

THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, JUNE 28, 2022 AT BERKLEY CITY HALL BY VICE-CHAIR LISA KEMPNER.

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: Shiloh Dahlin Joe Bartus
Greg Patterson Julie Stearn
Lisa Kempner Mark Richardson

ABSENT: Kristen Kapelanski

ALSO, PRESENT: Megan Masson-Minock, Interim Community Development Director
Thea Donahue, 975 East Maple suite 210, Birmingham
Harold Remlinger, 975 East Maple suite 210, Birmingham
Daniel Amari, 3249 Wakefield, Berkley
Teresa Forman, 2221 Princeton
Jim McGowan, 33074 Curtis Rd, Livonia
Joseph Anderson, 5371 Berwyck Dr, Troy

Motion by Commissioner Patterson to excuse the absence of Commissioner Kapelanski. Motion supported by Commissioner Stearn.

Voice Vote to approve the absence of Commissioner Kapelanski.

AYES: 6
NAYS: 0
ABSENT: Kapelanski

MOTION CARRIED

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APPROVAL OF AGENDA

Motion by Commissioner Richardson to approve the agenda supported by Commissioner Patterson.

Voice vote to approve the agenda

AYES: 6
NAYS: 0
ABSENT: Kapelanski

MOTION CARRIED

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APPROVAL OF THE MINUTES

Motion by Commissioner Patterson to approve the minutes from the special Planning Commission meeting on June 7, 2022 and supported by Commissioner Richardson.

Voice vote to approve the meeting minutes on June 7, 2022.

AYES: 6
NAYS: 0
ABSENT: Kapelanski

MOTION CARRIED

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COMMUNICATIONS

Email from McNally's on June 7, 2022 meeting
Letter from City of Huntington Woods on 2222 W. 11 Mile
Email from Katie and Nick Forte on Black Hop Brewery
Michigan Planner Magazine

CITIZEN COMMENTS

NONE

OLD BUSINESS

1. **PSP-02-22: 2222 Eleven Mile Rd. - Butter Provisioning:** The applicant, Grant Jeffries, on behalf of Operation Grow, LLC, - d.b.a. Butter Provisioning Center, 2222 Eleven Mile Rd., Parcel #225-17-358-018, North side of Eleven Mile, between Berkley Ave. and Henley Ave., is requesting site plan approval for the renovation of the existing building to a retail marihuana dispensary and a separate warehouse tenant space.

Interim Community Development Director Masson-Minock provided an overview of the updated information from the last meeting, including options for the screen wall where the alley and sewer pipe exist. DPW and HRC have recommended approval for this site and approval for the traffic impact study. The fire inspector has also approved this. Interim Community Development Director Masson-Minock also stated that the applicant has bought 2200 Eleven Mile, bettering the site circulation and parking. The Planning Commission had three determinations on the parking waiver, landscaping, screening option, as well as the list of conditions in the staff letter.

Commissioners asked questions to Interim Community Development Director Masson-Minock related to items in the packet for this applicant.

APPLICANT PRESENTATION

Grant Jeffries
Five/Eights Architecture, Architect
2321 Wolcott St
Ferndale, MI 48220

Chris Klamkin, Founder of Operation Grow LLC, DBA Butter,
Chief Executive Officer
Dan Amory, Chief Executive Officer

Applicant Mr. Jeffries, provided an overview of what has changed since the Sketch Plan meeting in February, with main discussion on parking, site circulation, and dumpster access.

Mr. Jeffries summarized the major changes that have occurred. Mr. Jeffries discussed the purchasing agreement and current business with 2200 Eleven Mile that will better the parking at 2222 Eleven Mile. There was clarification on the dumpster placement that was addressed during the sketch plan. The parking agreement with the Masonic Temple was renegotiated and the new terms were presented. Mr. Jeffries addressed the site lighting and mural, as well as the masonry wall. There was discussion on 13361 Eleven Mile in Oak Park as well.

Commissioner Richardson asked the applicants questions regarding employee's numbers, parking circumstances, shared parking with the building that was purchased, and the building in Oak Park.

