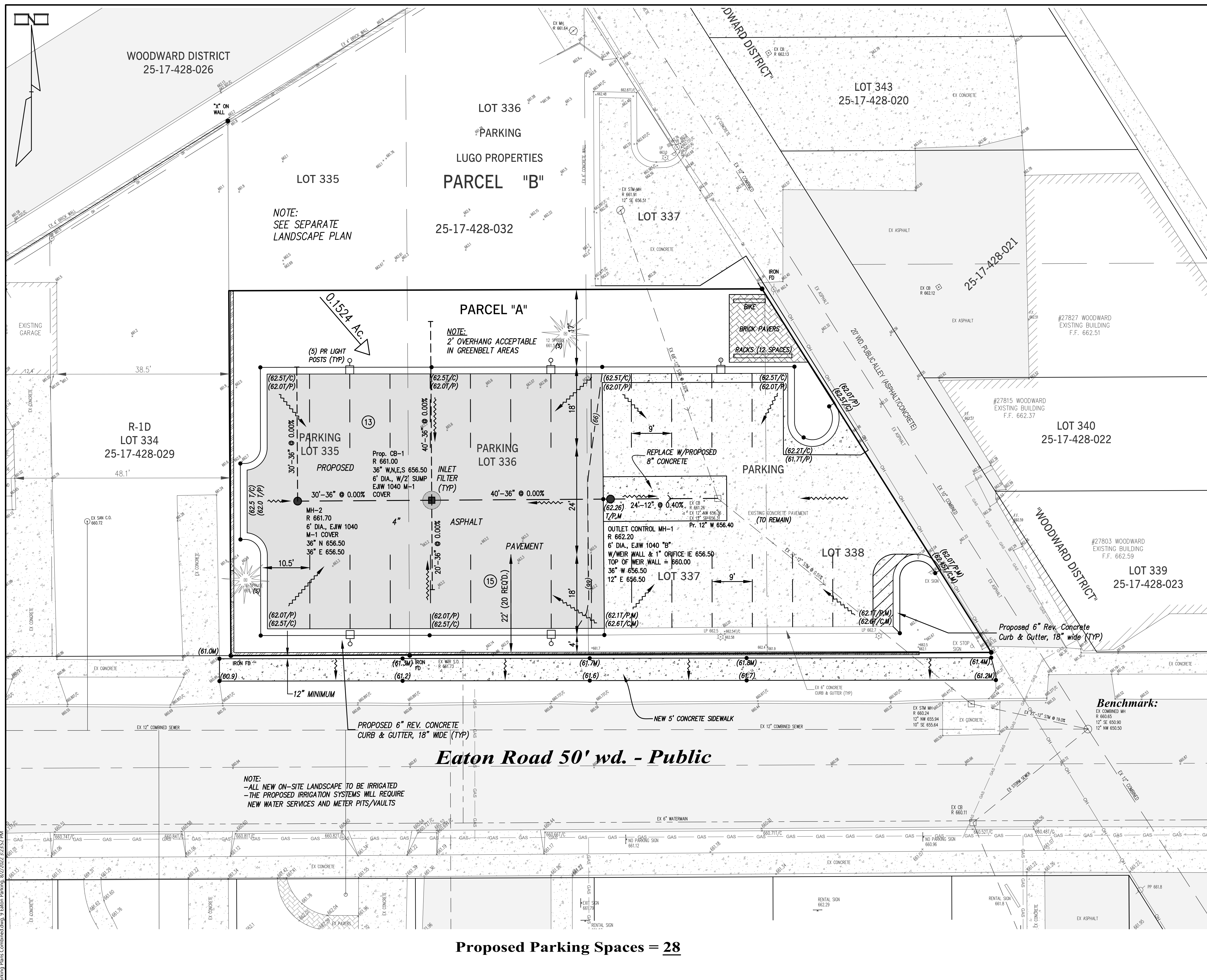
DATE 2-23-16	CKD. BY DATE
DRAWN GF	
DESIGN JJS/PCM	
SECTION 17	T-1 -N- R-11 -E-



Oxford Road Storm Profile, Calculations & Details
VINSETTA GARAGE
CITY OF BERKLEY, OAKLAND COUNTY, MICHIGAN

SCALE 1" = 10' HORIZ. 1" = 5' VERT.
SHEET 8 OF 10
KE 2015.344





LEGEND

EXISTING	PROPOSED
STORM SEWER	STORM SEWER
SANITARY SEWER	SANITARY SEWER
WATER MAIN	WATER MAIN
GAS MAIN	GAS MAIN
ELEC. TELE. CABLE	ELEC. TELE. CABLE
STORM MANHOLE	STORM MANHOLE
CATCH BASIN	CATCH BASIN
INLET	INLET
REAR/YARD CATCH BASIN	REAR/YARD CATCH BASIN
END SECTION	END SECTION
SANITARY MANHOLE	SANITARY MANHOLE
GATE VALVE AND WELL	GATE VALVE AND WELL
HYDRANT	HYDRANT
MASS GRADING CONTOURS	MASS GRADING CONTOURS
PROPOSED GRADE	PROPOSED GRADE
MATCH EXIST. ELEV.	MATCH EXIST. ELEV.
CATCHBASIN FILTER	CATCHBASIN FILTER
SILT FENCING	SILT FENCING
DISRUPTION LIMITS	DISRUPTION LIMITS
SILT FENCE GRAVEL FILTER	SILT FENCE GRAVEL FILTER

- Wall Notes Eaton Road lot:**
- 48" high masonry wall at southern boundary (Eaton Road)
 - 6' high masonry wall at western boundary (adjacent to residential)

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DATE	ISSUE
5-14-2020	PER CONSENT JUDGEMENT
10-2-2021	REVISED PER CITY DIRECTOR (10-1-2021)
5-25-2022	REVISED PER CITY MEETING LETTER (5-2-2022)
5-27-2022	REVISED PER CITY REVIEW LETTER (5-6 & 9-2022)
7-29-2022	REVISED PER CITY MEETING (7-27-2022)

PROPRIETOR:
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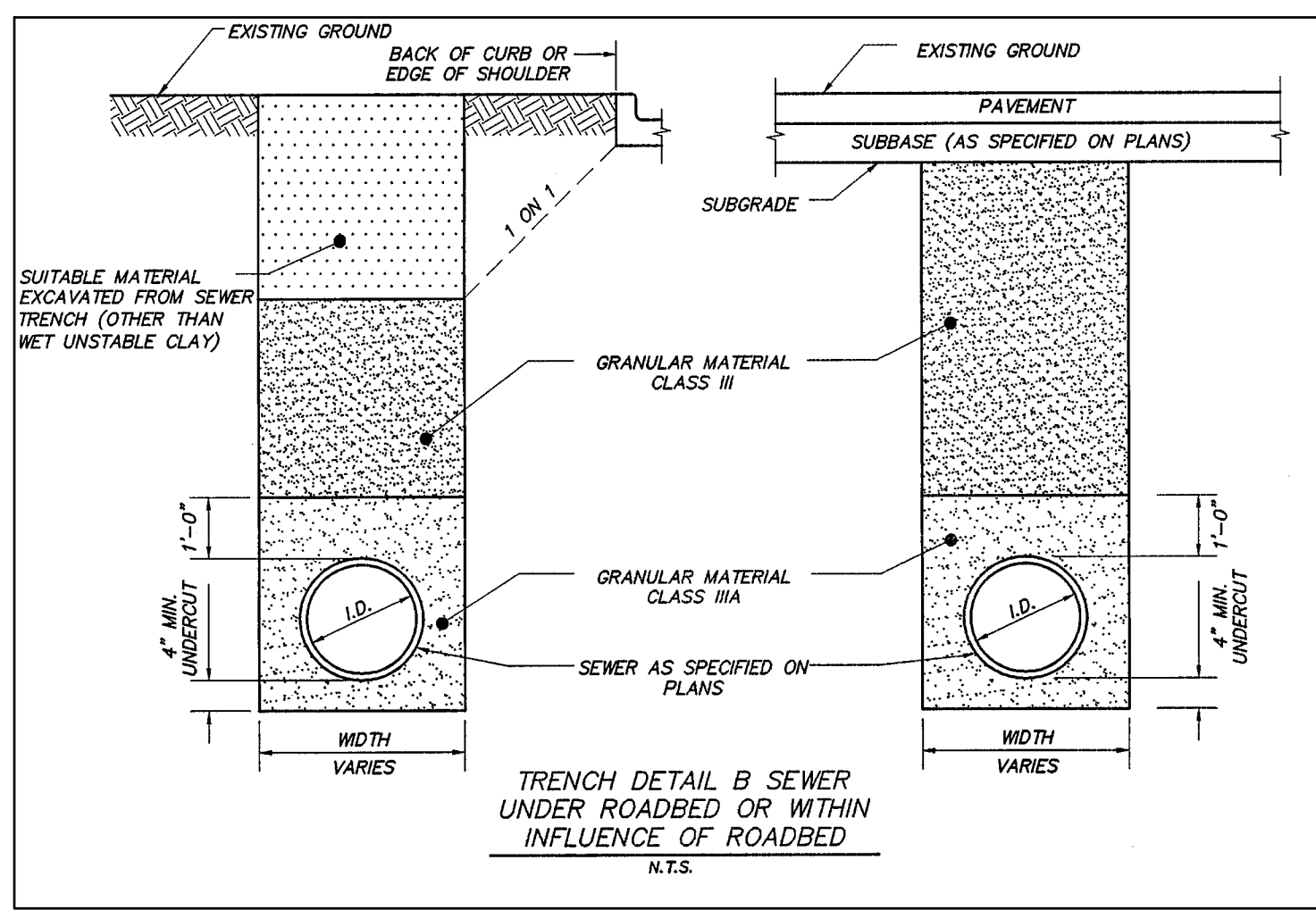
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DATE 12-29-16 CKD. BY DATE
DRAWN GF
DESIGN JJS/PCM
SECTION 17 T-1 -N- R-11 -E-



Proposed Eaton Road Parking Plan
VINSETTA GARAGE
CITY OF BERKLEY, OAKLAND COUNTY, MICHIGAN

SCALE 1" = 10'
SHEET 9 OF 10
KE 2015.344



LAND USE SUMMARY		
CHARACTERISTIC	EXISTING CONDITIONS	PROPOSED CONDITIONS
TOTAL DEVELOPMENT AREA (ACRES)	0.15	0.15
IMPERVIOUS AREA (ACRES)	0	0.11
TOTAL PERVIOUS AREA (ACRES)	0.15	0.04
PERVIOUS AREA BREAKDOWN BY COVER TYPE		
MEADOW/FALLOW/NATURAL AREAS (NON-CULTIVATED)	0.15	0.00
PREDOMINANT NCRS SOIL TYPE (A, B, C, OR D)	C	C
IMPROVED AREAS (TURF GRASS, LANDSCAPE, ROW CROPS)	0	0.04
PREDOMINANT NCRS SOIL TYPE (A, B, C, OR D)	C	C
WOODED AREAS	0	0
PREDOMINANT NCRS SOIL TYPE (A, B, C, OR D)	C	C
PROPOSED POND AREA (ACRES)		0
REQUIRED CPVC VOLUME (CUBIC FEET)		540
PROVIDED CPVC VOLUME (CUBIC FEET)		0
REQUIRED ED VOLUME (CUBIC FEET)		790
REQUIRED VOLUME ₁₀₀ (CUBIC FEET)		1,049
PROVIDED VOLUME ₁₀₀ (CUBIC FEET)		1,131

PARKING INFORMATION
PARKING REQUIRED = 63 SPACES

PARKING PROVIDED:
VINSETTA GARAGE RESTAURANT LOT; EXISTING = 24 SPACES (INCLUDES 2 ADA)
PROPOSED = 23 SPACES (INCLUDES 4 ADA)

