The minutes from this meeting are in summary form capturing the actions taken on each agenda item. To view the meeting discussions in their entirety, this meeting is broadcasted on the city’s government access channel, WBRK, every day at 9AM and 9PM. The video can also be seen, on-demand, on the city’s YouTube channel: https://www.youtube.com/user/cityofberkley.

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

ABSENT: Tim Murad

ALSO PRESENT: Tim McLean, Community Development Director
Vivian Carmody, DDA Director
Erin Bowdell, Michigan State University Federal Credit Union
Brian Grapentien, Michigan State University Federal Credit Union

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APPROVAL OF AGENDA
It was moved by Commissioner Richardson to approve the Agenda with one addition under Communications and supported by Commissioner Patterson.

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

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APPROVAL OF MINUTES
It was moved by Commissioner Trotto to approve minutes from November 27, 2018 and supported by Commissioner Kempner.

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

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COMMUNICATIONS
Received written communication from resident

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CITIZEN COMMENTS
None

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1. SPECIAL USE REQUEST: SU-02-18— MICHIGAN STATE FEDERAL CREDIT UNION,
3165 TWELVE MILE RD

Community Development Director McLean stated that the applicant has submitted a site plan
with all required information. Mr. McLean also stated that the ATM that had previously been
installed without permits or site plan approval was removed as of December 7 and the window
restored. Mr. McLean pointed out that the proposed ATM on the site plan would lower the
design requirement of 40% windows below that threshold.

Chair Kapelanski asked if there was a remedy for window requirement.

Mr. McLean responded that the ordinance specifies that the requirement may be modified by the
Planning Commission if it finds that standards for site plan approval have been met.

Vice Chair Smith stated that the proposed special use is a temporary situation. Mr. Smith stated
that the Planning Commission could add a condition that the window be restored when the
occupant vacates the building.

Chair Kapelanski asked the applicant if decorative lighting consistent with Design Guidelines
would be considered to illuminate the sign.

Applicant Erin Bowdell responded that they are definitely willing to do that.

Applicant Brian Grapentien stated that the intent for the lighting was to highlight the proposed
wall sign.

Commissioner Buckler recommended that a time frame for the removal of the ATM be added as
a condition.

Chair Kapelanski stated that the required public hearing was held at the November 27 meeting.

It was moved by Commissioner Richardson to recommend that City Council approve SU-02-18
with the conditions that the ATM be removed within two years with the original window being
restored and supported by Vice Chair Smith.

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

2. **DESIGN OVERLAY DISTRICT:** DISCUSSION

Community Development Director McLean discussed changes made to the draft by Director
Carmody. Mr. McLean also stated that if the Planning Commission was inclined to adopt the
Design Overlay District that it would necessitate revisions to the Site Plan Review Ordinance as
well.

Director Carmody stated that she believes revisions to the draft answered outstanding questions
from Planning Commissioners. Ms. Carmody also stated that the revisions were reviewed by the
City Attorney.

Commissioner Richardson pointed out a typo in the draft. Mr. Richardson asked about the
requirement in the draft of a monthly meeting.
Director Carmody responded that the meeting schedule could be amended to “as needed.”

Vice Chair Smith stated that developers could see the Design Review Board as an additional step. Mr. Smith stated that he likes the proposed change in meeting schedule to “as needed.”

Chair Kapelanski asked about the possibility of special meetings.

Director Carmody responded that special meetings could be scheduled as needed.

Commissioner Buckler asked about compliance with the Open Meetings Act regarding special meetings.

Mr. McLean responded that the Open Meetings Act requires that a special meeting be posted a certain number of hours prior to being held (later confirmed to be 18 hours).

Commissioner Richardson asked about Sec.138-549, Item 6. Application by Character Area

Director Carmody clarified the character areas defined in the Design Guidelines.

Commissioner Richardson asked about square footage relative to administrative approvals. Specifically does that square footage address ground level only.

Director Carmody responded that this was the intent but that the Planning Commission could revise this as they saw fit.

Vice Chair Smith suggested that the language in this proposed ordinance should be consistent with existing administrative approval language.

Commissioner Buckler asked what happens if an administrative review is denied.

Chair Kapelanski stated if an administrative review is denied, the applicant can request a review by the Planning Commission.

Mr. McLean responded that the process should be the same as what happens during a regular administrative review if an applicant is not satisfied with the outcome, which is a review by the Planning Commission.

Additional discussion about the administrative approval process in the proposed Overlay District was held.

Chair Kapelanski summarized this by stating that the final language needs to be consistent with current practices.

3. **SITE PLAN REVIEW:** DISCUSSION

Mr. McLean stated that changes to this section would address the process for administrative approval in the proposed Overlay District.

Chair Kapelanski asked if changes to this section would only be related to the Design Overlay District.
Mr. McLean responded that this would be the case.

Commissioner Richardson asked for more of a definition of the 25% threshold.

Chair Kapelanski agreed with Mr. Richardson.

Chair Kapelanski referenced previous questions by Mr. Smith regarding administrative approvals.

