THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, JANUARY 28, 2020 AT CITY HALL BY VICE-CHAIR MARTIN SMITH

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, Tim Murad, Jeffrey Campbell, Lisa Kempner, Greg Patterson, Michele Buckler, Martin Smith, Matt Trotto

ABSENT: 
Kristen Kapelanski

ALSO PRESENT: 
Erin Schlutow, Community Development Director, John Staran, City Attorney, Joseph Aiello, Chris Aiello, Ian Whitelaw, Several members of the public

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APPROVAL OF AGENDA
It was moved by Commissioner Richardson to approve the Agenda supported by Commissioner Patterson.

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

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APPROVAL OF MINUTES
It was moved by Commissioner Trotto to approve the minutes from December 17, 2019 and supported by Commissioner Kempner.

Vice-Chair Smith added one comment related to the conditions for approval for the multi-tenant building at 2485 Coolidge Hwy. Commissioners accepted the minor revision.

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

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COMMUNICATIONS
The Community Development received two email communications related to the Conditional Rezoning proposed at 1256 Franklin Rd. that is on the agenda.

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CITIZEN COMMENTS
None.

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PUBLIC HEARING: Matter of Conducting a Public Hearing to review application PRZ-03-19 for proposed conditional rezoning for 1256 Franklin Rd. from RM, Multiple Family Residential to Parking District.
Community Development Director Schlutow summarized the staff’s January 16, 2020 review letter related to the conditional rezoning request. The applicant is proposing the rezoning of the property from RM, Multiple Family Residential to Parking District. The applicant is interested in demolishing the existing residential structure on the property and redevelop as a surface parking lot that will support the commercial businesses on Woodward Ave. The applicant is interested in redeveloping adjacent properties on Woodward Ave as a marihuana business and sufficient parking is required in order to submit an application to the City.

The applicant, Chris Aiello, presented existing and proposed renderings of the property.

Ian Whitelaw, owner of one of the Woodward Ave. properties proposed for redevelopment and representative of the owner of the residential property proposed for rezoning, provided background information regarding the Woodward properties and limitations for redevelopment.

Vice-Chair Smith asked why the rezoning was contingent upon receiving a marihuana business license.

The applicant said it was a package deal with the three buildings on Woodward Ave.

Vice-Chair Smith opened the Public Hearing at 7:32pm.

Joanna Bryant, owner of two duplexes across the street on Franklin, noted that she has put some money into the properties and feels that the rezoning to parking would harm her properties. Concerns were expressed related to who would want to live across the street from a parking lot and that it would change the nature of the neighborhood.

Kurt Hite, resident, noted the rezoning would align with the Future Land Use Map and the goals and objectives of the Master Plan.

Kay Bradley, resident, asked if the dry cleaners was included in the proposed project and redevelopment on Woodward.

Mike G., owner of the residential property subject to the public hearing, noted that he did not anticipate any negative impacts on the neighborhood.

Vice-Chair Smith closed the Public Hearing at 7:38pm.

2. Conditioned Rezoning Request: PRZ-03-19 Joseph Aiello, 1256 Franklin, Parcel ID#25-17-257-024, is requesting a conditional rezoning from RM, Multiple Family Residential to Parking District

Commissioner Buckler is concerned about setting a precedent wherein several properties may be coming before the Planning Commission for rezoning requests, contingent upon granting a marihuana business license.

Commissioner Kempner agreed and is concerned about having so many applications submitted with three properties permitted to have licenses.

Commissioner Smith agreed but noted that if there wasn’t this redevelopment opportunity, the property would most likely remain as is. He also noted there is uncertainty related to how many rezoning applications will be coming to the Planning Commission for review.
Commissioner Campbell noted his similar experience and the rezoning request is based upon policy decisions set forth. The applicant is trying to optimize their development to fit the merit points. The hoarding of properties is bound to happen.

Commissioner Murad noted the business would be required to meet minimum retail parking requirements. He also noted that it would be prudent to require additional landscaping or masonry wall to separate the retail use from residential neighborhood. Commissioner Murad also noted that he did not expect that the rezoning would impact the adjacent residential neighborhood.

Vice-Chair Smith noted rezoning requests are the hardest applications to review, as the properties are usually abutting residential properties.