OXFORD LOT; PROPOSED = 26 SPACES

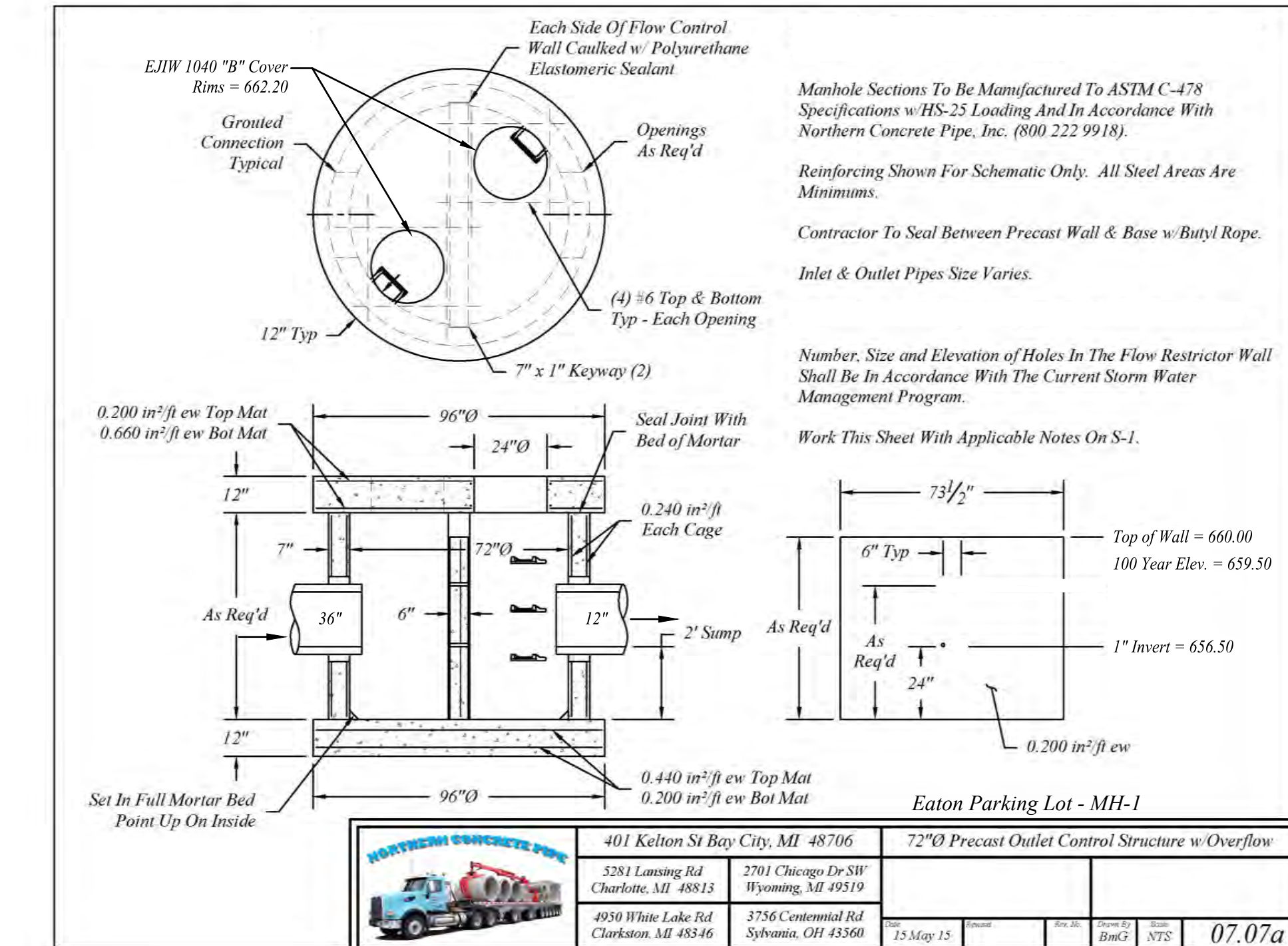
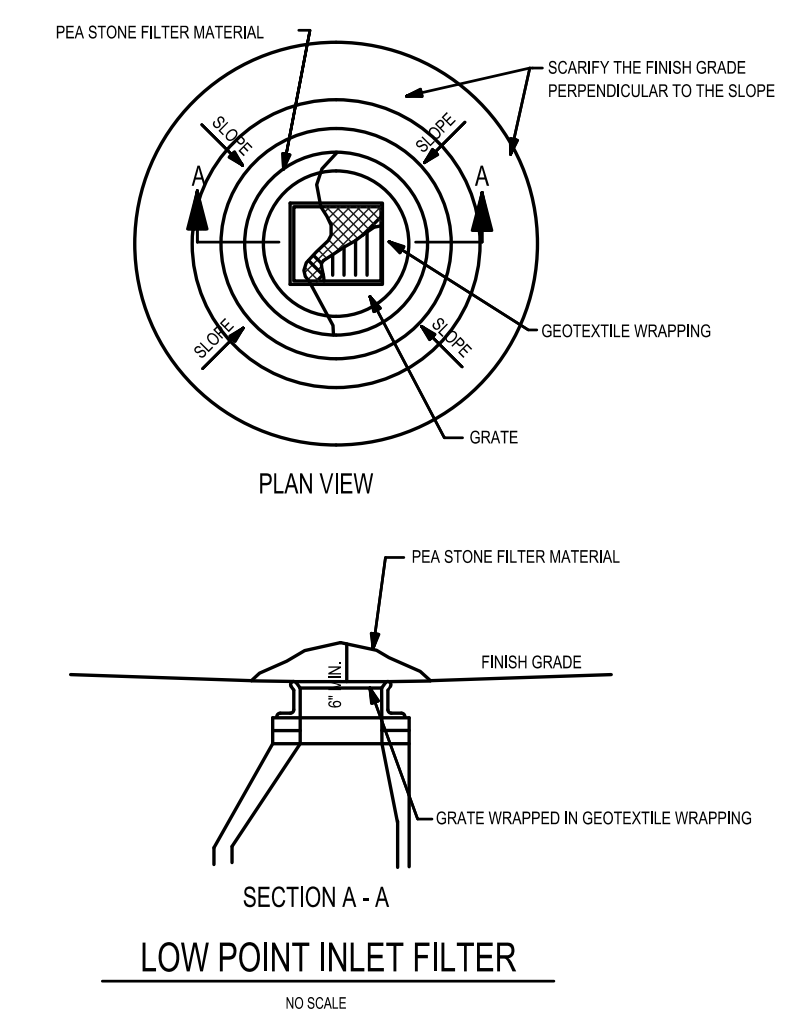
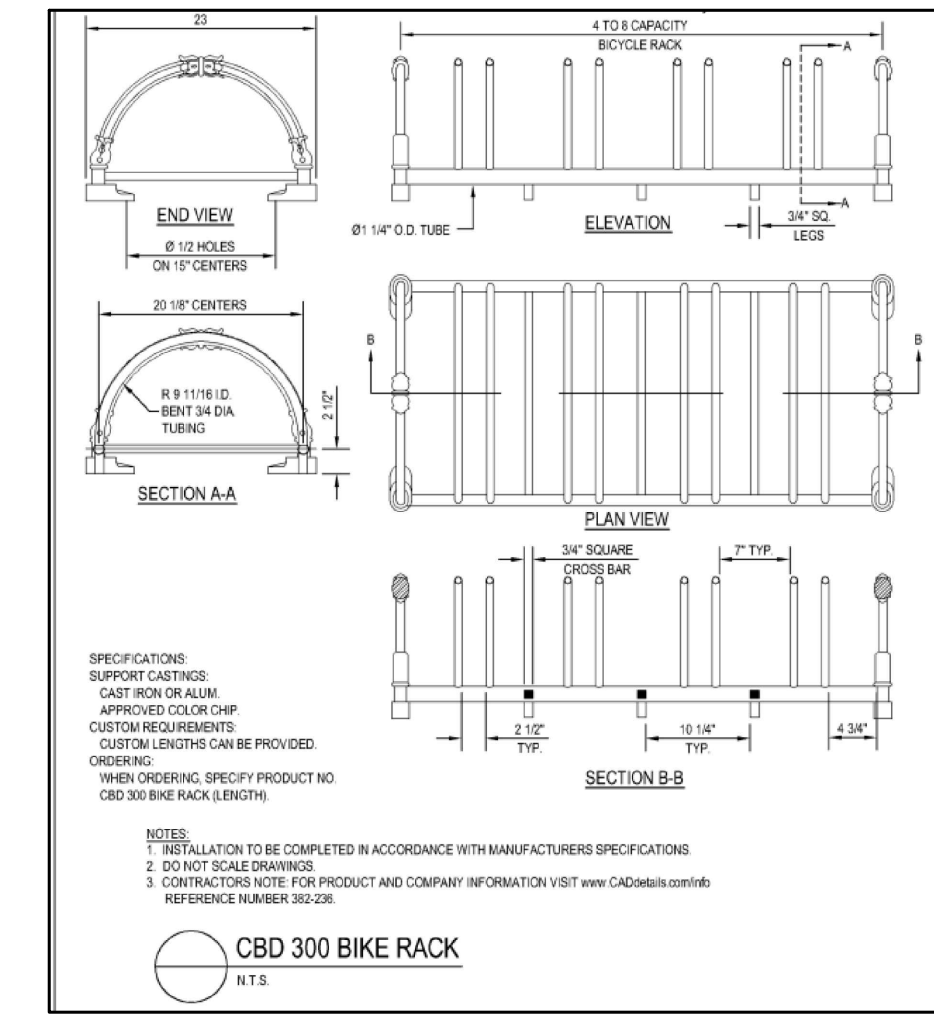
EATON LOT; PROPOSED = 28 SPACES
TOTAL PROVIDED = 77 SPACES (INCLUDES 4 ADA)

STORM SEWER CALCULATION

$$Q_{10} = ACI; A = 0.1524 \text{ AC.}, C = 0.76, I = \frac{175}{15+25} = \frac{175}{40} = 4.38$$

$$Q_{10} = (0.1524 \text{ AC})(0.76)(4.38) = 0.51 \text{ CFS, REQUIRED}$$

OVERFLOW PIPE DESIGN: 12" @ 0.40% HAS Q = 2.26 CFS PROVIDED, OK



100 YEAR UNDERGROUND DETENTION CALCULATION (I.E. WITH OUTLET)

TOTAL CONTRIBUTING AREA A = 0.15
HYDROLOGIC SOIL GROUP C FROM USDA WSS
RUNOFF COEFFICIENT C = 0.95(0.11) + 0.25(0.04) + 1.00(0.15) = 0.76
SHEET K = 0.48 L = 64 FT S = 2.70 V = KS^{1/2} = 0.79 FT/S
T_r = L / V = 0.0225 HR = 1.35 MIN
T_c = ΣT_r = 1.4 MIN
I₁₀₀ = $\frac{83.3}{(T_c + 9.17)^{0.775}}$ = 12.38 IN/HR

CHANNEL PROTECTION VOLUME CONTROL- RECHARGE
V_{CPVC} = 4,719 CA = 540 CF

SOIL INFILTRATION RATE FROM BORINGS = 0.00 IN/HR
BELOW 0.24 IN/HR, INFILTRATION IMPRACTICAL & WAIVED

EXTENDED DETENTION
V_{ED} = 6,897 CA = 790 CF

DETENTION & FLOOD CONTROL
Q_{100R} = 1.1055-0.208ln(A) = 1.496 CFS/AC

Q_{100P} = Q_{100R}A = 0.224 CFS

V_{100R} = 18,985 CA = 2,174 CF

Q_{100N} = C_{I100}A = 1.42 CFS

R = 0.206 - 0.15ln(Q_{100P}/Q_{100R}) = 0.482

100-YEAR STORAGE VOLUME
V_{100S} = V_{100R}R = 1,049 CF = 1,049 CF PER CPVC

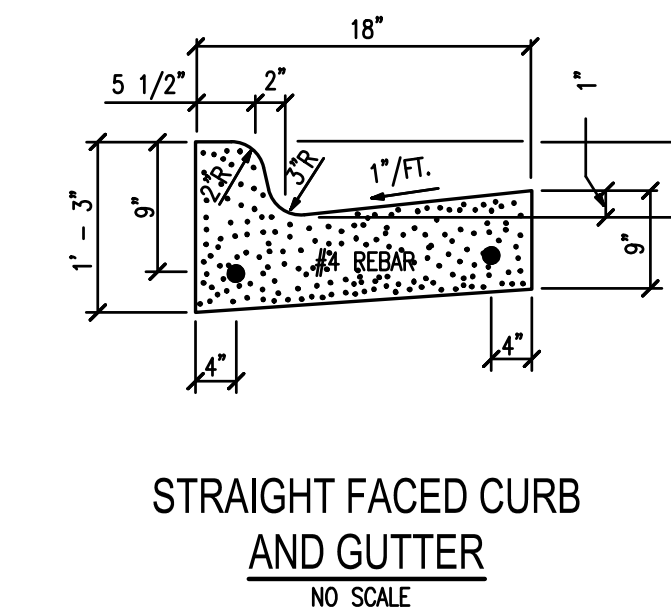
WAS VOLUME CONTROL MET FOR CPVC? Y or N **N**

V_{100S} OR V_{ED} CONTROL? V_{100D} 1,049 CF REQD

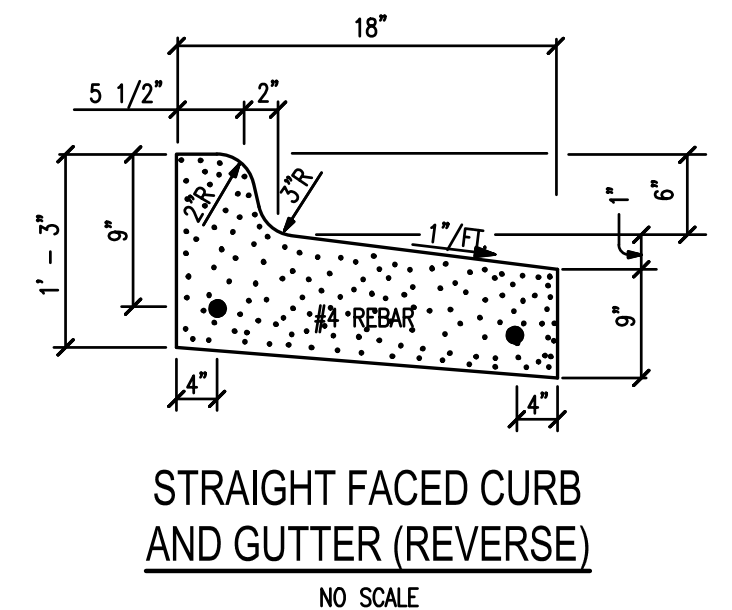
Q_{ED} = $\frac{V_{ED}}{172,800}$ = 0.005 CFS

ORIFICE CALCULATIONS
Q_{or} = 0.62 (A_o)(2gh)^{1/2}
A_o = AREA ORIFICE PIPE
g = 32.2 FT/SEC²
H = 50% DEPTH OF HEAD (TOP STORAGE) ABOVE INVERT OF OUTLET PIPE
TOP STORAGE = 659.50 INVERT = 656.50
H = 1.50 FT
EXTENDED DETENTION OUTLET
Q_{or} = $\frac{0.62 (2gh)^{1/2}}{4}$ = 0.0007 SF = 0.108 IN²
D_{or} = DIAMETER OF ORIFICE
D_{or} = $\sqrt{\frac{4A_o}{\pi}}$ = 0.0309 FT = 0.37 INCH
USE 1" RESTRICTION TO OFFSET CLOGGING
A_{or} = $\frac{\pi D_{or}^2}{4}$ = 0.785 IN²
A_{or}/A₁₁ = 0.14 → USE 1" HOLES EQ. SPACED AT WIER WALL INVERT OUTLET

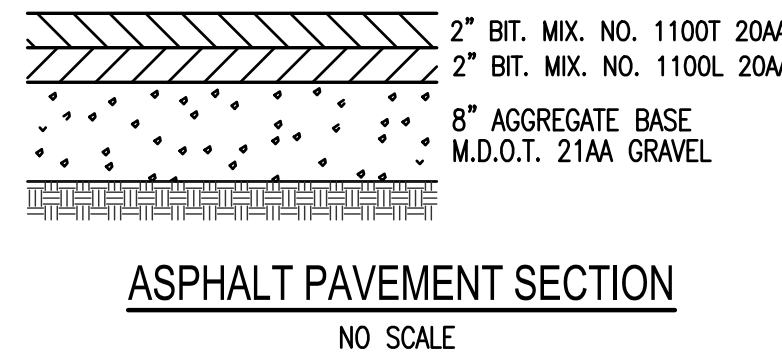
UNDERGROUND DETENTION BASIN
DIAMETER OF U.G. STORAGE PIPES = 36 IN
LENGTH OF U.G. STORAGE PIPES = 180 LF
DESIGN HIGH WATER/STORAGE ELEVATION = 659.50
0.5 FT FREEBOARD ELEVATION = 660.00
STORAGE REQUIRED = 1,049 CF
STORAGE PROVIDED = 1,131 CF



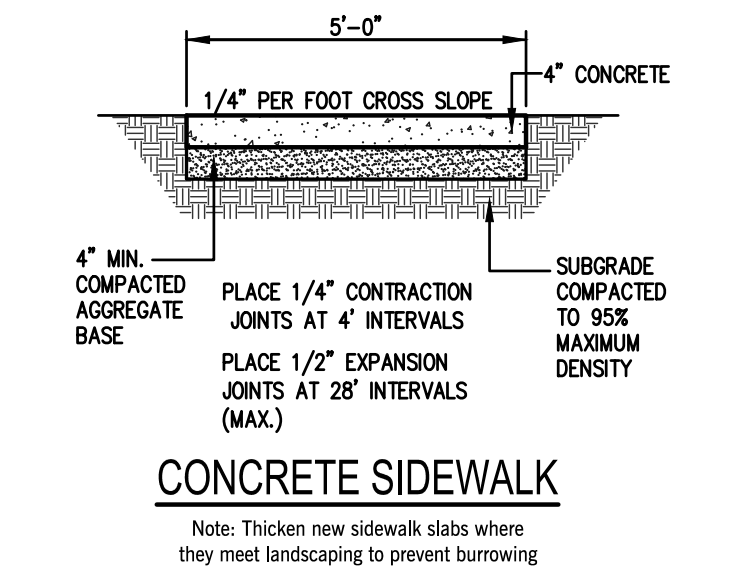
STRAIGHT FACED CURB AND GUTTER
NO SCALE



STRAIGHT FACED CURB AND GUTTER (REVERSE)
NO SCALE



ASPHALT PAVEMENT SECTION
NO SCALE



CONCRETE SIDEWALK
Note: Thicken new sidewalk slabs where they meet landscaping to prevent burrowing

Benchmark Note:
RIM OF SEWER MANHOLE ELEVATION = 660.65 (U.S.G.S.)

