

2020 PLANNING COMMISSION ANNUAL REPORT



CITY OF BERKLEY

JUNE 2021

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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 successes, and overall accomplishments. Also included is a comprehensive 2021 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 2020 Annual Report encompasses Fiscal Year 2020, which includes all planning activities from July 1, 2020 through June 30, 2021.

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

PLANNING COMMISSION

The Berkley Planning Commission is comprised of seven (7) 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.

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
Matt Trotto	2018



The Planning Commission held 12 regular meetings and six (6) work sessions during FY 2020 and reviewed:

- 3 site plans
- 1 special land uses
- 7 zoning text amendments

All regular meetings and work sessions were held virtually via Zoom from April 2020 until present.

Summary of Planning Commission Activities

SITE PLAN PROJECTS

Project No.	Name	Address	Description	Decision	Meeting Date
SP-03-20	Amici's Kitchen & Living Room	3241 & 3249 Twelve Mile	Façade change; includes removal of stone and metal awning and replacement with a painted brick veneer and new canvas awning across entire façade. Also includes removal of a doorway.	Approved	Sept. 22, 2020
SP-04-20	3180 Coolidge	3180 Coolidge	Expansion and Façade change; includes increase building height to 21 ft. Façade change will include addition of cultured stone, horizontal metal siding, metal canopies, and increase in number of windows.	Approved with conditions	Nov. 24, 2020
SP-05-20	Vibe Credit Union	3082 Coolidge	Site improvements to the parking area, including a parking modification and alternate traffic flow with new landscaping	Approved	Nov. 24, 2020

SPECIAL LAND USES

Project No.	Name	Address	Description	Decision	Meeting Date
SU-01-21	Berkley Realty Group	3445 Robina	Office uses on the first floor require special land use approval in the Downtown District	PC Recommended City Council Approved	Feb. 23, 2021 March 1, 2021

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ZONING TEXT AMENDMENTS

Ordinance No.	Description	Public Hearing	Ordinance Adoption
O-13-20	Amendment for the removal of BOCA from the Zoning Ordinance	June 23, 2020	First Reading – July 6, 2020 Second Reading – Sept. 21, 2020
O-14-20	Amendment that adds site regulations for Local Business District in the Schedule of Regulations	June 23, 2020	First Reading – July 6, 2020 Second Reading – Sept. 21, 2020
O-15-20	Amendment to allow the Planning Commission to modify the numerical parking requirement during site plan review	September 22, 2020	First Reading – Oct. 19, 2020 Second Reading – Nov. 16, 2020
O-16-20	Amendment to allow extensions of site plan approval before a plan expires	September 22, 2020	First Reading – Oct. 19, 2020 Second Reading – Nov. 16, 2020
O-17-20	Amendment to allow permeable pavement in commercial parking areas, subject to Planning Commission approval	October 27, 2020	First Reading – Nov. 16, 2020 Second Reading – Dec. 7, 2020
O-1-21	Amendment to clarify projections on residential properties	January 26, 2021	First Reading – Feb. 1, 2021 Second Reading – March 1, 2021
O-2-21	Amendment codifying requirements for exterior appliances that distinguishes regulations between air conditioning units and generators	January 26, 2021	First Reading – Feb. 1, 2021 Second Reading – March 1, 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 Timeline

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 updated timeline is as follows:

- May 25, 2021 – Draft text to the Planning Commission
- June 15, 2021 – Draft text to the MPSC with PC edits
- June 22, 2021 – Draft text to the Planning Commission with MPSC edits. Anticipated recommendation to City Council to release draft text to public, surrounding communities
- July 19, 2021 – Review by City Council and release to the public for 63-day period of public comment (July 20, 2020)
- September 21, 2021 – 63-day public comment period ends
- September 28, 2021 – Planning Commission receives comments from public. Set public hearing.
- October 26, 2021 – Public Hearing. Planning Commission recommends adoption to City Council
- November 1, 2021 – Master Plan Adoption by City Council

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Next Steps...

After the Master Plan has been adopted by City Council, the next steps include a technical review of the Zoning Ordinance to ensure newly adopted Plan aligns with the regulations of the ZO.

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

The Community Development Department is 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.