Vice Chair Smith referenced 50% of the façade. He stated that some buildings have multiple facades. He referenced the administrative review and approval for 2600 Twelve Mile Rd.

Mr. McLean clarified that the work done at that location.

Vice Chair Smith questioned if a new paint color was altering surface materials more than 50%.

Commissioner Buckler asked about site plan review for this property in the past.

Chair Kapelanski stated she believes this is more of a question of interpretation. Ms. Kapelanski suggested that language could be added that specifically addresses paint color.

Vice Chair Smith asked if the ordinance had a definition for façade.

Commissioner Richardson asked if changes to this section would affect anything related to Redevelopment Ready Communities.

Chair Kapelanski stated she believes RRC would tend to favor more administrative review/approval for these types of items.

Vice Chair Smith suggested language addressing exposed facades.

Commissioner Trotto using 2785 Twelve Mile as a reference, asked about intent of the building relative to uses and parking.

Chair Kapelanski responded that minimum standards would still have to be met for parking.

Mr. McLean stated that the owner at 2785 Twelve Mile did go to the ZBA for a variance on parking and was denied.

Commissioner Buckler stated she didn’t believe new paint color was changing surface materials.

Vice Chair Smith stated he did not agree. This would be an exposed façade alteration.

Commissioner Richardson stated that in these cases, the Planning Commission delegates this authority under administrative review.

Commissioner Kempner asked if the issue at 2600 Twelve Mile was more than just paint.

Vice Chair Smith responded that there were significant changes were made to that building.
Chair Kapelanski and Vice Chair Smith agreed with language stating that an exposed façade material alteration less than 50% may be approved administratively.

Commissioner Kempner asked for clarification on what exposed façade material is.

Commissioner Richardson responded that he believed this was addressed.

Commissioner Shadle stated she believes specificity is needed.

Chair Kapelanski asked Mr. McLean to research ordinances in other communities regarding administrative approvals for façade changes.

Commissioner Patterson asked about scenarios where window size is decreased.

Chair Kapelanski stated this would trigger site plan review with the Planning Commission.

Mr. McLean responded that this was why the proposed Special Use at 3165 Twelve Mile Rd had to have a full site plan review.

Commissioner Trotto suggested including “doors” with existing language on windows.

Chair Kapelanski asked about 25% threshold in the Design Overlay District.

Director Carmody that originally it was intended to be “gross square footage.”

Commissioner Trotto stated that 25% of some buildings is very significant in size.

Director Carmody responded that the 25% threshold came from researching other ordinances.

Commissioner Buckler stated she believes any building addition should have full site plan review.

Chair Kapelanski suggested that some type of minimum threshold should be established for administrative approvals.

Director Carmody suggested reaching out to MEDC on a best practice figure for square footage.

Chair Kapelanski suggested a sampling of other ordinances as well. Mr. McLean responded that he would reach out to MEDC and review other ordinances on this issue. He asked Chair Kapelanski for confirmation if the Public Hearing for the proposed Design Overlay District should be set for January 2019.

Chair Kapelanski responded to set the Public Hearing for January 2019.

4. **MEETING SCHEDULE**: 2019 PLANNING COMMISSION MEETING DATES

Mr. McLean provided the Planning Commission with suggested meeting dates for 2019.
It was moved by Commissioner Richardson to approve the 2019 Planning Commission Meeting Schedule and supported by Commissioner Buckler.

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

Citizen Comments
N/A

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LIAISON REPORTS
Vice Chair Smith mentioned that he attended the previous City Council meeting and that the Council agreed with recommendations from the Planning Commission that had been on the agenda.

Commissioner Richardson stated the Environmental Committee did meet and that Director Carmody was in attendance. Mr. Richardson stated that one of the Environmental Committee will be a liaison on a multi-community planning grant between Berkley, Huntington Woods, and Oak Park.

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STAFF/COMMISSIONER COMMENTS
Commissioner Trotto asked if changes to 2785 Twelve Mile Rd regarding window size.

Mr. McLean responded that there were no reductions in window size.

Commissioner Shadle wished everyone Happy Holidays.

Commissioner Patterson wished everyone Happy Holidays.

Commissioner Kempner wished everyone Happy Holidays.

Commissioner Buckler wished everyone Happy Holidays.

Commissioner Richardson wished everyone Happy Holidays. Additionally he asked about findings of fact in Planning Commission decisions. He would like findings of fact reflected in motions and meeting minutes.

Vice Chair Smith discussed that during the last Master Plan update, commissioners were assigned a “homework assignment” to think of ideas you would like to see in the Master Plan. He referenced “catalytic projects” listed in the Master Plan.

Mr. McLean discussed an upcoming training opportunity for the Planning Commission on Zoning Board of Appeals through the consulting firm Carlisle-Wortman on planning/zoning basics. He stated he would be coming back with some possible dates for that to occur. He also wished everyone safe and happy holidays.
Chair Kapelanski wished everyone Happy Holidays.

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With no further business, the meeting was adjourned at 9:17PM.