Detention Note:
BASED UPON CITY OF BERKLEY REQUIREMENTS AN EJW 1040C - 4 SLOT RESTRICTED COVER.

Lighting Note:
THE UNDERGROUND ELECTRICAL FOR LIGHTING SHALL BE DESIGN BUILD. THE CONTRACTOR SHALL LOCATE THE ELECTRICAL SERVICE ON-SITE.

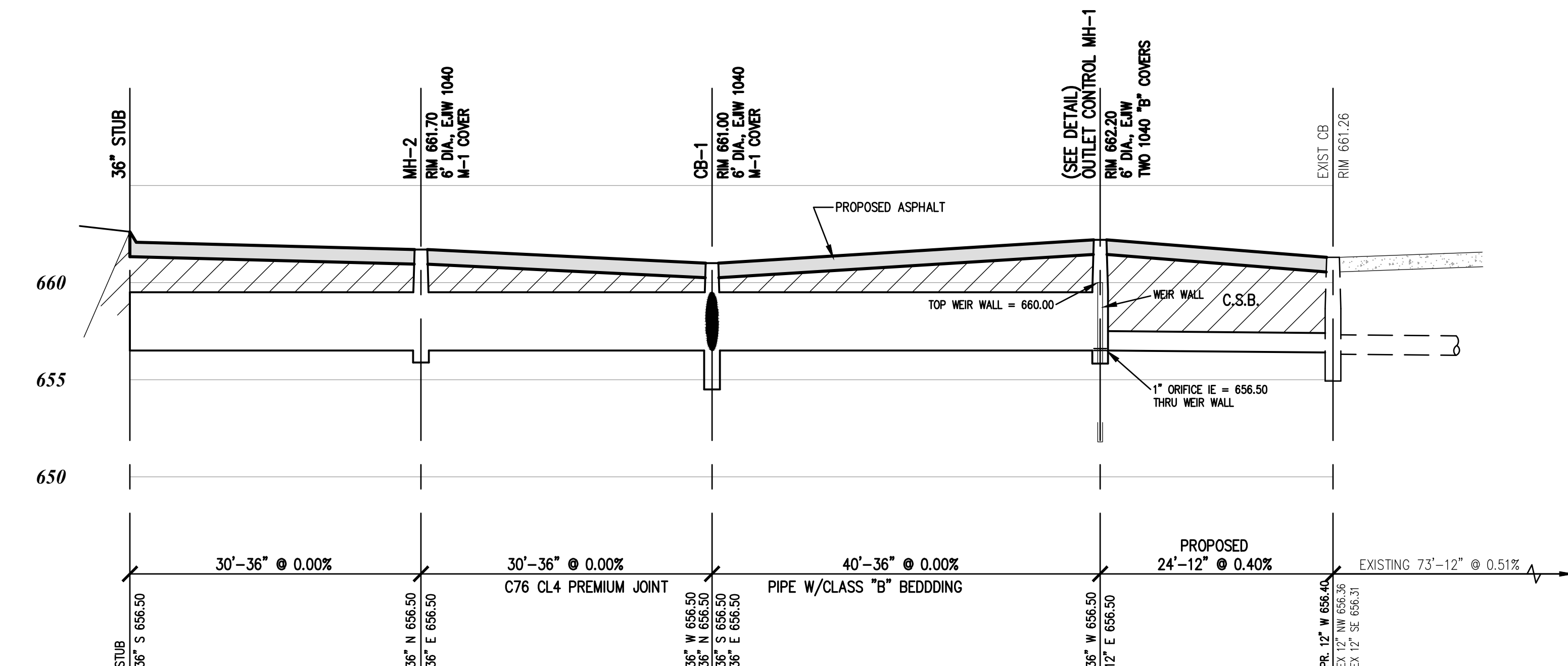
Estimated Quantities:

DEMOLITION:
SAWCUT PAVEMENT & WALKS - 230 LF
REMOVE CONCRETE WALL (6' HIGH) - 128 LF
REMOVE CONCRETE WALKS - 900 SF +/-
REMOVE CONCRETE PAVEMENT - 1,600 SF +/-
REMOVE CONCRETE CURBS - 150 LF +/-

PAVING & WALLS:
4" ASPHALT ON 8"-21AA GRAVEL - 500 SY
4" CONCRETE SIDEWALK - 100 SY
4" CONCRETE SPLASH WALK - 0 SY
6" REVERSE CONCRETE CURB & GUTTER, 18" WIDE - 325 LF
8" CONCRETE PAVEMENT - 58 SY
6' HIGH MASONRY BRICK WALL - 80 LF
5' HIGH MASONRY BRICK WALL - 84 LF

STORM SEWER:
36" C76 CL4 SEWER PIPE - 160 LF
12" C76 CL4 SEWER PIPE - 24 LF
6' DIA., CATCH BASIN W/2' SUMP - 1 EA
6' DIA., MANHOLE (OUTLET CONTROL) W/WIER WALL - 1 EA
6' DIA., MANHOLE - 1 EA
STORM DRAIN TAP - 1 EA

SOIL EROSION CONTROL:
LOW POINT INLET FILTER - 1 EA
DISRUPTION AREA - 0.16 ACRES



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DATE	ISSUE
5-14-2020	PER CONSENT JUDGMENT
10-2-2021	REVISED PER CITY DIRECTOR (10-1-2021)
5-22-2022	REVISED PER CITY MEETING (LETTER (5-2-2022))
5-27-2022	REVISED PER CITY REVIEW LETTER (5-6 & 9-2022)
7-29-2022	REVISED PER CITY MEETING (7-27-2022)

PROPRIETOR:
UNION JOINTS
90 NORTH MAIN STREET
CLARKSTON, MICHIGAN 48346
(248) 830-4937

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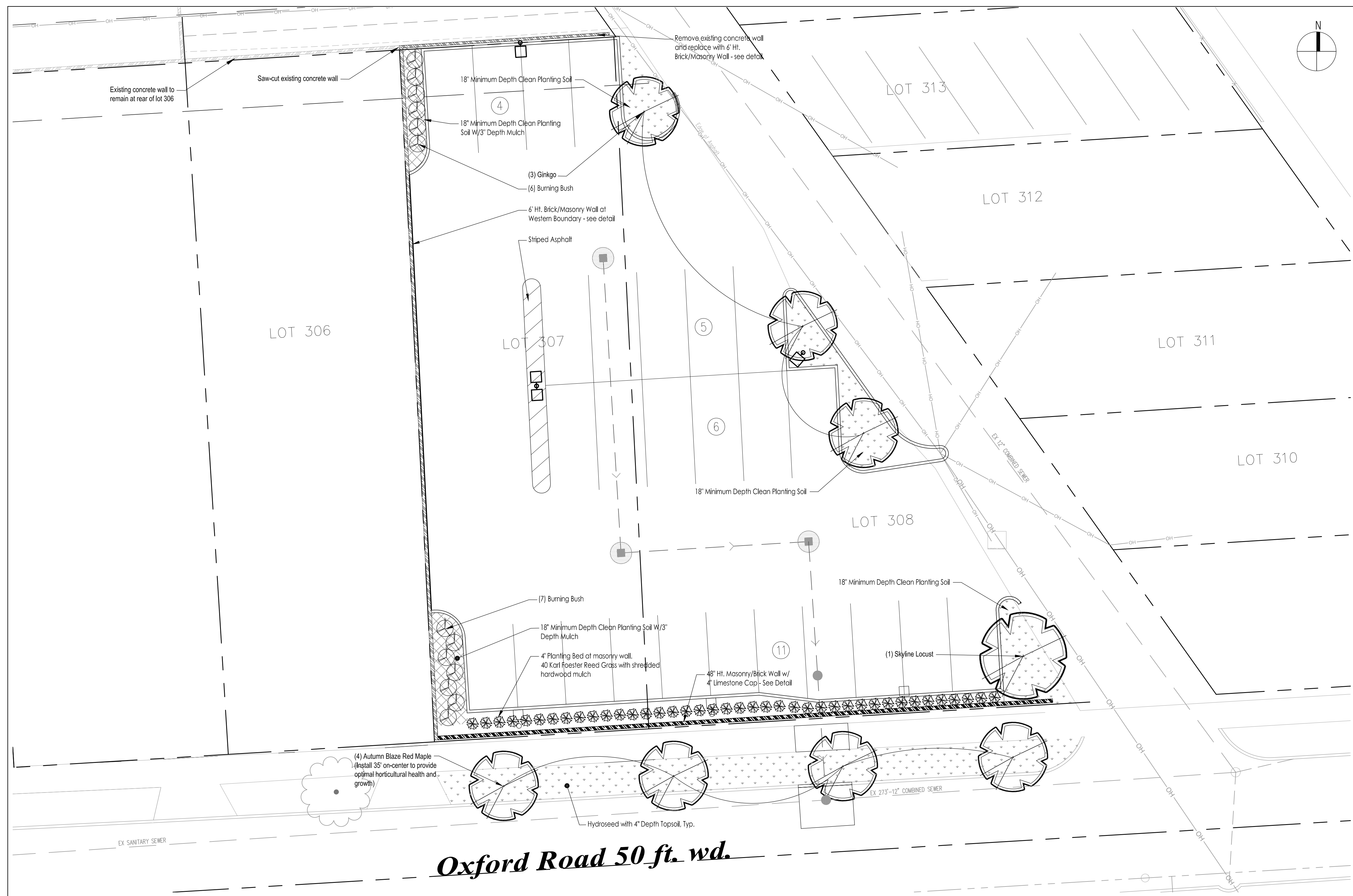
KIEFT ENGINEERING, INC.
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS
5852 SOUTH MAIN STREET, SUITE 1, CLARKSTON, MICHIGAN 48346
PHONE (248) 625-5251 www.kiefteng.com FAX (248) 625-7110

DATE	12-29-16	CKD. BY	DATE
DRAWN	GF		
DESIGN	JJS/PCM		
SECTION	17	T- 1 -N- R- 11 -E-	



Eaton Road Storm Profile, Calculations & Details
VINSETTA GARAGE
CITY OF BERKLEY, OAKLAND COUNTY, MICHIGAN

SCALE	1" = 10' HORZ. 1" = 5' VERT.
SHEET	10 OF 10
PROJECT	KE 2015.344



Oxford Road 50 ft. wd.

PLANTING NOTES:

- Contractor shall be responsible for contacting and coordinating with all pertinent utility companies 72 hours in advance of any digging to make themselves familiar with all underground utilities, pipes and structures. Contractor shall take sole responsibility for any cost incurred due to damage of said utilities or structures.
- Contractor shall not willfully proceed with construction as designed when it is obvious that unknown obstructions and/or grade differences exist. Such conditions shall immediately be brought to the attention of the Owner's Representative. The contractor shall assume full responsibility for all necessary revisions due to failure to give such notification.
- Any discrepancies between dimensioned layout and actual field conditions shall be reported to the Owner's Representative. Failure to make such discrepancies known will result in contractor's responsibility and liability for any changes and associated costs.
- Contractor shall be responsible for any coordination with subcontractors as required to accomplish construction installation operations.
- Contractor shall provide and maintain positive surface drainage.
- Contractor shall be responsible for any existing materials that are damaged during construction.
- See Plant Data Chart and Planting Details for planting requirements, materials and execution.
- All trees shall have a clay loam or clay root ball. Trees with sand root balls will not be accepted.
- All tree varieties and substitutions to be approved by the Owners Representative prior to being delivered to site. Any plant material delivered to site not previously approved may be rejected and are the sole responsibility of the contractor.
- The location of all plant material shall be scaled from drawings or interpreted from plant list. Final location of all plant material shall be subject to approval from the Owner's Representative.
- The contractor shall "water in" and fertilize all plants immediately after planting.
- Contractor shall install 2 - 4" of screened Top Soil on all planting areas and all new lawn areas. Contractor shall install hydroseed at all lawn areas as depicted on drawings.
- Contractor shall install 3" depth Shredded Hardwood Mulch in all shrub and tree planting beds unless otherwise indicated. Peat Moss is to be installed in all annual flower, perennial flower and ground cover planting beds. Such beds shall have no shredded mulch, typ.
- The contractor shall guarantee all trees, shrubs, ground cover and other plant materials for one year from the date of acceptance, including labor and removal and disposal of dead material. Project owner shall be responsible maintenance program.
- All plant material shall be nursery grown. All trees and plant material shall meet the current standards of the American Society of Nurseryman.
- All diseased, damaged, or dead material shown on the site plan shall be replaced by the end of the following growing season. Property owner shall be responsible to maintain plant material in healthy condition and/or replace dead plant material for the life of the project.
- Contractor shall adhere to all soil erosion prevention methods as directed within civil engineering drawings and within the municipal Ordinance including maintaining silt fencing and ensuring that soil, silt and other debris is prevented from leaving site or entering area drains, sewer inlets, creeks or natural areas.