Commissioner Richardson also asked the applicants about the property line, sewer pipe and the location of the masonry wall. There was discussion with residents and Interim Community Development Director Masson-Minock on the sewer pipe and fencing options

Commissioner Dahlin asked for clarification on the lights located on the west side and the deputy of the sanitary sewer.

Joe Anderson from Giffels Webster Engineers answered Commissioner Dahlin's questions about the manhole and fencing.

Commissioner Bartus asked applicants about the specifics of the fence, and the signage they will be using for the parking lots.

Vice-Chair Kempner asked about the memo from McDowell and Associates and permeable pavers and drainage

PUBLIC COMMENT

Dave Losey, 2189 Princeton - Stated that he would prefer a block wall, because if it was going to be a fence, cars that would come into the parking lot the lights from the car shine above his eight (8) ft fence already. He suggested having a ten (10) ft fence instead of an eight (8) ft wall.

Theresa Forman, 2211 Princeton - Stated that this plan is much better, but has concerns about the wall. She also asked about the door usage on the north side. She prefers a masonry wall to keep the sound and light masked.

Denise Losey, 2189 Princeton - Stated that it would be nice to have some kind of privacy, which is what would be lost if they had the shorter fence. Something to help with the noise and light would be appreciated.

There was discussion between the Commissioners, applicant and the Community Development Director specifics on the height and neighboring wall and where the 10ft wall would be.

The Commissioners discussed the landscaping, stated that it met the ordinance, and suggested arborvitaes for the areas of concern, flower pots or boxes to put on the wall or fence.

There was general conversation on the sewer maintenance, placement of the easement and sewer pipe, and the future of fence repair if needed.

The Commissioners stated that the wood fence would be the best solution and want to see it ten (10) ft, agreed with the presented landscaping, and are in support of the parking waiver.

Motion by Commissioner Bartus to approve application PSP-02-22; with recommendation of allowing the parking waiver; recommended that the proposed landscaping meets the Ordinance 139-678, and a condition of the approval is the screening options of the wood fence with an eight (8) ft height with a ten (10) ft required for the section adjacent to the driveway, and conditional upon the following items 1-7 listed on the staff letter dated June 28, 2022. Supported by Commissioner Stearn.

AYES: Bartus, Kempner, Patterson, Stearn, Richardson, Dahlin

NAYS: 0

ABSENT: Kapelanski

MOTION CARRIED

- 2. **PSP-06-22: 3737 Twelve Mile Rd. - The Phillip Rowhomes:** Daniel Stakhiv, on behalf of Berkley Deal LLC, 3737 Twelve Mile Road, Parcel #25-18-126-020, is requesting final site plan approval of a new seven-unit Row Homes development in the Twelve Mile District.

Interim Community Development Director Masson-Minock stated that one of the conditions from the March site plan approval is that conditions of approval are finalized with the review by the Planning Commission which is presented at this meeting. Interim Community Development Director Masson-Minock provided the reviews from DPW, and HRC.

APPLICANT PRESENTATION

Daniel Stakhiv

Applicant, Mr. Stakhiv, presented the changes that occurred since March including the front facade removing the balconies and putting a deck on the south part not affecting the setbacks that were approved in March. Mr. Stakhiv stated that the RCOC is still under review and clarified the dumpster enclosure confusion.

Commissioner Richardson asked the applicant about the roof deck, if the situation is unresolved. Interim Community Development Director Masson-Minock stated that the Planning Commission had discussed this at their prior meeting, and does not think those are outstanding issues.

PUBLIC COMMENT

NONE

The Planning Commission stated that they like the way everything is presented and the idea of composite for the gate on the dumpster

Motion by Commissioner Bartus to approve application PSP 06-22; with the following conditions referenced in the staff letter dated June 21, 2022 items 1-4 and the additional requirement to provide a wood composite fence gate on the dumpster, with all of the waivers and prior approvals. Supported by Commissioner Patterson.

