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: Joe Krug Ryan Gesund
          Sue McAlpine Miles Uhlar
          Steve Allen Maria Ward – Alternate
          Paul Evans

ABSENT: Greg Butts

ALSO PRESENT: Nikki Maybee, 2665 Coolidge Hwy
               Chris Maybee, 2665 Coolidge
               Christos Goldemathis
               Mark Zimmerman, Zimmerman Designs
               Erin Schlutow, Community Development Director
               Dennis Hennen, City Council Liaison
               Torri Mathes, Community Engagement Officer
               Dan Hill, Public Policy Assistant
               Jennifer Finney, Executive Director DDA

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APPROVAL OF AGENDA
It was moved by Ms. McAlpine to approve the agenda as presented. Motion was seconded by Mr. Allen.

AYES: Gesund, Krug, McAlpine, Ward, Allen, Evans
NAYS: None
ABSENT: Butts

MOTION CARRIED
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APPROVAL OF MINUTES
It was moved by Mr. Allen to approve the minutes of July 13, 2020 and supported by Mr. Krug.

AYES: Krug, McAlpine, Ward, Allen, Gesund, Evans
NAYS: None
ABSENT: Butts
MOTION CARRIED

REGULAR AGENDA

1. **INTERPRETATION OF COMMERCIAL MESSAGE FOR PAINTED MURAL**
   Timika Maybee, owner of Salon Simply Beautiful, proposed to paint a mural on the south side of 2665 Coolidge Hwy., Parcel #25-18-279-037. *Public Hearing was held and Request was tabled at July 13, 2020 regular meeting.*

   Community Development Director Schlutow provided an update on the discussions with the applicant that took place since the July 13, 2020 meeting, specifically the use of the image on promotional or for-sale merchandise. Director Schlutow also reviewed the Mural Installation and Maintenance Agreement that was drafted and signed by the property owner.

   Board members asked for clarification on the review and approval procedures with the DDA Mural Program, which has commissions and holds the rights to all murals painted in the DDA.

   Ms. McAlpine asked if the DDA would approve the proposed mural if it went through the DDA Mural Program. Director Schlutow summarized conversations held with DDA Executive Director Finney that the DDA thought it was a beautiful mural and would fit within the artistic aesthetic of the community.

   Mr. Allen thanked city staff for putting together the Mural Installation and Maintenance Agreement, which strictly prohibits the property owner from using the image on for-sale merchandise for profit.

   Property owner Timika Maybee stated her appreciation for city staff for working with her to get the mural moving forward.

   Ms. McAlpine motioned that the proposed design does not contain a commercial message and can move forward with installation at the subject property. Motion supported by Mr. Krug.

   Ms. Ward inquired the regulations for wall sign area and the granting of the mural would be granting of a variance for sign area. Chair Evans provided details to the request for an interpretation of the commercial message of the proposed design and a request for a variance would not be applicable if the Board determined that no commercial message exists.

   **AYES:** McAlpine, Allen, Gesund, Krug, Evans
   **NAYS:** Ward
   **ABSENT:** Butts

2. **APPLICATION PBA-04-20: 2665 Coolidge Hwy – Salon Simply Beautiful**
   Timika Maybee, owner of Salon Simply Beautiful, is requesting two (2) variances at 2665 Coolidge Hwy, Parcel #25-18-279-037, to paint a wall sign on the south side of the existing building. The proposed painted wall sign will face the south parking lot, does not face a main street and exceeds the sign area requirements and is proposed to expand the entire south wall. *Public hearing was held and request was tabled at July 13, 2020 meeting.*
Applicant withdrew request for variances, given the determination that the submitted design does not contain a commercial message.

3. APPLICATION PBA-05-20; 3082 Coolidge Hwy – Vibe Credit Union

Mark Zimmerman Designs, on behalf of Vibe Credit Union is requesting two (2) variances at 3082 Coolidge Hwy, Parcel # 25-17-107-029 for reduction in numerical parking requirements and installation of an additional sign facing Coolidge Hwy.

Director Schlutow summarized the applicants requests and referenced August 4, 2020 review letter.

Chair Evans asked the opinion of the Board members whether it would be beneficial to consider the requests individually. Board members agreed.

Ms. McAlpine motioned to bifurcate PBA-05-20 to consider both matters individually. Motion supported by Ms. Ward.

AYES: Ward, Allen, Gesund, Krug, McAlpine, Evans
NAYS: None
ABSENT: Butts

1. Variance Request to Reduce Numerical Parking Requirements

Mr. Allen inquired about the parking requirement specific to banks and financial institutions.

Mr. Zimmerman addressed the request for parking variance and explained the proposed overall improvements to the façade and the site.