J EPPINK PARTNERS, INC.
Urban Design Studio
Landscape Architecture
Traditional Town Planning
9336 Sashabaw Road
Clarkston, Michigan 48348
248.922.0789

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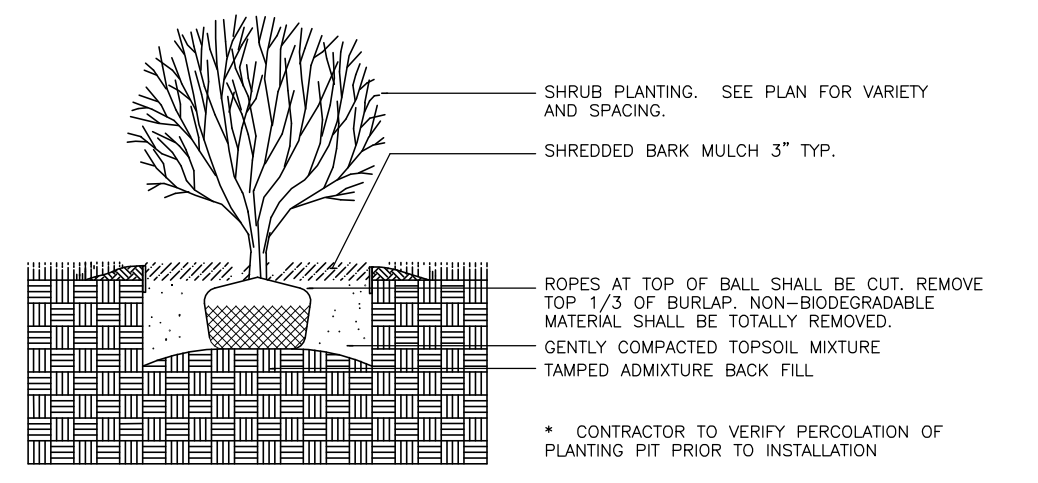
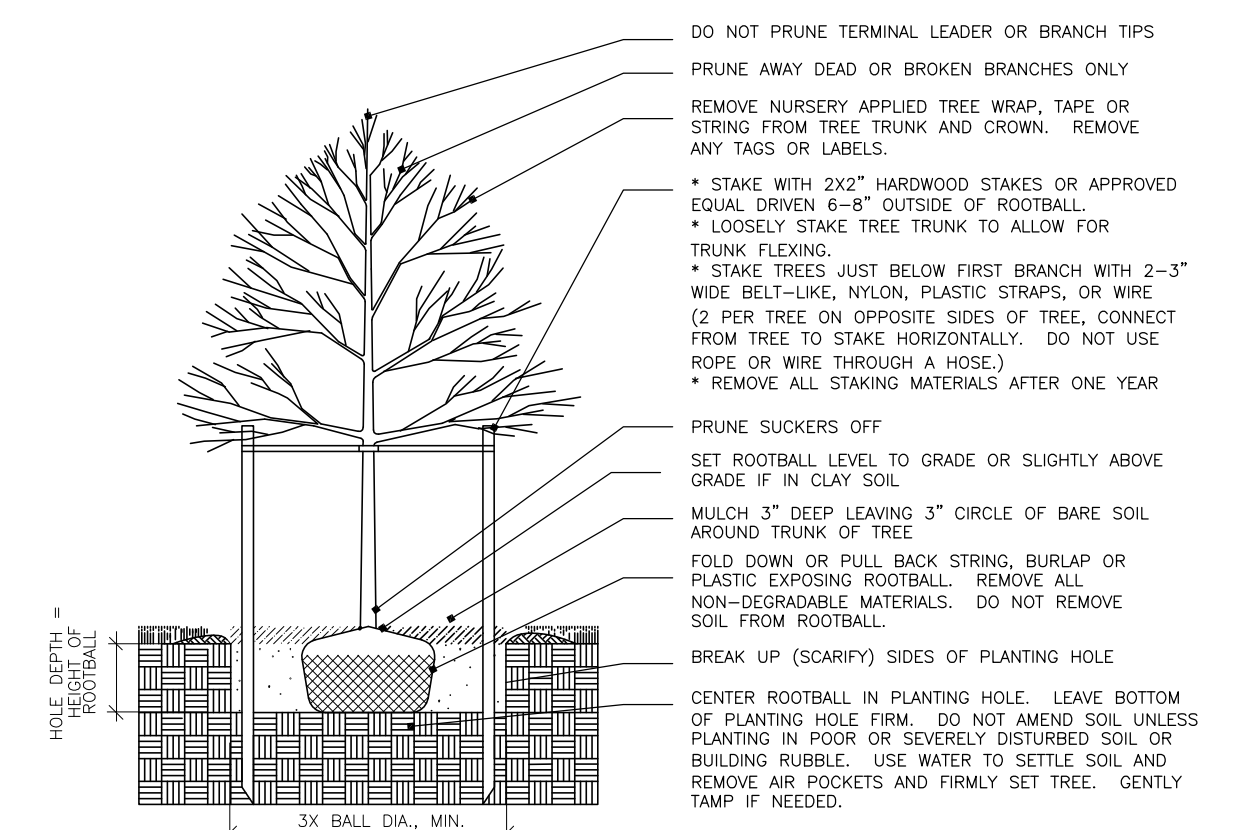
Project:
Proposed Oxford Road Parking Plan
Vinsetta Garage
City of Berkeley,
Oakland County, Michigan

Owner:
UNION JOINTS
90 NORTH MAIN STREET
CLARKSTON, MICHIGAN 48346

Sheet:
Landscape Plan
Issues / Revisions
LANDSCAPE REVISIONS 12/10/21
LANDSCAPE REVISIONS 04/20/22
LANDSCAPE REVISIONS 06/10/22
LANDSCAPE REVISIONS 08/03/22

Drawn by:
JJS
Checked By:
JTE
Date:
November 15, 2021
Scale:
1" = 10'-0"
Sheet:
LP-1

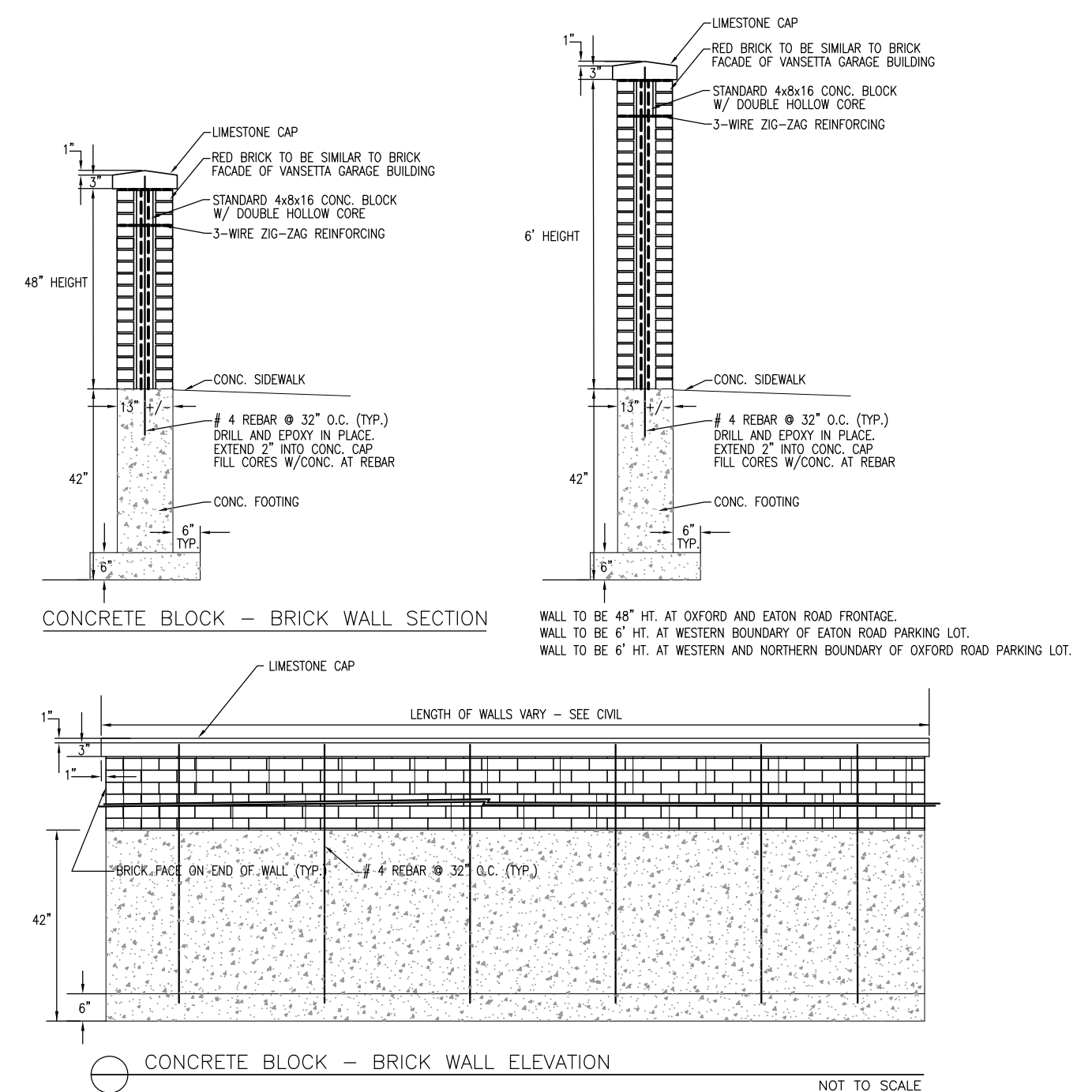
PLANTING DETAILS:



PLANT DATA CHART:

QTY.	DESCRIPTION	COMMENTS
4	Autumn Blaze Maple Acer x freemanii 'Jeffers'	2.5' cal., B&B
1	Skyline Locust Gleditsia triacanthos	2.5' cal., B&B
3	Ginkgo biloba Ginkgo	2.5' cal., B&B
13	Burning bush Euonymus alatus	3 gal, Container
40	Calamagrostis x acutiflora Karl Foerster Reed Grass	2 gal, Container

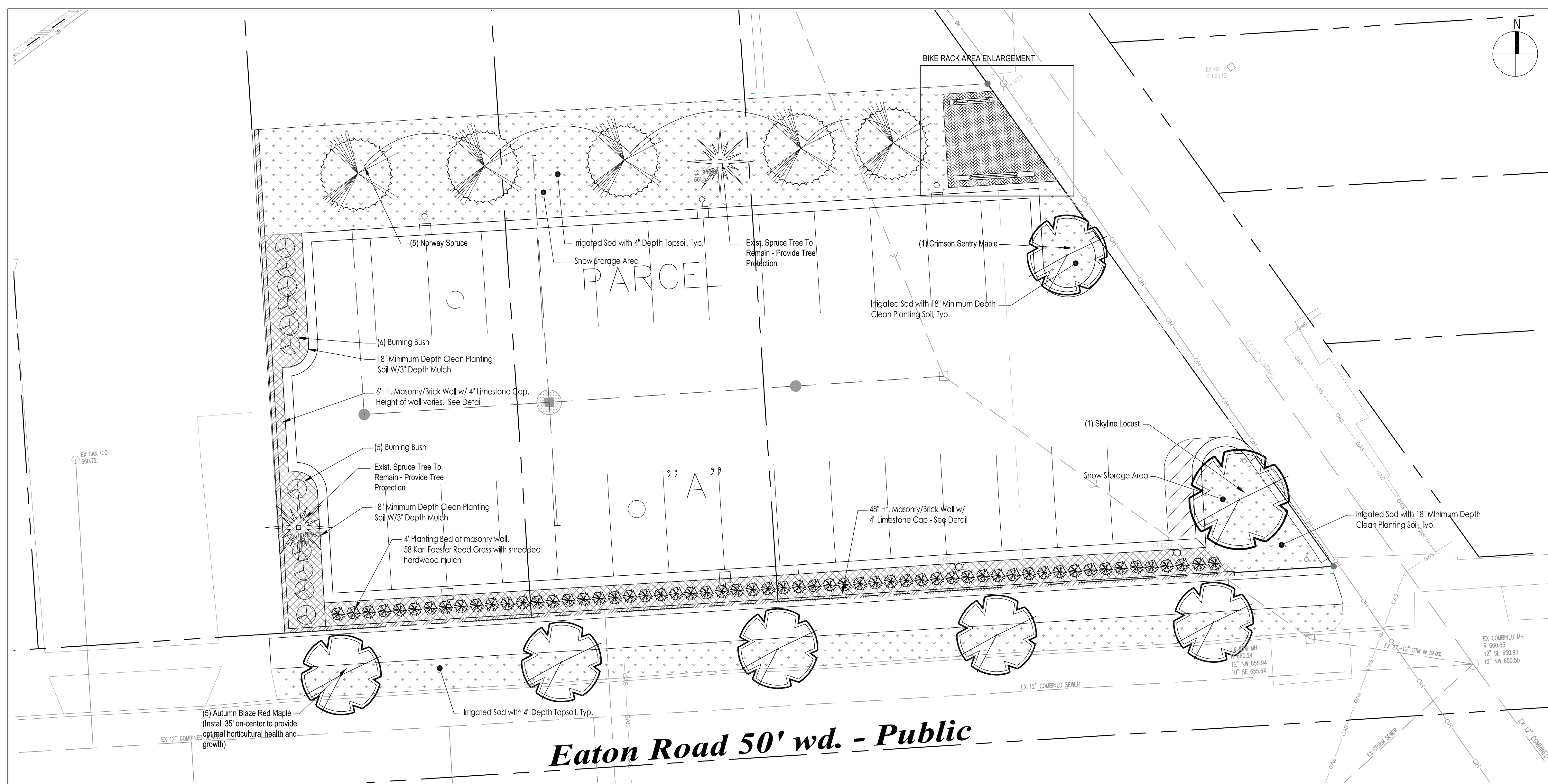
NOTE: Landscape contractor shall coordinate the final selection of Street Tree variety with the City of Berkeley and shall coordinate the installation of the Street Trees with the City of Berkeley's annual fall tree planting program



DECIDUOUS TREE PLANTING DETAIL, TYP. NOT TO SCALE

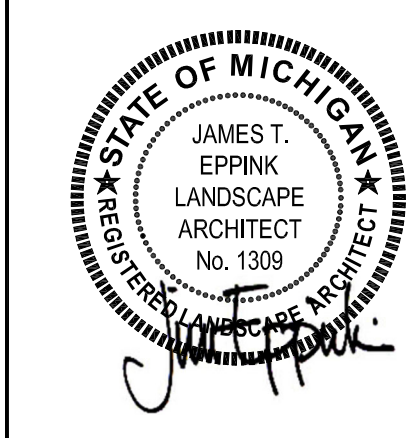
SHRUB PLANTING - BALL AND BURLAP, TYP. NOT TO SCALE





PLANTING NOTES:

- Contractor shall be responsible for contacting and coordinating with all pertinent utility companies 72 hours in advance of any digging to make themselves familiar with all underground utilities, pipes and structures. Contractor shall take sole responsibility for any cost incurred due to damage of said utilities or structures.
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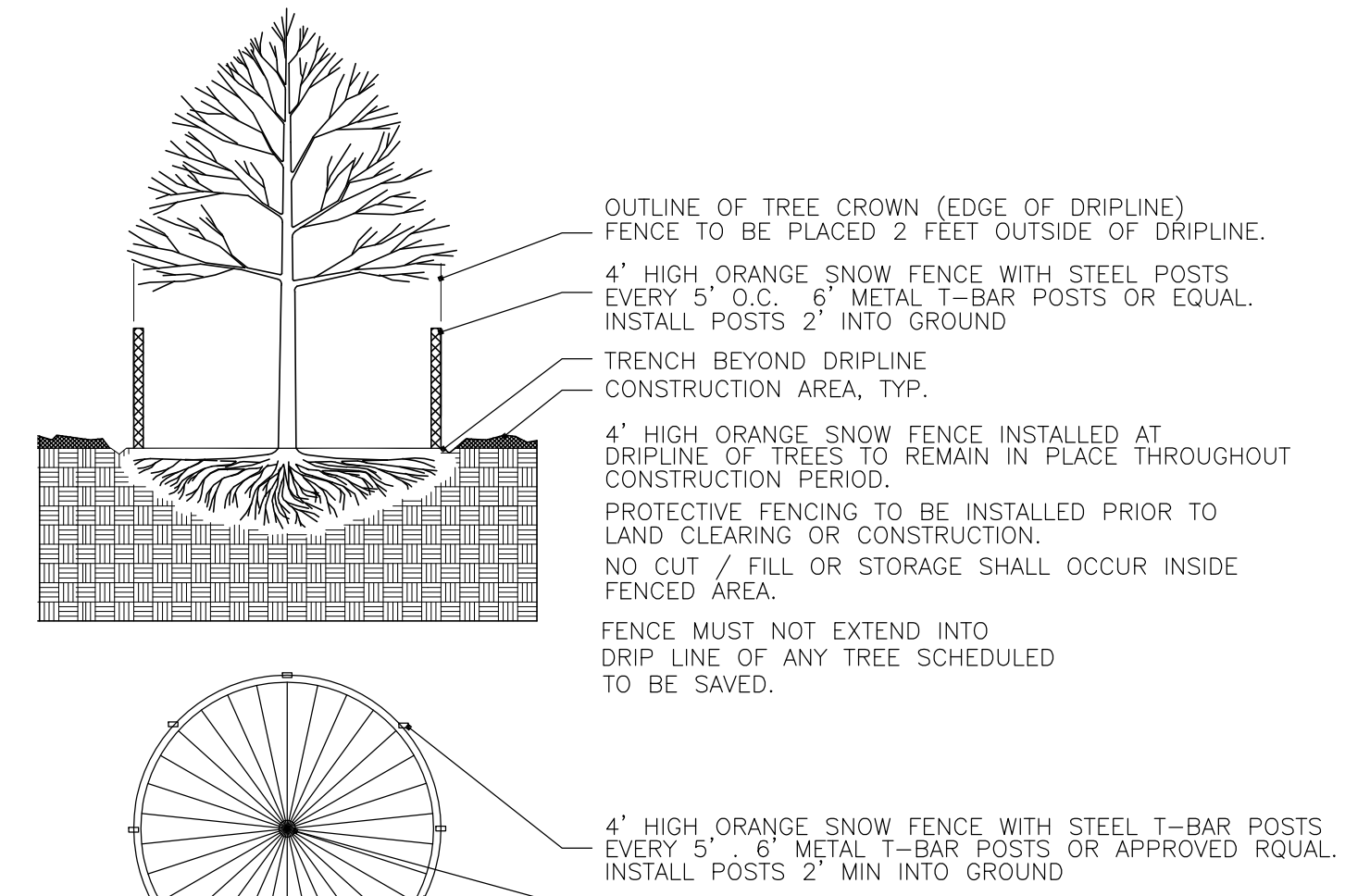
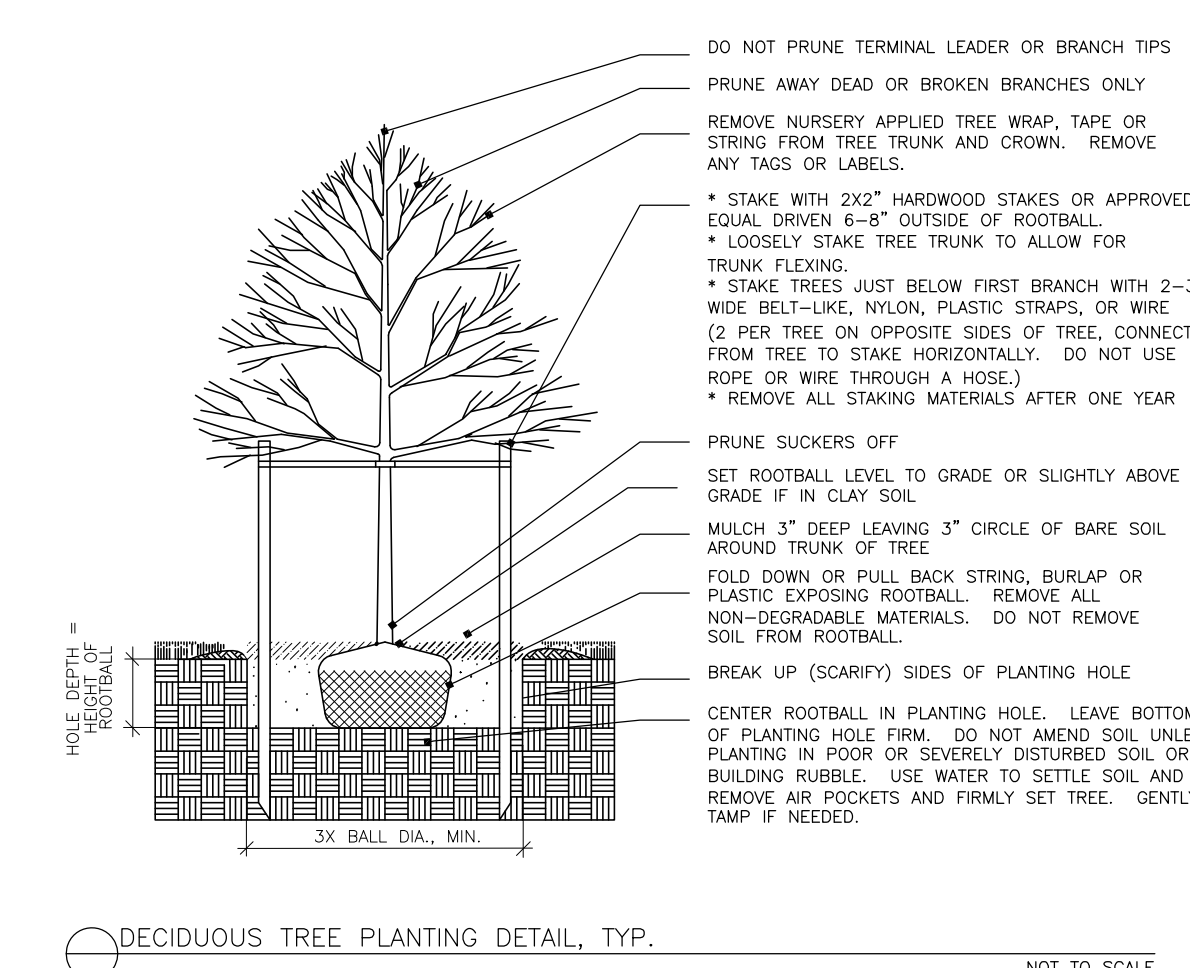
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Proposed Eaton Road Parking Plan

Vinsetta Garage
City of Berkeley,
Oakland County, Michigan



PLANTING DETAILS:

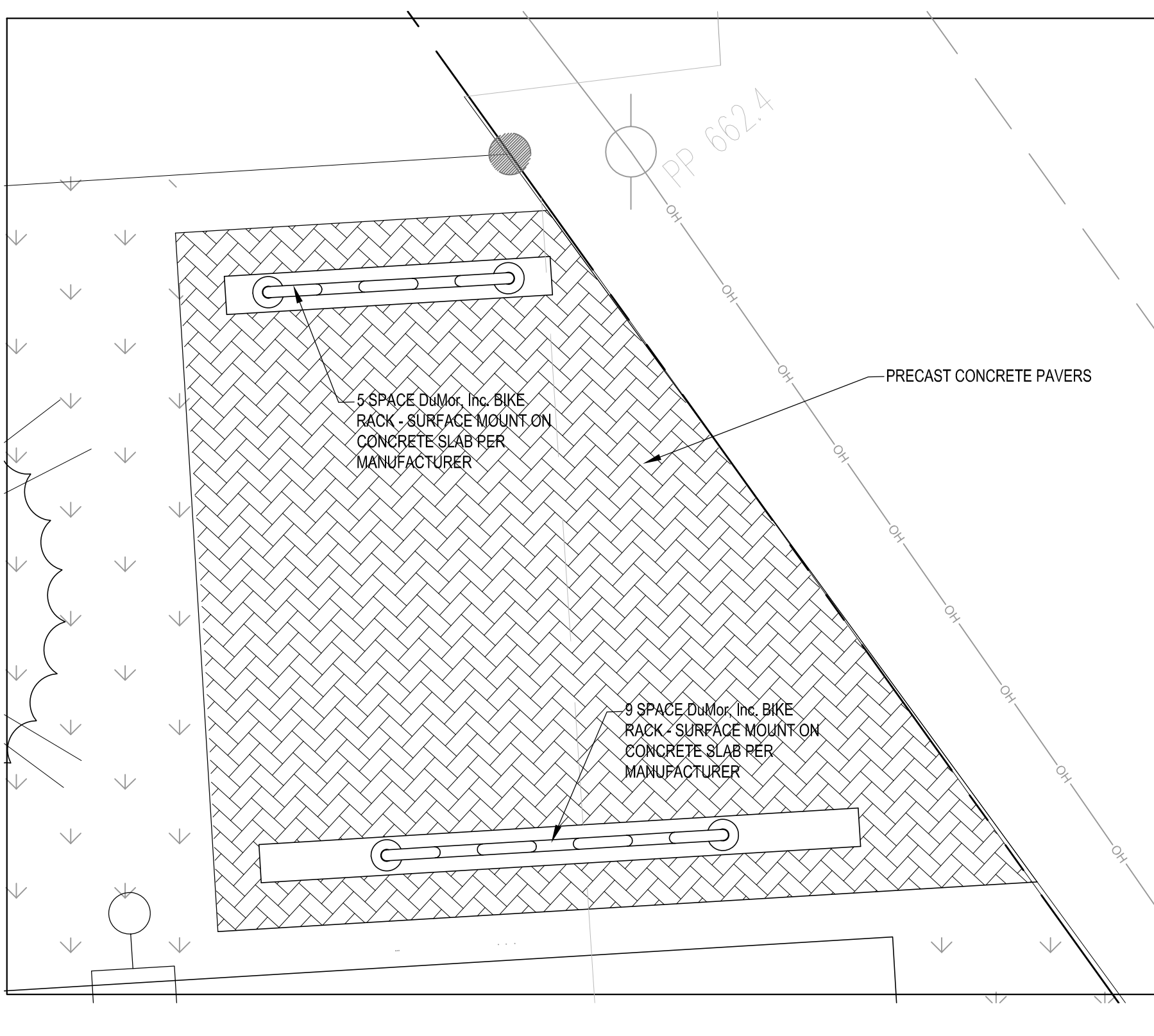


PLANT DATA CHART:

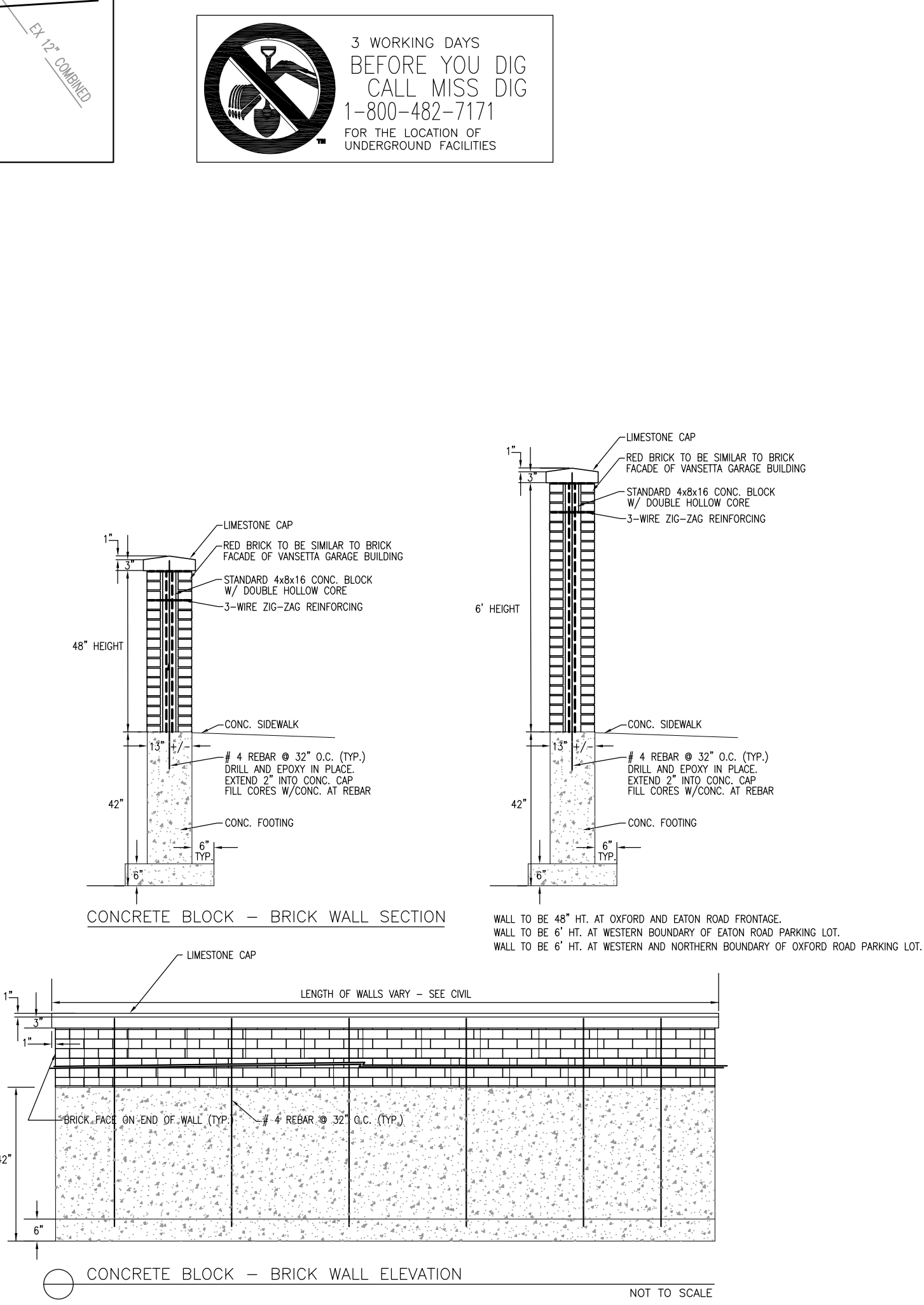
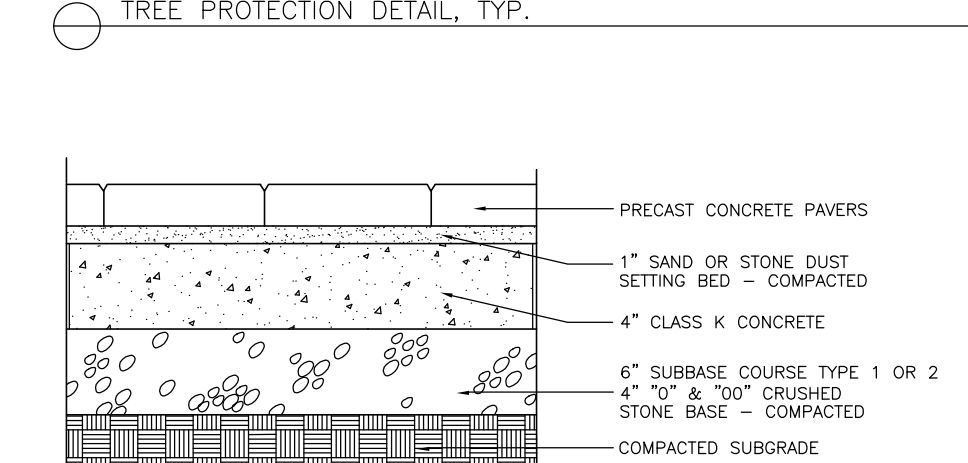
QTY.	DESCRIPTION	COMMENTS
5	Autumn Blaze Maple Acer x freemanii 'Jeffersred'	2.5" cal, B&B
5	Picea abies Norway Spruce	8" Hl., B&B
1	Skyline Locust Gleditsia triacanthos	2.5" cal, B&B
11	Burning bush Euonymus alatus	3 gal, Container
58	Calamagrostis x acutiflora Karl Foerster Reed Grass	2 gal, Container

