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Community Development
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MEMORANDUM

To: Mr. Mayor & City Councilmembers

From: Berkley Planning Commission
Erin Schlutow, Community Development Director

Subject: **2019 Planning Commission Annual Report and 2020 Work Plan**

Date: June 29, 2020

It is my pleasure to provide the 2019 Planning Commission Annual Report and 2020 Work Plan. The annual report is required per the Michigan Planning Enabling Act, Public Act 33 of 2008, as amended, which 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 actions by the legislative body related to planning and development.”

The Planning Commission held 12 meetings during 2019 and reviewed:

- 9 site plans
- 2 special land uses
- 2 rezonings
- 5 zoning text amendments

A. SITE PLAN REVIEW:

1. **SP-04-18 – 2685 Coolidge Hwy.** Jenna In White proposed to construct a second floor addition, increasing the size of the building to 1,847 sq. ft. Planning Commission gave conditional approval of the site plan at the January 22, 2019 meeting. Building permits have not been submitted to the City for this project.
 2. **SP-01-29 – 2838 / 2850 Coolidge Hwy.** FSZ Holdings LLC proposed a façade change for the FOLIO offices. Planning Commission reviewed the plans at the February 26, 2019 meeting and approved the plans, subject to minor lighting conditions to be reviewed administratively. The building permits were secured and all inspections were conducted in accordance with City code.
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3. **SP-02-19 – 3171 Twelve Mile Rd.** Stumar LLC proposed a façade change for the building. Planning Commission reviewed the plans at the February 26, 2019 meeting and approved the façade change, as presented. All necessary permits were secured and all inspections were conducted in accordance with City code.
4. **SP-03-19 – 2395 Twelve Mile Rd.** The Department of Public Safety submitted plans to expand the existing emergency vehicle bays facing Twelve Mile Rd. Planning Commission reviewed the plans at the April 23, 2019 meeting and approved the building expansion, as presented. All necessary permits were secured and all inspections were conducted in accordance with City code.
5. **SP-04-29 – 3212 Twelve Mile Rd.** St. Mary’s Orthodox Church requested site plan approval for the addition of a decorative dome to represent the Church. At the July 23, 2019, the Planning Commission approved the decorative addition to the building, as presented. The necessary building permits were secured and the construction was finished fall 2019.
6. **SP-05-29 – 3818 Twelve Mile Rd.** Tim and Nicolette Yanke requested site plan approval for a façade change for an art studio. At the July 23, 2019 meeting, the Planning Commission engaged in discussion with the applicant, noting the residential character of the design and requested minor changes be made to the exterior to address the residential character. The applicant returned to the Planning Commission with revised plans on August 27, 2019 and the Planning Commission granted conditional approval. The conditions are to be reviewed and approved administratively. The applicant and City staff have been working through the site plan conditions of approval and anticipate building permits to be issued in the next month.
7. **SP-07-19 – 1695 Twelve Mile Rd.** 814 LLC, requested site plan approval for the proposed site improvements related to the proposed child care facility. At the October 22, 2019 meeting, the Planning Commission gave conditional approval of the site plan. The applicant is working with City staff to address and correct all conditions. As soon as final site plan approval is granted by city administration, the applicant can pursue building permits.
8. **SP-06-19 – 2219 Coolidge Hwy; La Salette School.** After the approved conditional rezoning approval from City Council, the developer moved forward with site plan approval. At the November 26, 2019 meeting, the Planning Commission granted conditional approval of the site plan. The outstanding issues are being addressed administratively with city staff.

Height and sideyard setback variances were also approved by the Zoning Board of Appeals at the September 9, 2019 meeting.

9. **SP-08-19 – 2485 Coolidge Hwy.** Tomina Group LLC requested site plan approval to construct a new multi-tenant building including Aqua Tots, two retail establishments and a restaurant with outdoor seating. At the December 17, 2019 meeting, the Planning Commission gave conditional approval of the site plan. The applicant has addressed the outstanding conditions with City staff



and HRC and was granted final site plan approval. A pre-construction meeting shall be scheduled prior to securing permits to ensure all questions have been answered.

B. SPECIAL LAND USES

- 1. SU-01-19 – 1695 Twleve Mile Rd.** 814 LLC, requested special land use approval for a day care facility for a property in the Office District. The applicant proposed to redevelop the first floor of the existing structure for child care and general office use. At the October 22, 2019 meeting, the Planning Commission held a public hearing and recommended approval of the special land use request. At the November 18, 2019 meeting, the City Council approved the special land use request for the child care facility.
- 2. SU-02-19 – 2485 Coolidge Hwy.** Tomina Group requested special land use approval for outdoor seating for a proposed restaurant in a multi-tenant building to be constructed at Farina's Banquet Hall. At the December 17, 2019 meeting, the Planning Commission held a public hearing and recommended approval of the special land use request. At the January 6, 2020 meeting, the City Council approved the special land use request for outdoor seating.