The required halting of construction activities March – early May 2020 was difficult for a city department that largely operates through face-to-face interaction. As the restrictions allowed, we continued working and communicating with the public through email, phone calls, and receiving applications through the secure drop box at City Hall.

When some office operations resumed, the Building Department kicked back into high gear and have not slowed or stopped.

PERMITS AND INSPECTIONS

The City of Berkley contracts with McKenna Associates for Building Department services, include Building Official duties, plan reviews, trade inspections, and Code Enforcement. Despite the “pause” that occurred early 2020, the department has been busy permitting and inspecting projects throughout the City.

The below table shows the number of permits issued for FY2020 and previous years, for reference.

	FY2020 7.1.20 – 6.21	FY2019 7.1.19 – 6.30.20	FY 2018 7.1.18 – 6.30.2-19	FY 2017 7.1.17 – 6.30.2-18
Building	477	475	565	573
Electrical	449	386	536	548
Mechanical	362	335	402	431
Plumbing	176	202	238	269
Sewer	118	85	110	130
Zoning	226	185	205	215



The below table shows the number of inspections conducted for FY 2020.

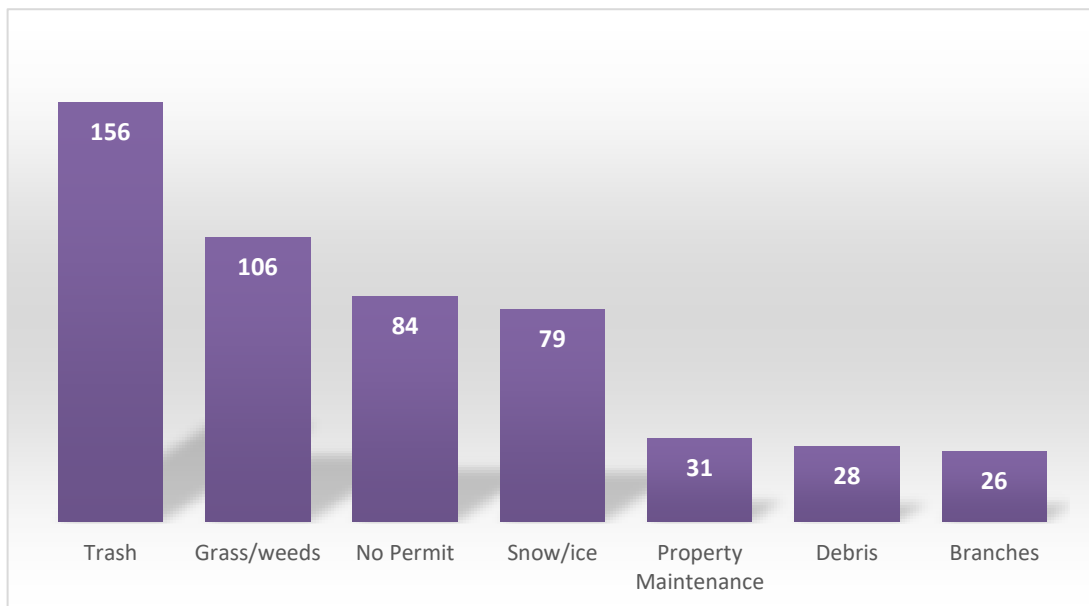
Inspection Type	Inspector	Total
Building	David Reilly	2,411
Mechanical	Aaron Garcia	483
Plumbing	George Beattie	345
Electrical	John Brunning	458
Electrical	Sean Dar	346

CODE ENFORCEMENT

Code Enforcement has also been busy over the past year, and we have had some personnel changes, as well.

In FY2020, 772 enforcements were logged in BS&A and 664 have been closed. This would equate to an 86% success/compliance rate.

The majority of the Open/Pending enforcements were entered since May and each are being investigated accordingly. Below is a breakdown of the most popular or repeated enforcement actions in the City.



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ACCOMPLISHMENTS

The Community Development Department worked really hard over the past year, through the pandemic and adjusting to constant changing and new normal. We want to share some of our accomplishments:

1. Transition to Work from Home

City staff worked very hard to continue to serve and support Berkley residents and businesses while working from home. Email threads and Zoom calls became the normal interaction methods to discuss projects and submission requirements.