NOTE: Landscape contractor shall coordinate the final selection of Street Tree variety with the City of Berkeley and shall coordinate the installation of the Street Trees with the City of Berkeley's annual fall tree planting program

BIKE RACK/BENCH AREA ENLARGEMENT - 3/8"=1'-0"



PRECAST CONCRETE PAVER DETAIL



Owner:
UNION JOINTS
90 NORTH MAIN STREET
CLARKSTON, MICHIGAN 48346

Sheet:
Landscape Plan

Issues / Revisions

REVISIONS	DATE
LANDSCAPE REVISIONS	12/10/21
LANDSCAPE REVISIONS	04/20/22
LANDSCAPE REVISIONS	06/10/22

Drawn by
JJS
Checked by
JTE
Date
November 15, 2021
Scale
1" = 10'-0"
Sheet
LP-2



Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage
□	"SA"	0	Lithonia Lighting	MR2 LED 60C 700 50K TETM	OMERO ARCHITECTURAL ARM-MOUNTED LED AREA LUMINAIRE WITH 60 5000K LEDS OPERATED AT 700MA AND PRECISION MOLDED ACRYLIC FORWARD THROW LENS	1	15991	0.65	132
□	"SB"	5	Lithonia Lighting	MR2 LED 60C 700 50K TETM HS	OMERO ARCHITECTURAL ARM-MOUNTED LED AREA LUMINAIRE WITH 60 5000K LEDS OPERATED AT 700MA AND PRECISION MOLDED ACRYLIC FORWARD THROW LENS WITH HOUSE SIDE SHIELD	1	12355	0.65	132
□	"SD"	1	Lithonia Lighting	MR2 LED 60C 700 50K TETM	OMERO ARCHITECTURAL ARM-MOUNTED LED AREA LUMINAIRE WITH 60 5000K LEDS OPERATED AT 700MA AND PRECISION MOLDED ACRYLIC FORWARD THROW LENS	1	15991	0.65	264

LIGHTING FIXTURE SCHEDULE NOTES:
 1) OVERALL HEIGHT OF LIGHT POLES = 12'-0"
 (CONCRETE BASE = 2'-0", LIGHT POLE = 10'-0")

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
PROPERTY LINE	+	0.4 fc	2.1 fc	0.0 fc	N/A	N/A
SITE	+	5.5 fc	19.6 fc	0.0 fc	N/A	N/A
SITE +100'	+	0.6 fc	18.0 fc	0.0 fc	N/A	N/A



Plan View
 Scale - 1" = 20ft

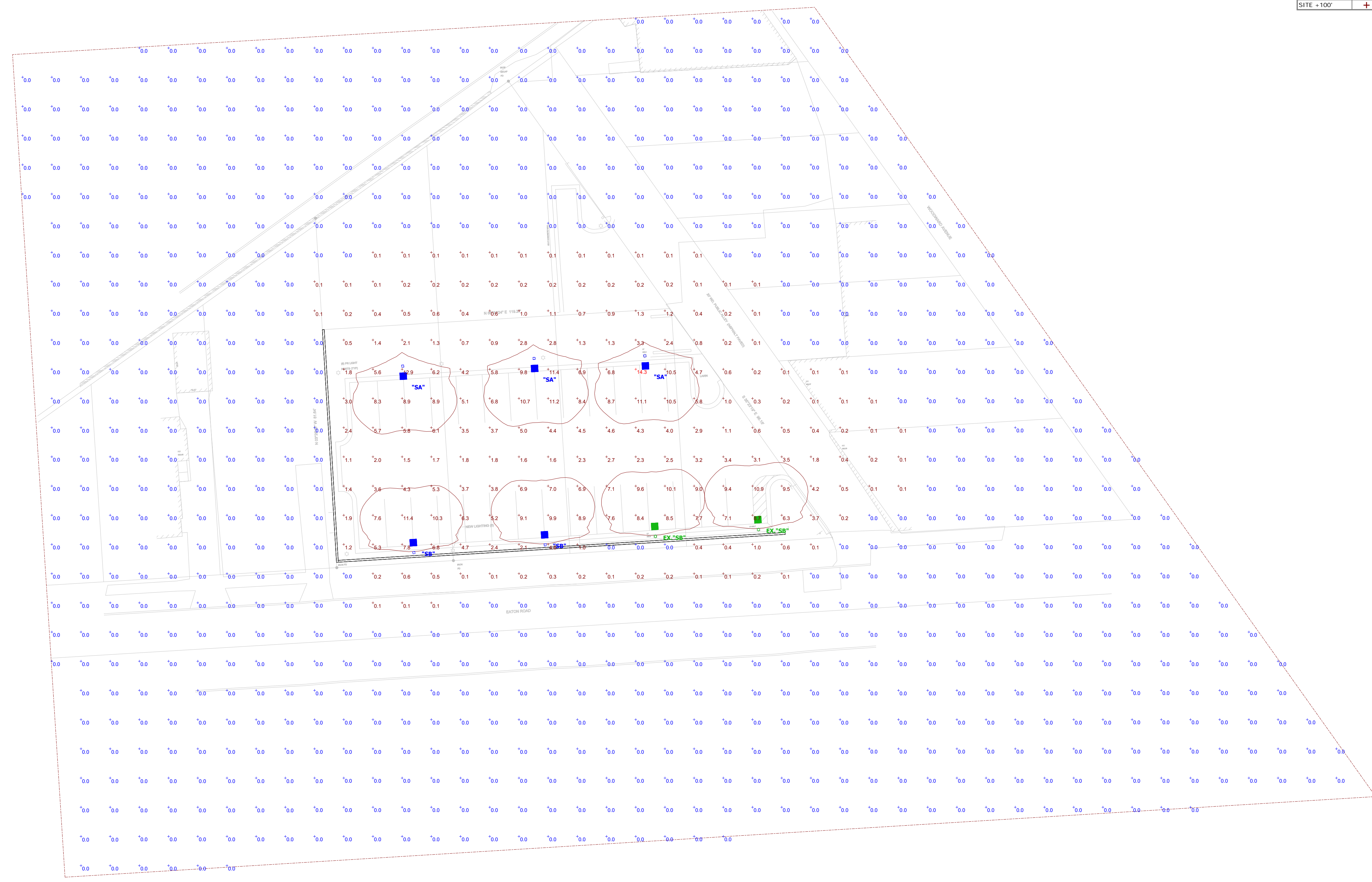
79960 - VINSETTA GARAGE PARKING - OXFORD RD PHOTOMETRIC



Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage
□	"SA"	3	Lithonia Lighting	MR2 LED 60C 700 50K TETM	OMERO ARCHITECTURAL ARM-MOUNTED LED AREA LUMINAIRE WITH 60 5000K LEES OPERATED AT 700mA AND PRECISION MOLDED ACRYLIC FORWARD THROW LENS	1	15991	0.65	132
□	"SB"	2	Lithonia Lighting	MR2 LED 60C 700 50K TETM HS	OMERO ARCHITECTURAL ARM-MOUNTED LED AREA LUMINAIRE WITH 60 5000K LEES OPERATED AT 700mA AND PRECISION MOLDED ACRYLIC FORWARD THROW LENS WITH HOUSE SIDE SHIELD	1	12355	0.65	132
□	EX "SB"	2	Lithonia Lighting	MR2 LED 60C 700 50K TETM HS	EXISTING	1	12355	0.65	132

LIGHTING FIXTURE SCHEDULE NOTES:
 1) OVERALL HEIGHT OF LIGHT POLES = 12'-0"
 (CONCRETE BASE = 2'-0", LIGHT POLE = 10'-0")

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
PARKING	+	6.1 fc	12.2 fc	1.4 fc	8.7:1	4.4:1
PROPERTY LINE	+	0.7 fc	1.8 fc	0.0 fc	N/A	N/A
SITE	+	5.0 fc	15.5 fc	0.0 fc	N/A	N/A
SITE +100'	+	0.6 fc	14.3 fc	0.0 fc	N/A	N/A



Plan View
 Scale - 1" = 20ft

79960 - VINSETTA GARAGE PARKING - EATON RD PHOTOMETRIC



July 11, 2022

City of Berkley
3338 Coolidge Highway
Berkley, Michigan 48072

Attention: Ms. Megan Masson-Minock, Community Development Director
Mr. Matthew Baumgarten, City Manager

Re: Vinsetta Garage
Eaton & Oxford Parking Lots
Engineering Site Plan – Review No. 1
City of Berkley, MI

HRC Job No. 20220259.02

Dear Ms. Masson-Minock and Mr. Baumgarten:

As Consulting Engineers for the City of Berkley, and in accordance with your request, we have completed the Engineering Site Plan review of the proposed subject developments located on Oxford Road and Eaton Road for compliance with the City of Berkley's engineering and site plan requirements. The plans were prepared by Kieft Engineering, Inc. of Clarkston, Michigan, with an issue date of March 22, 2022. The proposed project scope includes the expansion of the existing parking lots into neighboring parcels on both Oxford Road and Eaton Road. We hereby offer the following comments:

General:

1. A traffic control, or Maintenance of Traffic (MOT), plan and sequence of construction must be added to the plans, including an estimated duration for any lane closures that may be required. **This item is still applicable.** Per discussion with Edward Zmich, traffic control plan will be provided with permit application.
2. All existing utilities and service leads must be shown on the plans. **This includes the service leads from any previously demolished homes on the proposed site. All utilities and service leads must be shown.** Location of existing utilities are not known at this time. The existing utility leads will be located during construction and proper capping of each utility will take place as the location of the leads are discovered during construction.

Storm Drainage and Detention/Sanitary Sewer:

1. Stormwater runoff calculations have been provided using a 100-year, 24-hour storm event, however, the total site area for the Eaton Road development is not included in the calculations. Only the proposed development is shown in the calculations. This must be revised to include both the existing and proposed lots. **The city ordinances state that the stormwater retention requirements apply to any development or renovation. There are renovations proposed within the existing lots as well as the development of the proposed new lot. Calculations for the full site must be provided. The existing lot will not be renovated. The calculation is based on the new proposed lot as discussed during the meeting on 7/27/2022.**

1. The catch basin from **Parcel B** of the Eaton Road **connects to the storm sewer system in Parcel A**, **however**, this drainage area from **Parcel B** is not included in the stormwater calculations. The calculations must be revised to include the drainage area that flows to this catch basin **to ensure that the total flow of stormwater into the City sewer is within the stormwater runoff requirements**, or the storm water sewer from this catch basin must be rerouted to the nearby sewer in the public alley with DPW approval. **This item is still applicable. The existing lot will not be renovated. The calculation is based on the new proposed lot as discussed during the meeting on 7/27/2022.**
2. The developer will be required to prepare and enter into a perpetuity maintenance agreement with the City for the proposed private stormwater systems. The Applicant must contact the City DPW regarding this item prior to commencing construction. **This item is still applicable. Maintenance agreement will signed with City DPW prior to construction. Template has been received from DPW and will be completed with permit application as discussed during the meeting on 7/27/2022 .**

Recommendation:

Based on our aforementioned comments, we do not recommend approval of the proposed Site Plan at this time. The plans must be revised to address all of the above comments and resubmitted to the City of Berkley for further review.

If you have any questions or require any additional information, please contact the undersigned.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



Edward D. Zmich
Project Manager



Mitch Stark
Review Engineer

EDZ/MAS/mas

pc: City of Berkley; Mr. Shawn Young
HRC; R. Alix, File
Kieft Engineering; Patrick McWilliams



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Date: July 11, 2022

Rezoning and Site Plan Review For City of Berkley, Michigan

Applicant: Anil Thakady, Union Joints

Project Name: Vinsetta Garage Parking

Plan Date: May 27, 2022

Location: Oxford Road and Eaton Road

Zoning: Parking District and R1-D District

Action Requested: Rezoning and Site Plan Approval

BACKGROUND

Vinsetta Garage has identified two locations for additional parking. The first is located on the north side of Eaton, west of the alley that runs parallel to Woodward. The second site is located on the northside of Oxford Road, west of the alley that runs parallel to Woodward. Both sites are privity to a consent judgment. Please see section below for more details.

The Eaton Road site is one (1) parcel with all of lot 338, and parts of lots 335, 336, and 337. The site is zoned Parking District, which permits the use of parking. The Oxford Road site is one (1) parcel includes lots 307 and 308, and ½ of the vacated alley. The site is zoned R1-D. The conversion of the site to parking lot is part of the consent judgement.

Site Location:





Proposed Use of Subject Parcels:

Parking for Vinsetta Garage

Surrounding Property Details:

Eaton:

Direction	Zoning	Use
North	Woodward District	Commercial
South	Parking District and Multiple Family RM	Commercial/ Multiple Family Residential
West	R-1D District	Single Family Residential
East	Woodward District	Alley/Commercial

Oxford:

Direction	Zoning	Use
North	Parking District	Commercial
South	Woodward District and R-1D	Single Family Residential and Commercial
West	R-1D	Single Family Residential
East	Woodward District	Alley/Commercial

Items to be addressed: None.

ZONING MAP



NATURAL FEATURES

The sites have been graded for parking and buildings. There are no existing natural resources.

NEIGHBORHOOD COMMENTS

The neighborhood has submitted the following comments from Planning Commission consideration:

- 1) In advance of Planning Commission and City Council meetings to approve site plans for Eaton and Oxford, the City meets with Residents for discussion and input on submitted plans; *While not required, resident comments were considered as part of the previous submission. The submitted plans have been prepared in accordance with the Consent Judgement and the City's ordinance.*
- 2) Clear, specific and enforceable timelines for the Eaton and Oxford developments – from

current demolition to full completion – be set, followed, and enforced; **Timing dependent on Planning Commission approval and subsequent engineering and permit approvals. We will need 180 days for construction assuming no delays for supply chain issues. If approval is received by late August, we estimate that construction could be completed in late 2022 or early 2023. If approval isn't received until Fall 2022, the construction may need to wait until the next construction season in the spring of 2023.**

- 3) The Vinsetta Garage be held accountable for their actions and to the fulfillment of their written and verbal agreements and promises to the City and to the Residents; and **The submitted plans have been prepared in accordance with the Consent Judgement and the City's ordinance.**
- 4) The City begin reclamation, rejuvenation, and beautification of the neighborhood in the areas under its control. **Noted; Not a Vinsetta Garage controlled item.**
- 5) Reorient parking to angled parking. **Calculations performed by engineers and determination was made that angled parking is not possible to maintain required parking spaces. The Consent Judgement precludes any site plan requirements, changes or modifications that reduce parking count from 26 on Oxford and 28 for Eaton. The submitted plans have been prepared in accordance with the Consent Judgement and the City's ordinance.**
- 6) Parking lot screen walls – especially those facing residences must be a minimum of 5 feet and of brick material matching the historic Vinsetta Garage; see touted examples at Westborn, Berkley Public Library, Flagstar Bank, Einstein Bagels, even Northpointe; per Berkley Code of Ordinance Sec.138-222 a screen wall abutting a residential property must be a minimum of 6 feet;**Height requirement will be met. Brick will be similar to current Vinsetta Garage brick and in accordance with the Consent Judgement and the City's ordinance.**
- 7) Parking lot screen walls setback as with residential fences and landscape “at least 12 inches from the sidewalk” (per Berkley Code of Ordinance Sec.138-85);**Noted and included in the submitted drawings.**
- 8) Removal of unnecessary 2-foot concrete splash walk inside parking lot to accommodate 2-foot (or more) setback between parking lot wall and sidewalk to provide planter strips for exterior hedges, **Landscape drawings have been updated.**
- 9) Illumination and light study to comply with Consent Judgment “Lighting shall not exceed zero (0) foot candles at the western and southern property lines” (CJ 2 (p.4)); **Noted on photometric plans and will meet the requirements**
- 10) Planter strips within parking lots to mitigate light pollution et al **Space doesn't allow for planter strips within the parking lots.**
- 11) Increased vegetation: all; **We maximized vegetation while still providing the required parking spaces. We've balanced sustainable plant life and ongoing maintenance and included in the drawings.**
- 12) Planter strips for vegetation/foilage 1) between sidewalk and wall facing the residences (facing south; hedges), 2) along west walls separating parking from residences, and 3) within parking lot itself to mitigate light pollution, sound and smell as well as to redress total tree removal from these properties; and **We maximized vegetation while still providing the required parking spaces. We've balanced sustainable plant life and ongoing maintenance and included in the drawings.**

- 13) With property yard lawns/between the sidewalk and the street, trees every 6 feet rather than the 31.5 feet described in the landscape plan. **Landscape plan shows the distance between trees in order to ensure survival of trees.**

Some of these recommendations are not consistent with the consent judgment. However, the Planning Commission should keep these comments in mind when reviewing the application.