C. REZONINGS

- 1. RZ-01-19 – 2219 Coolidge Hwy; La Salette School.** 2219 Coolidge, LLC requested a conditional rezoning of the former La Salette school building from Office District (O-1) to Multiple-Family Residential District (RM). The conditional rezoning is part of a larger project to retrofit the existing structure for apartments and townhouses. At the July 23, 2019 meeting, the Planning Commission held a public hearing and recommended approval of the conditional rezoning to City Council. The first reading of the rezoning request was approved at the August 12, 2019 meeting and the second reading was approved on September 16, 2019.
- 2. RZ-02-19 – 3339 Cummings Ave.** Atex Builders, LLC requested a conditional rezoning of 3339 Cummings Ave from Parking District to Single Family Residential District (R-1D). The conditional rezoning was necessary in order to demolish the existing single family structure and construct a new single family residential structure on the parcel. At the August 27, 2019 meeting, the Planning Commission held a public hearing and recommended approval of the rezoning to City Council.

At the September 16, 2019 meeting, City Council denied the first reading of the conditional rezoning request.

D. ZONING ORDINANCE TEXT AMENDMENTS



- 1. DESIGN OVERLAY DISTRICT.** Amendment to create a Design Overlay District to include all properties within the Downtown Development Authority. The Overlay District is proposed to accompany the Downtown Design Guidelines, approved by the DDA. A public hearing was held on January 22, 2019 and the Planning Commission recommended the City Council to adopt the proposed Design Overlay District. The City Council has not yet reviewed the Ordinance text in a public meeting.
- 2. RESIDENTIAL GRADING.** At the May 28, 2019 meeting, the Planning Commission held a public hearing and recommended to City Council to repeal Residential Grading Section 138-132, wherein new standards for residential grading and stormwater management would be moved to the regulatory ordinances. New ordinance language was adopted by City Council in May 2019 and later amended in September 2019.
- 3. NURSERY SCHOOLS, DAY NURSERIES, CHILD CARE CENTERS.** Amendments to permit nursery schools, day nurseries, and child care centers as Special Land Uses in the Office District (O-1) and Local Business District (LB). At the June 25, 2019 meeting, the Planning Commission held a public hearing and recommended approval of the text amendments permitting child care facilities in the Office and Local Business Districts with Special Land Use approval.

City Council approved the first reading of the ordinance amendment on August 12, 2019, and approved the second reading on September 16, 2019.

- 4. CONVERT MISDEMEANORS TO MUNICIPAL CIVIL INFRACTIONS.** The amendments were proposed to convert misdemeanors to municipal civil infractions. At the September 24, 2019 meeting, the Planning Commission recommended approval of the text amendments.

City Council approved the first reading of the text amendment on October 7, 2019, and approved the second reading on October 21, 2019.

- 5. MARIJUANA BUSINESSES.** City staff proposed amendments to the Zoning Ordinance to permit marijuana businesses in the Coolidge, Downtown, Eleven Mile, Gateway, Industrial, Local Business, Office, Twelve Mile, and Woodward Districts. At the September 24, 2019 meeting, the Planning Commission recommended approval of the proposed amendments to City Council.

At the October 7, 2019 meeting, the City Council requested additional revisions to the ordinance amendments.

At the November 26, 2019 meeting, the Planning Commission reviewed revised ordinance language to permit medical provisioning centers and adult use retail marijuana businesses in Eleven Mile, Coolidge, Gateway, Twelve Mile, Industrial, Woodward, Local Business and Downtown Districts. The Planning Commission held a public hearing and recommended approval of the ordinance amendment to City Council.



City Council approved the first reading of the revised text amendment on December 2, 2019, and approved the second reading on December 16, 2019.

2020 WORK PLAN

The Planning Commission is excited to continue its work and serve the residents of Berkley. The upcoming projects include:

- 1. Update Community Master Plan.** The City of Berkley has begun the process of updating the Berkley Master Plan, last updated in 2007. Carlisle Wortman Associates has been retained to assist Berkley with this project and a Master Plan Steering Committee has been assembled to advise CWA accordingly. We anticipate the final adoption of the document end 2020/early 2021.
- 2. Redevelopment Ready Community Certification.** City staff has begun the process to become certified and has completed the RRC Self-Evaluation Form from the Michigan Economic Development Corporation (MEDC). Based on the checklist, City staff is working to address the deficiencies identified in City processes and procedures. One of the major components that needs to be addressed is the Master Plan, which is currently underway.
- 3. Zoning Ordinance Technical Review.** Once the Master Plan has been adopted, it is crucial that we comprehensively review the Zoning Ordinance to ensure compatibility with the MP and to make sure there aren't any holes or inconsistencies that should be addressed.

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