2. Temporary Outdoor Dining, Sales, Service Areas

In order to aid local businesses as they navigated through the pandemic restrictions, City Council adopted a resolution to temporarily allow outdoor dining, sales and service areas on sidewalks, private or municipal parking areas. The temporary measure was extended through the winter, wherein several businesses opted for tents or igloos in order to serve patrons outside. It was a highly successful venture that has aided several businesses.

3. Temporary Closure of Griffith at Twelve Mile

Another measure to aid local businesses included the temporary closure of residential side streets at Twelve Mile and Coolidge. There were five (5) residential side streets that were identified by City staff as being areas that would garner the most attention and to benefit multiple businesses in the area. One business took advantage of that opportunity and Griffith has been temporarily closed to through traffic since July 2020.

4. Extensions of Board Approvals

Due to the restrictions and difficulties over the year, City Council extended all Planning Commission and Zoning Board of Appeals approvals until December 2021. This measure was proposed and supported as a way to support businesses and homeowners who had received approvals for projects but had to suspend plans due to construction restrictions or changes in financial abilities to support such projects.

5. Master Plan Community Engagement

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.

6. City Staff Guest Speaking Engagements

Based on initiatives that were adopted by the City over the past year, several members of City staff were invited to speak at various conferences and explain our project, how it has helped the public, and to answer questions for other communities to engage similar ideas.

- a) Michigan Association of Planning (MAP) – Megan Masson-Minock from CWA, Torri and Erin gave a presentation on community engagement during a pandemic. It was highly successful. April 2020.
- b) Southeast Michigan Council of Governments (SEMCOG) – Megan Masson-Minock from CWA and Torri gave a presentation on community engagement during a pandemic. Erin was unable to attend. June 2020.



- c) Institute of Transportation Engineers (ITE) – Erin and Derrick gave a presentation on successes and lessons learned regarding the temporary road closure on Griffith for outdoor dining. This included discussions from the planning perspective and also the implications or hurdles for Public Works. December 2020.

7. Updated Planning & Permit Application Packets

City staff worked together to update planning and permit application packets in order to garner additional information from the public about proposed projects. The intent is to streamline the process so as to prevent city staff from having to follow-up and ask additional questions for each project. All forms have been loaded on the website in a fillable format to make it more easily accessible to the public.

8. Updated Fee Schedule – adopted by Council June 2021

City staff worked together to update applicable fees to ensure that city expenses are covered. This includes updates to planning fees, sewer bonds, removal of yard waste stickers, and more. The updated fee schedule was presented to and was adopted by the City Council at the June 7, 2021 meeting. All updated fees go into effect July 1, 2021.

9. Update Business License Application and Creation of How to Open a Business Brochure and Land Use Matrix

Due to repeated phone calls and inquiries to the Building Department, city staff worked together to update the business license application, as well as the creation of a How to Open a Business Brochure and a reference Land Use Matrix. The business license application has been in circulation since May 2021. The brochure and land use matrix will be loaded on the City's website, along with an interactive website June 2021.

10. Update to PC, ZBA Rules of Procedure

In 2021, City staff worked with the PC, ZBA, and City Attorney to update the Boards and Commissions Bylaws and Rules of Procedure to incorporate the attendance policy, as well as the new member training and continued education requirement. This was included so as to ensure that any new member is fully aware of the responsibilities of serving on the Board or Commission.

2021 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. Adopt Master Plan

City staff is really excited about the progress of the Master Plan and look forward to adoption later this year. This has been a long-term project and we are excited to begin implementing the goals and objectives that have been recommended to keep Berkley engaging and welcoming.

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 will check off a big box on the "To Do" list. City staff has been working behind the

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scenes to check off other boxes on the list, including updating permit applications, development flow charts and other administrative tasks that will lead to an easier method of engaging with the public and a more transparent process for developers.

3. Zoning Ordinance Technical Review

The Michigan Planning Enabling Act states that zoning decisions must be based on a plan. Once the Master Plan has been adopted, it will provide 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 ZO Technical Review will provide guidance for future updates to bring into compliance with case law, 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 signage. The focus of the Sign Ordinance re-write is to bring it into compliance with Reed v. Gilbert and regulate based on the size, scale, location and materials of signs, rather than the content. 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 moving into its adoption phase, 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.





CITY OF BERKLEY
COMMUNITY DEVELOPMENT
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