CONSENT JUDGEMENT

In 2020, the city and the applicant entered into a consent judgement. As part of that consent the following items were noted as provisions:

1. Oxford Lot only: The subject property shall remain R-1D. However, the plaintiff (applicant) may use parcels 25-17-431-022 and 023 for parking use as permitted under the City's P-1 District. In accordance with P-1 District, plaintiff shall install a screening wall, landscaping, and lighting. Lighting shall not exceed zero (0) footcandles at the western and southern property line. **Drawings meet the requirements.**
2. Oxford Lot only: Plaintiff shall apply and receive permits to demolish any structure at 984 Oxford (parcel 25-17-431-021). Demolition shall concur prior or concurrently with the construction of the parking lot. **Noted.**
3. Oxford Lot only: Plaintiff shall build or have built on parcel 25-17-431-021 a new single-family residential dwelling in accordance with R-4 District requirements. Construction shall commence no later than 90 days after completion of parking lot. **Noted.**
4. Oxford Lot only: On the remaining, western-most parcel (25-17-431-034), which is currently vacant, the applicant shall build or have built, one or more single family residential dwelling(s) in accordance with R-4 District requirements. **Noted.**
5. Both Lots: Applicant must receive site plan approval from the Planning Commission in accordance with City's Zoning Ordinance. **Noted.**
6. Both Lots: Construction of both Eaton and Oxford parking lots shall commence no later than 60 days after final engineering and permit approvals. **Noted; pending approval timing to ensure construction season is still in effect.**
7. Both Lots: All access to the Eaton and Oxford parking lots shall be via the public alley. No direct access from Eaton or Oxford. **Drawings meet the requirements.**
8. Oxford Lot: No changes or modifications shall be required to the Eaton (Oxford) parking lot site plan that result in less than 26 parking spaces. **Noted (Oxford)**
9. Eaton Lot: No changes or modifications shall be required to the Eaton parking lot site plan that result in less than 28 parking spaces. Eaton lot shall be built concurrently with the Oxford lot. **Noted.**

There were other provisions but none that dealt with site plan issues. The applicant is permitted a total of 28 spaces in the Eaton Road lot and 26 spaces in the Oxford Road lot. Outside of items noted below, we find that the applicant has complied with the provisions of

EATON ROAD PARKING LOT

Layout

The Eaton Road parking lot includes 28 spaces. The parking lot is accessed off the public alley and served with a 24-foot-wide parking lot aisle.

The parking on the southern end of the site remains deficient. Sec. 138-220 (a) requires a parking space have “an accessible rectangle” with a length of twenty feet. In the past, the Planning Commission has allowed parking spaces to be eighteen (18) feet, with a two (2) foot overhang. However, the accessible rectangle goes to the back of the reverse concrete curb and gutter, which has a half foot raised nine (9) inches, creating a 17.5-foot-deep rectangle with 4.5-foot overhang. **18’ to face of curb shall be provided.**

Section 138-220 (b) allows up to 30 percent, or 8.4 spaces in the Eaton Lot, to be compact spaces with an accessible rectangle of eight feet (8’) in width and sixteen feet (16’) in length. We recommend that the eight (8) spaces along the southern property line are converted to compact spaces, with signs for “small cars only” placed on the screen wall. The conversion to compact spaces will not only bring these spaces into compliance with the Zoning Ordinance, but it will also allow for more green space with additional landscaping to buffer the adjacent residential uses.

Landscaping/Screening

Per the Restated and Amended Collaboration Agreement (Exhibit 2 of the Consent Judgement), the northern part of Lot 337, 336, & 335 have been transferred to the ownership of Lugo Properties. Union Joints (Vinsetta Garage) retained ownership of the southern portion of parcels (now one lot 25-17-428-033). That said, we still question the need to provide a 20-foot buffer to this area if the



Future use of this area is unknown. Owned by Lugo Properties

Proposed parking lot

Future use of Lugo property is not known.

The applicant has provided a landscape plan. The applicant is providing six-foot tall masonry wall with limestone cap along the western boundary and a four-foot-tall wall along Eaton Road. In addition, there is a one to six (1'-6') feet wide landscape buffer, with a collection of burning bush shrubs and a preserved spruce tree. In review of the landscape plan, we offer the following comments:

- The limited width of the buffer and the low growing profile of the plants does not provide a sufficient buffer. **The masonry wall shall provide the screening. The narrow internal planter cannot accommodate larger plant material than depicted.**
- Burning bush is a non-native, invasive species. We recommend that these be replaced with native species of the same size and growth pattern, such as chokeberry. **Noted.**
- There is no internal landscaping within the parking lot. **Space within the parking lot doesn't allow for internal landscaping without reducing the number of parking spaces.**
- The applicant is providing an almost 20-foot buffer along the northern property line. The buffer does not seem to have a purpose, and the future use of this area may be parking. We know the current and anticipated future use of the property to the west is single-family residential. A more practical application of additional screening would be along the western property line. **This suggestion will not work to still allow for the required parking.**
- Underneath all of the proposed trees, we recommend a three-inch (3") application of mulch. **Noted.**

The applicant should reconfigure the parking lot, including the use of compact spaces, to add more internal landscaping and a greater buffer along the western property line. If this requires reduction/elimination of landscape buffer along the northern property line, it is worth the tradeoff, and the applicant can maintain the required 28 spaces. **Parking layout matches existing parking dimensions and maximizes geometric and site plan efficiency**

Lighting

The applicant is proposing an additional five (5) pole mounted lights to the two (2) existing pole mounted lights. While the applicant has noted that photometric plan follows existing light pole height and spacing requirements, the photometric plan still does not indicate the pole height, either of the existing or proposed lights. As per our previous review, we encourage a lower height than the maximum twenty feet (20') allowed, especially closer to the western property line to reduce impact upon adjacent properties. In addition, we request cut sheets of the lights in order to evaluate that all provisions of Sec. 138-143 have been met. **See photometric plan which follows existing light pole height and spacing requirements.**

Items to be Addressed: 1). Bring parking space length along southern property line into compliance; **See above.** 2). Reconfigure the parking lot to add more internal landscaping and a greater buffer along the western property line; **See above** 3). Substitute proposed burning bush with native species of same size and growth pattern; **See above** 4). Provide mulch underneath

all proposed trees; See above 5). Indicate height of poles; See photometric plan and 6) Provide cut sheets of proposed lighting fixture. See photometric plan.

OXFORD ROAD PARKING LOT

Layout

The Oxford Road parking lot includes 26 spaces. The parking lot is accessed off the public alley at two points and served with 24-foot-wide parking lot aisles. The parking on the southern end remains deficient. As in the Eaton, the applicant is proposing an accessible rectangle that is insufficient per Section 138-220 (b) with the inclusion of the raised area of the curb. We recommend that the applicant use the thirty percent (30%) allowance for compact spaces, seven (7) spaces in the Oxford lot, to reconfigure these spaces as compliant with the Zoning Ordinance. The reduction in width of spaces would also allow for additional landscaping or green space within the parking lot or to the west. **Updated plan**

Landscaping/Screening

The applicant has provided a landscape plan. The applicant is providing six-foot tall masonry wall with limestone cap along the western boundary and a 4-foot-tall wall along Oxford Road. Per the request of the neighbors, we recommend that the applicant provide, and the Planning Commission allow a 5-foot wall along Oxford. The additional height is needed to screen lights and noise from not only the parking lot but also from Woodward. **The masonry wall provided on the plan meets the city's ordinance.**

In addition, there small planting area in the northwest and southwest portion of the parking lot. We recommend that the burning bushes proposed be replaced with a native species, such as chokeberry. The applicant proposes three (3) ginkgo trees and one (1) locust adjacent to the alley and four (4) maple trees along Oxford. Underneath all of the proposed trees, we recommend a three-inch (3') application of mulch. **The landscape plan provided by our landscape engineer includes sustainable vegetation that will meet the ordinance and allow for maximum landscape coverage.**

Twenty-six (26) spaces were permitted in the consent judgment. While the site plan provides 26 spaces, there is no internal landscaping, the landscaping overall is very minimal, and no landscape transition has been provided along the western property line. As noted above, the applicant may convert up to seven spaces to compact spaces. We highly recommend the applicant fully explore the reductions in pervious area allowed by the compact spaces to provide additional landscaping within and buffering around the site. **Plan has been updated to increase interior landscaping request.**

Lighting

The applicant is proposing five (5) single fixture pole mounted lights and one (1) double fixture pole mounted light. The lights exceed the Consent Judgement requirement of 0.0 footcandles along the southern property line. A shield added to the back of the lights along the southern property line would likely bring the lighting levels into compliance with 0.0 footcandles at the

Carlisle Wortman Associates, Inc.

We note the applicant is proposing six (6) lights, which is intense for a small site. The applicant did not indicate the pole height, nor did they provide cut sheet of the lighting fixtures. Though 20-feet is permitted, we encourage lower fixture, especially closer to the western property line to reduce impact upon adjacent properties. Six (6) lights may be necessary if the poles are a lower height. **Photometric plans have been adjusted to show details of light fixtures and height, which is 12'.**

The neighbors and other stakeholders raise interesting points; some of which the applicant has addressed or can address. Other requests may not be able to be met while maintaining 26 parking spaces. However, overall, we find that the standards with compliance to the Master Plan is not met without reducing the impacts upon adjacent neighbors particularly to the west, and Oxford Road to the south.

Methods to reduce impact include:

- Increase the height of the wall along Oxford to a minimum of five feet (5')
- Increase overall landscaping:
 - Reconfigure parking lot by using compact spaces to provide additional landscape buffer along the western property line **Updated to address the request.**
 - Increase interior landscaping, including landscape strips in parking lot. **The current plan maximizes the amount of landscaping possible to maintain the required parking spaces**
- Reducing number and height of light poles. **The current plans are in conformance with the Consent Judgement and the City's ordinance.**
- Comply with lighting standards in the Consent Judgment. **The current plans are in conformance with the Consent Judgement and the City's ordinance.**

Items to be Addressed: 1). *Increase the wall along Oxford to a minimum of five feet (5'); Wall in included to meet the city's ordinance.* 2). *Increase overall landscaping; Increased as much as possible while still meeting the ordinance and allowing for sustainable landscaping.* 3). *Indicate height of poles; Included on the photometric plan.* 4). *Reduce number of pole lights if possible We followed the exact layout from the existing parking. Lighting expert created the plan and included here.* and 5). *Reduce lighting level at southern property line to 0.0 footcandles. Requirement met.*

RECOMMENDATION

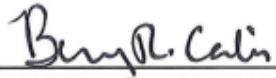
The revised plans have not substantially changed from a planning and zoning point of view since our previous review. In response to the majority of our comments, the applicant has referred back to the consent judgement and not made changes. They have also not used the flexibility in the Zoning Ordinance, particularly the use of compact spaces.

At this point, we feel that the plans, as submitted, would likely not meet the site plan review standards in Sec. 138-679 per recent Planning Commission decisions. While we understand the unique situation due to the consent judgement, we recommend that the applicant be asked to

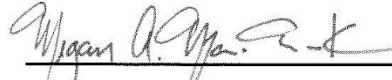
Vinsetta Garage
review our recommendations and resubmit revised plans.

July 11, 2022

Sincerely,



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



CARLISLE/WORTMAN ASSOC., INC.
Megan Masson-Minock, AICP
Senior Associate



CITY OF BERKLEY

DEPARTMENT OF PUBLIC WORKS

3238 BACON AVE, BERKLEY, MICHIGAN 48072

Transmittal Memo

To: Kristen Kapelanski, Community Development Director (via email)

Cc: Kim Anderson, Community Development Department (via email)
Ric Chalmers, Assistant DPIIV Director (via email)
Eddie Zmich, HRC (via email)

From: **Shawn Yoo . DPW Director**

Date: July 7th, 2022

Subject: Eaton and Oxford Parking Lots associated with Vinsetta Garage

We have reviewed the site plans provided by the Community Development Department on April 25th, 2022. Please find below our initial comments:

1. The site plans will be reviewed by the City's engineering consultant, Hubbell, Roth & Clark (HRC). Among other things, HRC will review the storm water detention calculations and site grading. The existing parking lot on Eaton must be added to the calculations. **The existing lot will not be renovated. The calculation is based on the new proposed lot as discussed during the meeting on 7/27/2022.**
2. A Design Miss Dig ticket shall be requested by the applicant so existing utilities can be shown on the drawings. The ticket number shall be indicated on the Topographic Survey. ***Ticket number has been added. Complete***
3. The existing sanitary pipes and connections from demolished homes shall be shown on the survey and demolition/removal plan. These lines are private and may require a licensed plumber to verify locations and size. All existing sewer connections cannot be reused and are required to be abandoned within 2' of the public main. Approximate tap and lead locations were previously supplied to the applicant. Please indicate this work on the demolition plan with Right of Way impacts shown. **. Location of existing utilities are not known at this time. The existing utility leads will be located during construction and proper capping of each utility will take place as the location of the leads are discovered during construction**
4. The existing water services were retired at the mainline prior to the house demolitions. The proposed Irrigation Systems will require new Water Services and Meter Pits/Naults. New water service and meter vault details to be shown on the plan. **Added to Sheets 7 and 9.**

5. A 100-year detention system will be required per current Oakland County standards. Any storage utilizing pipe perforation, existing soils or open stone will require a geotechnical report and confirmation prior to site plan approval. **Using solid pipe so this is not applicable.**

6. Please note the proposed stormwater management system will be a private system under the maintenance of the property owner. A template was previously provided to the applicant. Exhibits will need to be prepared by the applicant and included with the document. **Maintenance agreement will signed with City DPW prior to construction. Template has been received from DPW and will be completed with permit application as discussed during the meeting on 7/27/2022 .**
7. It appears that the Storm Lead from the Catch Basin on "Parcel B" of the proposed Eaton parking lot connects to the Catch Basin on "Parcel A". This lead should be rerouted to the adjacent Public Sewer located in the adjacent alley. **The storm lead for off-site Parcel "B" must be maintained (as is) to provide an outlet.**
8. The applicant shall verify the new development will not negatively impact the adjacent properties and existing drainage conditions. **Parking lot construction project will improve the existing drainage conditions significantly**
9. The plan calls for the removal of an existing 26" Maple in the Right of Way. The City Arborist will confirm the condition of the tree prior to any authorization for removal. **Tree is no longer there and has been removed from the plan. Complete**
10. The proposed new trees in the Oxford Right of Way are to be coordinated via the City's Annual Fall Tree Planting Program. **We will coordinate with the City for the tree planting.**
11. Curbing is shown in the Public Alley. There shall be no encroachments into the Public Alley. **No curbing in the Public Alley.**
12. The plan calls for a utility pole relocation in the alley just North of Oxford Rd. Confirmation of new location and letter of intent from the third-party utilities need to be included. **Plans indicate that utility pole relocation is no longer needed. Complete**
13. A traffic control plan shall be added to the plan set to account for the proposed Right of Way impacts. **Per discussion with Edward Zmich, traffic control plan will be provided with permit application.**
14. A Storm Water Service Fixed Charge will be assessed upon completion of construction. This charge will be reflected on the regular utility bill and is based on an Equivalent Residential Units (impervious area). **Noted.**

A response letter from the applicant to these comments would be helpful in subsequent reviews. Feel free to call with any questions or concerns. Thank you.

