THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:30 PM, JANUARY 22, 2019 AT CITY HALL BY CHAIR KAPELANSKI.

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

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

ABSENT:

ALSO PRESENT:  Tim McLean, Community Development Director  
Ross Gavin, City Council Liaison  
Vivian Carmody, DDA Director

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

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

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APPROVAL OF MINUTES
It was moved by Commissioner Patterson to approve minutes from December 11, 2018 and supported by Commissioner Shadle.

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

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COMMUNICATIONS
Received written communication from resident

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CITIZEN COMMENTS
Analise Pietras, Franklin: Requested discussion on ordinance amendments before opening the Public Hearing.

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1. SITE PLAN REVIEW: SP-04-18—JENNA IN WHITE, 2685 COOLIDGE HWY.

Community Development Director McLean provided a summary of the request for site plan
review. The applicant is proposing to construct an addition to the existing building. A second floor would be constructed along with a small expansion of the first floor.

Property Owner Mo El Zaaafari stated that business has been going very well and that he would like to add a bridal salon for the proposed second floor.

Architect for the Applicant Jon Sarkisian stated that the proposed addition would add space to the back of the first floor and that a second floor would be built.

Commissioner Shadle asked to see material samples and how they would be applied.

Mr. Sarkisian showed samples of the material and explained where they would be placed.

Commissioner Trotto asked about a site photometric plan.

Mr. Sarkisian responded that no new outdoor lighting was being proposed for this property.

Chair Kapelanski discussed the parking lot layout. She expressed concerns about placing five spaces on the lot. She pointed out to the applicant that installing bicycle parking on the site would reduce the number of required car spaces by two.

Mr. Sarkisian stated that the applicant tends to favor the proposed parking layout on the site plan.

Commissioner Buckler commented that bicycle parking would be difficult for a bridal shop.

Commissioner Kempner expressed concern about the dimension of the parallel parking spaces.

Vice Chair Smith stated that the width for parallel parking is not defined. He also expressed concerns about the gas meter on the building. Mr. Smith also stated he would like to see the barrier free parking located as close to the building as possible.

Mr. Smith asked about building overhang on the southeast corner and the potential for snow runoff onto the neighboring property.

Mr. Sarkisian stated this will be addressed and will not create problems for neighboring properties.

Commissioner Murad stated that if parking was moved to the south side, parking in rear could be angled.

It was moved by Vice Chair Smith to approve SP-04-18 with the conditions that accessible barrier free parking is verified and that the parking layout be adjusted and supported by Commissioner Murad

AYES: Murad, Patterson, Richardson, Shadle, Smith, Trotto, Buckler, Kempner, Kapelanski
NAYS: None
ABSENT: 
MOTION CARRIED
2. **ORDINANCE AMENDMENT: PROPOSED DESIGN OVERLAY DISTRICT**

Mr. McLean provided a short summary on changes that were made to the proposed ordinance.

Director Carmody stated that she consulted staff from MEDC regarding best practices. She stated that Design Guidelines are recommended by the RRC program.

**CHAIR KAPELANSKI OPENED THE PUBLIC HEARING AT 8:00PM**

Charles Tyrell, Columbia: Stated that he believes that the Design Guidelines are misleading and are regulatory rather than advisory. Mr. Tyrell stated he views expanding the scope of administrative approval to be problematic. He stated he was not in favor of doing something just because other communities are doing it. He stated he believes this will create additional steps in the development review process.

Analise Pietras, Franklin: Expressed concerns about the Design Guidelines. She believes the lack of specificity will create problems. Ms. Pietras stated that amending the ordinance and making it more specific would be more favorable. She also voiced concern for expanding the scope of administrative approval. Ms. Pietras stated she was concerns that the Design Review Board language does not address compliance with the Open Meetings Act.

Kurt Hite, Robina: Expressed agreement with comments made by the first two speakers. Mr. Hite stated he was concerned about creating additional steps for applicants. He stated he was not in favor of creating the Overlay District or Design Review Board and that ordinance re-write would be more favorable.

**CHAIR KAPELANSKI CLOSED THE PUBLIC HEARING AT 8:10PM**

**DISCUSSION**

Commissioner Richardson asked if there were any concerns from the City Attorney on proposed changes.

Director Carmody responded that only very minor language changes were recommended by the City Attorney.

Chair Kapelanski asked Director Carmody to address citizen comments/concerns about the proposed Design Overlay District.

Ms. Carmody responded that the intent of the overlay district is to raise the level of design standards for development. The Design Guidelines are intended to provide those higher standards. Creating a Design Review Board along with the Overlay District seems to be the best way forward. Ms. Carmody stated that a comprehensive rewrite of the zoning ordinance could be years away. Ms. Carmody stated that parking is regulated by the zoning ordinance and not the Design Guidelines.

Commissioner Kempner commented that the Design Guidelines have appendix recommending new parking ratios.
Ms. Carmody responded that language could be revised to specify that Design Guidelines do not change parking requirements.

Ms. Kempner stated that some of the guidelines are vague, providing the example of "signs must be the appropriate size."

Ms. Carmody responded that the guidelines offer flexibility.