AYES: Dahlin, Richardson, Stearn, Patterson, Bartus, Kempner

NAYS: 0

ABSENT: Kapelanski

MOTION CARRIED

NEW BUSINESS

- 3. **PSU-01-22: 2684 - 2688 Coolidge Highway - The Black Hop Brewery:** The applicant, Dorian Hill on behalf of The Black Hop Brewery, 2684 Coolidge Hwy. Parcel #25-15-155-030, east side of Coolidge Hwy., between Catalpa Dr. and Franklin Rd, is requesting special land use approval for an outdoor seating/eating area accessory to a bar.

Interim Community Development Director Masson-Minock stated that the applicant has already received site plan approval, the facade and interior have been improved. The applicant is here for the meeting because the Berkley ordinance public seating/outdoor dining is a special land use in this district. Interim Community Development Director Masson-Minock presented the review for Carlisle/Wortman noting some topics of discussion. Interim Community Development Director Masson-Minock reviewed the standards for Special Land use.

APPLICANT PRESENTATION

Dorin Hall Harold Remlinger, & Thea Donahue
DesignTeam Plus

Mr. Remlinger stated that the exterior of the building design has been approved, and stated that this will be the third Black Owned Brewery in the State of Michigan, and it will be the first in Southeastern Michigan.

Ms. Donahue reviewed the changes that the team had made from each of the suggestions in the review.

Commissioner Richardson asked the applicant about seating numbers. Mr. Remlinger stated that occupancy is determined by building code with the number being at max.

Vice-Chair Kempner opened the floor to public hearing at 8:48 pm.

PUBLIC COMMENT

NONE

Email that is in favor of this

Vice-Chair Kempner closed the floor to public hearing at 8:48 pm.

The Planning Commission discussed the standards for special land use approval, including the lighting waiver and string lights, snow removal and noise.

The applicant and Planning Commission discussed the hours of operation and music with the noise level and the surrounding area not being affected by the noise too much.

Motion by Commissioner Patterson to approve PSU-01-22; with following condition that the lighting as shown on plans with a waiver to be used, if it changes, go back to staff review, snow removal is adequate, all other meetings must be held in accordance with staff letter based on discussion, and noise levels will comply with non-nuisance laws. Find that findings are sufficient with the discussion that was had. Supported by Commissioner Richardson.

AYES: Dahlin, Richardson, Stearn, Patterson, Bartus, Kempner

NAYS: 0

ABSENT: Kapelanski

MOTION CARRIED

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LIAISON REPORT

Commissioner Richardson stated that the Environmental Committee had a bike carrel at Art Bash located by Clarks Ice Cream. Although it did not have as much business in prior years, there was positive feedback and will take time to build back up and might expand to other Berkley events.

Vice-Chair Kempner stated that the DDA had a very successful Pride Block Party, and the committee is already ready for next year.

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COMMISSIONER COMMENTS

Commissioner Richardson stated this would be his last meeting after 11 years on the Planning Commission. It has been a rewarding experience, and would not leave if he did not think the Planning Commission was in good shape.

Commissioner Patterson wished Commissioner Richardson well, and thanked him for all the years on Commission and supporting them through the years.

Commissioner Stearn stated she will not be at the next meeting due to a conference

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STAFF COMMENTS

Interim Community Development Director Masson-Minock thanked Commissioner Richardson for his many years of service and involvement in the Master Plan.

The Planning Commission will be seeing a Sketch Plan from Vinsetta Garage and possibly a Sketch Plan from Yellow Tail.

Interim Community Development Director Masson-Minock also stated that Kristen Kapelanski will be the Community Development Director at Berkley. Two Commissioners will be joining, and if the Commissioners know of anyone that would be interested or add value to send the recommendations to Kristen.

Interim Community Development Director Masson-Minock thanked the board for helping her all these months, and has learned a lot from them.

ADJOURNMENT

Motion to adjourn by Commissioner Patterson supported by Commissioner Stearn.

Voice vote for adjournment

AYES: 6

NAYS: 0

ABSENT: Kapelanski

With no further business, the meeting was adjourned at 9:12 p.m.