FY2021 COMMUNITY DEVELOPMENT ANNUAL REPORT



CITY OF BERKLEY
AUGUST 2022

2021 COMMUNITY DEVELOPMENT ANNUAL REPORT

INTRODUCTION

The Michigan Planning Enabling Act (PA 33 of 2008, as amended) requires the Planning Commission to prepare an annual report documenting its operations and status of all planning activities. The MPEA states in part:

“A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding action by the legislative body related to planning and development.”

This report will fulfill the state requirement. Beyond satisfying the state requirement, this document will also provide an overview of the Community Development Department, as well as a summary of permitting and inspection activities, code enforcement, and overall accomplishments. Also included is a comprehensive FY2022 Work Plan for the Planning Commission and Community Development Department that will include short-term and long-term projects we hope to achieve in the coming year.

The FY2021 Annual Report encompasses Fiscal Year 2021, which includes all planning activities from July 1, 2021 through June 30, 2022.

The Annual Report will be presented to the Planning Commission at their regular August meeting for their consideration and approval to present to the City Council at their regular September meeting.

PLANNING COMMISSION

The Berkley Planning Commission is comprised of nine members, from a variety of professional backgrounds. The varied perspectives of the members make for a well-rounded Commission that conducts fair and thoughtful deliberations. The list below encompasses members as of June 2021. There have been several resignations since that time that will be shown in the 2022 annual report.

Commissioner	Appointment Date
Kristen Kapelanski, Chair	2015
Martin Smith, Vice-Chair	2000
Mark Richardson, Secretary	2011
Joe Bartus	2020
Shiloh Dahlin	2020
Lisa Kempner	2018
Greg Patterson	2018
Julie Stearn	2020
Daniel Petrosky	2021



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The Planning Commission held eleven regular meetings, one work session and one special meeting during FY2021 and reviewed:

- 9 site plans
- 1 special land use
- 1 rezoning
- 2 zoning text amendments

Summary of Planning Commission Activities

SITE PLAN PROJECTS

Project No.	Name	Address	Description	Decision	Meeting Date
PSP-01-21	2717 Coolidge Hwy – Façade Change	2717 Coolidge	Façade change to an existing building	Approved	September 28, 2021
PSP-02-21	2400 Greenfield – Office	2400 Greenfield	Proposed new construction office building	Approved	October 26, 2021 (postponed) February 22, 2022 (approved)
PSP-03-21	3462 Greenfield – Office	3462 Greenfield	Proposed new construction office building	Approved	October 26, 2021 (postponed) February 22, 2022 (approved)
PSP-06-22	3737 Twelve Mile Rowhomes	3737 Twelve Mile	Seven unit rowhome development	Approved	March 22, 2022
PSP-04-12	The Ivy	2219 Coolidge	Construction of two multiple family buildings with a total of 24 dwelling units	Approved	April 26, 2022 (postponed) June 7, 2022 (approved)
PSP-05-22	BP America	2576 Coolidge	Updated façade, parking, pump islands and landscaping at existing gas station	Approved	April 26, 2022



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PSP-03-22	Lume	1949 Twelve Mile	Conversion of existing building to retail marihuana dispensary and office	Approved	May 24, 2022
PSP-09-22	Quality Roots	3916 W. Eleven Mile	Renovation of existing building to retail marihuana dispensary and office	Approved	May 24, 2022
PSP-02-22	Butter Provisioning	2222 Eleven Mile	Renovation of existing building to retail marihuana dispensary and warehouse	Approved	June 28, 2022

SPECIAL LAND USES

Project No.	Name	Address	Description	Decision	Meeting Date
PSU-01-22	The Black Hop Brewery	2684-2688 Coolidge	Outdoor seating accessory to a bar	PC Recommended City Council Approved	June 28, 2022 July 18, 2022

REZONINGS

Project No.	Address	Description	Decision	Meeting Date
PRZ-01-21	2465 & 2475 Cambridge 2466 & 2476 Columbia	Rezone Coolidge District to Gateway District	PC Recommended City Council Approved	January 25, 2022 First Reading – February 7, 2022 Second Reading – March 7, 2022

ZONING TEXT AMENDMENTS

Ordinance No.	Description	Public Hearing	Ordinance Adoption
O-08-21	Add a definition for entertainment establishments and as	July 27, 2021	First Reading – September 20, 2021



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	a PPU in the Downtown District		Second Reading – October 4, 2021
O-07-21	Clarify language for projections into a given yard	July 27, 2021 August 24, 2021	First Reading – September 20, 2021 Second Reading – October 4, 2021

Master Plan

In late 2019, the City of Berkley began an update of the City’s Master Plan. The City retained the planning consultant services of Carlisle Wortman Associates to assist with the development of the Master Plan and facilitate the community engagement strategy. It was essential to reach as many Berkley residents, business owners, property owners, and stakeholders as possible to garner thoughts, feelings, ideas, feedback on the future direction of Berkley.

As the project was gaining momentum, the global pandemic caused worldwide closures and restricted public gatherings. City staff and the consultant team brainstormed on alternative methods to engage the public and keep the project moving forward. The team relied heavily upon the Master Plan Steering Committee to aid in advising outreach methods, as well as promoting the engagement sessions and ensuring public interest.

Master Plan Steering Committee

As a way to promote community engagement and advise the consultant team, the City Council appointed 15 persons to serve on the Master Plan Steering Committee. The MPSC was appointed to be a group representative of the Berkley community, and included members of the city staff, City Council, Planning Commission, Zoning Board of Appeals, Tree Board, Environmental Advisory Board, Downtown Development Authority, Parks and Recreation Advisory Board, as well as business owners and residents-at-large.

Community Engagement

As noted above, the community engagement component of the Master Plan project was the most important to ensure that all community members were able to participate in and comment on proposed ideas and text prior to adoption. Despite the restrictions of the pandemic, city staff and consultants adapted quickly and thought outside the box to facilitate socially distant and online engagement events. This included an 8-part webinar series, social media polls, a community survey, recorded videos, stakeholder interviews, corridor walking tours and a virtual Open House.

Adoption

Once the community engagement component of the plan was completed, the consultant team went to work compiling all the thoughts and feedback in draft text to be reviewed by the MPSC and Planning Commission. The public hearing was held and the Planning Commission recommended adoption of the plan on October 26, 2021. The plan was adopted by the City Council on November 15, 2021.

Next Steps...

The next steps include a technical review of the Zoning Ordinance to ensure the newly adopted Plan aligns with the regulations of the ZO.



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This will be a lengthy process, as the ZO has not received a comprehensive review in many years. The Community Development Department has budgeted for a third-party consultant to assist with the technical review of the Ordinance and recommendations for a complete re-write of the Ordinance.

COMMUNITY DEVELOPMENT DEPARTMENT

In FY2021, the Community Development Department was comprised of a Director, a Building Clerk, a Licensing Clerk, a Building Official and a Code Enforcement Officer. The team works together to ensure that the needs and wants of the residents and business owners are answered and addressed in a timely and efficient manner.

PERMITS AND INSPECTIONS

The City of Berkeley contracts with McKenna Associates for Building Department services, include Building Official duties, plan reviews, trade inspections, and Code Enforcement.

The below table shows the number of permits issued for FY2021 and previous years, for reference.

	FY2020 7.1.21 – 6.22.22	FY2020 7.1.20 – 6.21.21	FY2019 7.1.19 – 6.30.20	FY 2018 7.1.18 – 6.30.19
Building	585	477	475	565
Electrical	454	449	386	536
Mechanical	318	362	335	402
Plumbing	247	176	202	238
Sewer	153	118	85	110
Zoning	198	226	185	205

The below table shows the number of inspections conducted for FY2021.

Inspection Type	Inspector	Total
Building (July – October)	David Reilly	930
Building (October – June)	John Lipchik	1,800
Building	Karson Claussen	340
Mechanical	Aaron Garcia	444

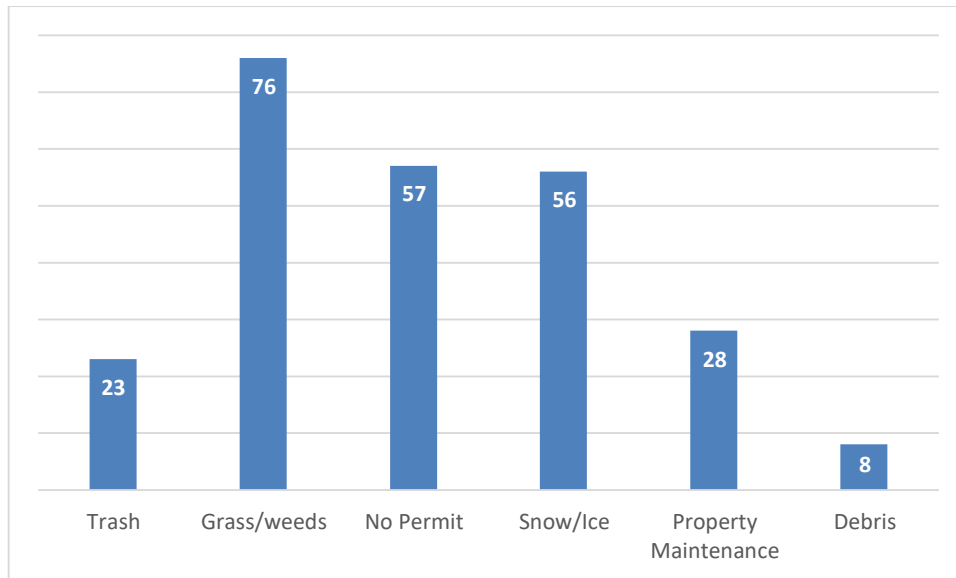


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Plumbing	George Beattie	504
Electrical	John Brunning	435
Electrical	Sean Dar	405

CODE ENFORCEMENT

Code Enforcement has also been busy over the past year. In FY2021, 586 enforcements were logged in BS&A. Below is a breakdown of the most popular or repeated enforcement actions in the City.



ACCOMPLISHMENTS

The Community Development Department has seen a lot of transition over the 2021 fiscal year and has continued to provide a high level of service and work towards the completion of several major projects. We want to share some of our accomplishments:

1. Staff Transitions

There have been several staff transitions over the course of the year and despite that, the Community Development team has not missed a beat in their ability to assist residents, developers, contractors or business-owners. During the course of FY2021, Erin Schlutow moved on and the City contracted with Carlisle Wortman on an interim basis to take over director duties. Danna Bauer, the department's Licensing Clerk also welcomed a new daughter and was out towards the end of the year. The City was able to contract with McKenna to cover some of her responsibilities. We also ended this fiscal year with a new Building Official (also contracted through McKenna). We look forward to a more settled FY2022 in terms of staffing.



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2. Marihuana Business Licensing

Community Development was heavily involved in the creation of the Marihuana Business Licensing process and ordinance. Once applicants were chosen to move forward, the department led processes related to site plan review and pre-construction for the approved applicants.

3. Master Plan Adoption

As noted above, the Master Plan project continued on through the pandemic. City staff and the consultant team worked together to transition from a predominately face-to-face community engagement strategy to an exclusively online format. The quick-thinking adaptive plan allowed for longer engagement with the public and received attention from the Michigan Association of Planning and the Michigan Municipal League. Mid-way through FY2021, we were proud to present a finished plan laying the groundwork for the future development of the City to the Planning Commission and the City Council for adoption.

FY2022 WORK PLAN

In addition to reporting on the activities and successes of the Planning Commission and Community Development Department, it is important to set goals for the next year and what we would like to accomplish.

1. Staff Transitions (In People and Places)

We are excited to be expanding our team with the newly created position of Zoning Administrator. Kim Anderson, who has been our long time Building Permit Technician, will be promoted to Zoning Administrator and Danna Bauer, our long time Licensing Clerk, will be moving to the Building Permit Technician spot. A new Licensing Clerk will be hired in the first half of the FY2022. With these changes, we also hope to implement a number of process improvements.

Those stopping by our offices will notice that we're changing physical locations too as we move to the opposite side of City Hall as part of the planned renovation.

2. Redevelopment Ready Community Certification

The City of Berkley began steps for Redevelopment Ready Community Certification in 2018. One of the main hurdles included an updated Master Plan and Zoning Ordinance. The adoption of the Master Plan has checked off a big box on the "To Do" list. Over the course of the next year, City staff will work to check off many of the other boxes, with the biggest of those being working towards a Zoning Ordinance update.

3. Zoning Ordinance Re-Write

The Michigan Planning Enabling Act states that zoning decisions must be based on a plan. The adopted Master Plan provides the basis for making decisions and amendments to the Zoning Ordinance. The last comprehensive update to Chapter 138 was 1981. Since then, there have been several amendments that address specific issues, but not a comprehensive update. A complete re-write of the Zoning Ordinance will bring it into compliance with case law and the master plan, as well as address conflicting sections or overall holes in the Ordinance.

4. Sign Ordinance Re-Write

The Sign Ordinance is not located in the Zoning Ordinance; however, we will address the updates with the Planning Commission as they may review site plans that include new commercial



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signage. City staff will work with the City Attorney to ensure that all proposed changes are defensible.

5. DDA Guidelines & Overlay District

This project has been put on hold for quite some time. It had gained forward momentum in March 2020, but was halted due to the lockdown. With the Master Plan adopted, it is time to focus attention on this project and finalize the Ordinance language for adoption.

The Community Development Department is excited to continue working with the Planning Commission, DDA, City Council and other community groups to serve Berkley residents and businesses.