Commissioner Murad responded that the existing sign ordinance still applies.

Vice Chair Smith expressed concerns about subjectivity.

Commissioner Buckler stated that she doesn’t believe the Design Guidelines conflict relative to parking. She stated she was conflicted about the Design Review Board as a quasi-regulatory body. She stated she would like to see a cohesive vision.

Commissioner Murad stated he sees the Overlay District as a short term fix and that this should all rolled into an ordinance.

Commissioner Richardson expressed concerns that language regarding appeals and that the Planning Commission is not an appellate body. Mr. Richardson suggested substituting “review” for “appeal.” Mr. Richardson stated he had reservations about the square footage threshold for administrative review.

Ms. Carmody stated that other communities had a higher threshold.

Commissioner Patterson asked if there could be a Citizen at Large on the Design Review Board.

Ms. Carmody stated that this would be welcome.

Commissioner Kempner asked about other RRC communities near Berkley.

Mr. McLean responded that Ferndale and Lathrup Village are RRC certified.

Ms. Kempner stated that administrative approvals should be kept minimal.

Chair Kapelanski asked the Commission if administrative approvals are the biggest obstacle to approving the ordinance changes. And if so, what should the threshold be? She suggested the Royal Oak standard, which is 3,000 gross square feet.

Mr. Murad stated he would favor a threshold of 500 square feet or 10%, whichever is less.

Ms. Buckler stated that 3,000 was too large a threshold.

Chair Kapelanski stated she tended to favor 1,500 square feet and that 3,000 was too high.

Commissioner Shadle stated she tends to favor a percentage. She asked about RRC recommendations on a square footage option.
Ms. Carmody responded that RRC wants to see more administrative approval. RRC wants small changes to be made easy and make smaller projects easier.

Mr. Murad stated he would like to see any façade changes more than 50% come before Planning Commission.

Commissioner Trotto stated he was not a fan of multiple standards.

It was moved by Commissioner Patterson to recommend that City Council adopt the proposed Design Overlay District with the following conditions: 1. “appeal” be changed to “review,” 2. adding language to allow for a Citizen at Large, 3. Amend Sec.138-552 removing “alterations” or Sec.138-552 expansions only, 4. Amending the threshold to 500 square feet or 10%, whichever is less, and supported by Commissioner Richardson

AYES: Richardson, Shadle, Smith, Trotto, Buckler, Murad, Patterson, Kapelanski
NAYS: Kempner
ABSENT:
MOTION CARRIED

3. **ORDINANCE AMENDMENT:** SEC.138-678-ADMINISTRATIVE REVIEW

Commissioner Buckler stated that administrative review creates a predictable pattern. Ms. Buckler stated that RRC guidelines are fluid.

Commissioner Shadle asked if there was any thought to language about increasing vs decreasing window size relative to administrative review.

Chair Kapelanski stated that the language was written that way to encourage increased transparency in windows.

Commissioner Patterson asked if an applicant could just do small incremental changes to avoid the Planning Commission all together.

Commissioner Buckler responded that the Community Development Director can evaluate and bring it to the Planning Commission.

**CHAIR KAPELANSKI OPENED THE PUBLIC HEARING AT 9:25PM**

Kurt Hite, Robina: Asked if the 50% threshold applied to multiple sides.

Commissioner Murad responded that any one side, 50% or more was how this is intended.

Analise Pietras, Franklin: Stated that Planned Unit Developments should be excluded from any administrative approvals.

Chair Kapelanski responded that any Planned Unit Development cannot have any administrative approvals and is regulated by ordinance language pertaining to Planned Unit Developments.
CHAIRKAPELANSKI CLOSED THE PUBLIC HEARING AT 9:29PM

It was moved by Commissioner Murad to recommend that City Council adopt the proposed amendments to Sec.138-678 and Sec.138-681, and supported by Commissioner Buckler

AYES: Shadle, Smith, Trotto, Buckler, Kempner, Murad, Patterson, Richardson, Kapelanski
NAYS:
ABSENT:
MOTION CARRIED

4. MASTER PLAN SCOPE OF WORK: DISCUSSION

Commissioner Richardson stated that the Master Plan should cover trends in transportation. Additionally, economic trends, home occupations, Air BnB facilities, and possibly marijuana dispensaries should be discussed in the plan.

Commissioner Kempner stated she would like to see a “user friendly” Master Plan. She suggested that focus groups or surveys getting feedback from the “empty nest” residents should be part of the plan.

Commissioner Murad stated he would to see a redevelopment plan for Woodward.

Citizen Comments
Kurt Hite, Robina: Stated he would like to see recommendations on protecting residences that abut commercial districts.

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LIAISON REPORTS
Commissioner Patterson stated that the Parks & Recreation Department was recently awarded a grant for Oxford Merchant Park.

Commissioner Murad stated that the Chamber of Commerce was working on its 2019 Plan.

Commissioner Trotto stated he did not attend the last DDA meeting due to work schedule.

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STAFF/COMMISSIONER COMMENTS

Mr. McLean informed the Planning Commission that there would be a joint training session scheduled for March 7.

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With no further business, the meeting was adjourned at 9:56PM.