Ms. Ward asked about the plans for the façade change. Director Schlutow explained the review and approval process for the façade change that was approved by the Planning Commission at the June meeting.

Chair Evans asked about the unique circumstances or physical conditions of the property that may warrant a variance.

Mr. Zimmerman noted the parking area is overparked and not used at maximum capacity, and there is an opportunity to design the site that fits with the Master Plan and within the District.

Ms. McAlpine inquired about the practical difficulty of the site and how the elimination of existing parking spaces would serve to utilize the property. Additional landscaping and removal of asphalt parking area does not prohibit the property from functioning in the way that it currently functions.

Mr. Zimmerman noted the parking requirement tied to the number of teller windows located within the building.

Mr. Gesund asked if the applicant would be willing to change interior configuration to remove teller windows so as to meet the reduced parking requirement. Mr. Zimmerman noted he would be willing to carry the question to the property owner.

Ms. Ward inquired about correspondence from the public.

Chair Evans opened public hearing at 7:39pm.
Michael, Earlmont neighbor, received the letter and inquired about how the site was going to be changed. Director Schlutow directed the resident to the location of the plans, as well as details for the proposed changes to the site.

Chair Evans closed the public hearing at 7:43pm.

Mr. Gesund noted it was difficult to see a practical difficulty for the site. He noted that it may be beneficial to look at parking credit for lessening the impervious surface and installing a greenbelt. It was hard to see a practical difficulty.

Mr. Allen inquired about a parking modification ordinance. Director Schlutow provided an update on the process for the proposed ordinance which is being discussed and reviewed by the Planning Commission.

Ms. McAlpine agreed with Mr. Gesund and noted that the financial institution is currently functioning with the existing parking. She noted that the suggestion to reduce indoor teller stations may be worth discussing and suggested tabling the request.

Chair Evans agreed. He noted that adding landscaping and reducing impervious surface is beneficial to the community. He concurred that the proposed layout would benefit the community, but the challenge is whether it fits the variance criteria.

Mr. Allen motioned to postpone the variance request for reduction of numerical parking requirement, PBA-05-20, until further information from Vibe Credit Union can be obtained related to the number of teller stations to be located within the building. Motion supported by Mr. Gesund.

AYES: Allen, Gesund, Krug, McAlpine, Ward, Evans
NAYS: None
ABSENT: Butts

2. Variance request to install a second sign facing Coolidge Hwy.

Mr. Zimmerman addressed the Board and noted the need for the second sign facing Coolidge Hwy. The existing wall sign on Coolidge Hwy is obscured by existing trees and landscaping and difficult to see when traveling on Coolidge Hwy. Mr. Zimmerman noted the need for a pylon sign that would be installed perpendicular to the flow of traffic and would allow motorists to see the sign while traveling Coolidge Hwy.

Mr. Allen agreed that it is easy to drive by the building with the existing signage, but was inquiring about the need to keep the existing wall sign.

Mr. Zimmerman noted that the plan is to install a wall sign facing Earlmont. The proposed south facing sign was not permitted, as it does not front a street.

Ms. Ward agreed with Mr. Allen, noting the existing sign on the west side of the building could be removed.

Chair Evans opened the public hearing at 7:54pm.

No public comment.

Chair Evans closed the public hearing at 7:56pm.
Mr. Krug noted it would work to remove the existing wall sign in favor of the pylon sign, especially given the proposed façade change that has already been approved.

Ms. McAlpine agreed and noted it was difficult to prove a practical difficulty.

Chair Evans agreed that there is not a practical difficulty with the property that would justify the request.

Mr. Allen motioned to deny the sign variance request, PBA-05-20, based on the fact that the five standards have not been met. Motion supported by Mr. Krug.

AYES: Gesund, Krug, McAlpine, Ward, Allen, Evans
NAYS: None
ABSENT: Butts

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OTHER BUSINESS

Chair Evans noted Greg Butts has submitted his resignation to serve on the Zoning Board of Appeals. He has served on the Board since 1999, and has deliberated on hundreds of cases during his tenure. Chair Evans expressed his appreciation and congratulations to Mr. Butts in his role.

Chair Evans thanked Ms. Ward for her accepting the opportunity to serve the remainder of Greg Butts term as a full member of the ZBA.

Ms. Ward expressed her honor to serve on the ZBA.

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LIAISON COMMENTS

Councilmember Hennen thanked Mr. Butts for his service to the City and noted that Ms. Ward was officially appointed to Board. He noted that it would be interesting to discuss parking credits for green infrastructure, similar to bicycle parking. He also noted that parking requirements for banks and financial institutions may be too strict.

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BOARD COMMENTS

None
PUBLIC COMMENTS

None.

With no further business, Chair Evans adjourned the meeting at 8:05pm.