Commissioner Richardson agreed that rezoning request are the most difficult to review and parking being a difficult topic in general. Commissioner Richardson asked staff to explain the minimum parking requirement for retail establishments. Commissioner Richardson noted he supported the conditional rezoning and that it does not guarantee that the house will be torn down. It will only be removed if the property is selected for a marihuana license.

Commissioner Buckler noted her concern regarding hoarding of properties for the purpose of a marihuana license.

Vice-Chair Smith asked Commissioner Campbell about the process in Hazel Park. Commissioner Campbell noted that there have been stalls.

Commissioner Patterson noted his concern about the house to the west of the subject property and how that could impact those property owners.

Commissioner Trotto noted more screening and landscaping would be appropriate to screen the future parking area. Vice-Chair Smith noted that that would be discussed during site plan approval.

Vice-Chair Smith permitted representative Chris Aiello to provide any final comments regarding the rezoning application.

Commissioner Richardson motioned to recommend approval of the conditional rezoning PRZ-03-19 at 1256 Franklin from RM, Multiple Family Residential to Parking District. Seconded by Commissioner Trotto.

AYES: Murad, Richardson, Trotto, Campbell, Kempner, Smith
NAYS: Patterson, Buckler
ABSENT: Kapelanski


Community Development Director Schlutow summarized the proposed amendments related to public hearing notification requirements for public hearings before Planning Commission and Zoning Board of Appeals. The City will continue to follow state requirements related to the publishing the public notice in a general circulation newspaper, notifying property owners within 300 feet of subject property. The proposed amendment is specific to requiring a temporary sign to be placed on the subject property prior to the date of the public hearing.

Vice-Chair Smith opened the public hearing at 8:03pm.

No comment.
Vice-Chair Smith closed the public hearing at 8:03pm.

Vice-Chair Smith asked city staff of the placement procedure of the temporary signs.

**4. ZONING ORDINANCE TEXT AMENDMENT:** Matter of reviewing the proposed text ordinance amendment pertaining to public hearing notification requirements. Commissioner Trotto motioned to recommend approval of the ordinance text amendments related to the public hearing notice requirements, as presented. Seconded by Commissioner Campbell.

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

**5. DISCUSSION:** Matter of discussing ordinance text amendment for modifying parking requirements.

Director Schlutow summarized the discussion that had taken place at the December 17, 2019 regarding allowing the Planning Commission the authority to modify parking requirements during site plan review.

Commissioner Buckler noted that parking will always be an issue in a built-out community but that some flexibility should be allowed.

Commissioner Kempner liked the flexibility and the burden on the applicant to demonstrate the need to a parking modification.

Commissioner Campbell agreed to the flexibility as well as the discretion of the Planning Commission to determine if a modification is warranted on a case by case basis.

Commissioner Richardson agreed to the modification possibility; however, there should be some criteria for review. Also, the applicant should demonstrate the least impactful parking arrangements in order to be eligible for parking modification.

Kurt Hite, resident, stated that parking modifications are not a bad idea but a limit should be included.

**6. MASTER PLAN 2020:** Matter of updating the Planning Commission on the progress of the Master Plan.

Director Schlutow provided a summary of the progress of the plan thus far including the joint Planning Commission and City Council Plan to Plan meeting, the formation of the Master Plan Steering Committee, with the first MPSC meeting taking place January 21, 2020.

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**LIAISON REPORTS**
Commissioner Murad reported the Chamber was gearing up for the year and noted the County’s Twelve Mile repaving project.

Commissioner Trotto was unable to attend the DDA meeting.

Commissioner Richardson reported that the Environmental Advisory Committee is sponsoring a Rain Barrel Workshop at the Library on February 18, 2020. Contact information is available on the City’s website for ordering a rain barrel. On February 27, 2020 there will be a meeting at the library to discuss stormwater management and strategies. The Committee will give a Recycler of the Year award and hope to present
the award at the ArtBash. Nomination forms will be at various city locations.

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STAFF/COMMISSIONER COMMENTS
Commissioner Campbell was recently in London and Scotland and noted the mass transit does very well.

Vice Chair Smith inquired about the vinyl siding market on eleven Mile Rd.

With no further business, the meeting was adjourned at 9:33pm.