

## PUBLIC NOTICE

### CITY OF BERKLEY, MICHIGAN REGULAR MEETING OF THE CITY PLANNING COMMISSION

Tuesday, January 22, 2019  
7:30 PM - City Hall  
Information: (248) 658-3320

CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
ROLL CALL  
APPROVAL OF AGENDA  
APPROVAL OF MINUTES -- *Meeting of December 11, 2018*  
COMMUNICATIONS  
CITIZEN COMMENTS  
ORDER OF BUSINESS

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

Attachments: [Site Plan Review Application](#)  
[11x17 Site Plan](#)

2. **PUBLIC HEARING**: PROPOSED DESIGN OVERLAY DISTRICT

Attachment: [Public Hearing Notice](#)

3. **ORDINANCE AMENDMENT**: PROPOSED DESIGN OVERLAY DISTRICT

Attachments: [Design Overlay District Language](#)  
[Design Overlay Flowchart](#)  
[Sec.138-678 Administrative Review](#)  
[Administrative Review Comparison](#)  
[Sec.138-681 Approval Process](#)

4. **MASTER PLAN SCOPE OF WORK**: DISCUSSION

Attachments: [2007 Master Plan](#)  
[RRC Master Plan Guide](#)

LIAISON REPORTS  
COMMISSIONER/STAFF COMMENTS  
ADJOURN

*Notice: Official Minutes of the City Planning Commission are stored and available for review at the office of the City Clerk.*

*The City of Berkley will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon four working days notice to the city. Individuals with disabilities requiring auxiliary aids or services should contact the city by writing or calling City Clerk, ADA Contact, Berkley City Hall, 3338 Coolidge, Berkley, Michigan 48072, (248) 658-3300.*



**THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:30 PM, DECEMBER 11, 2018 AT CITY HALL BY CHAIR KAPELANSKI.**

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*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/cityofberkeley>.*

**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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- 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.**

# **MEMORANDUM**

**JANUARY 16, 2019**

**TO: CITY OF BERKLEY PLANNING COMMISSION**  
**FROM: TIMOTHY MCLEAN, COMMUNITY DEVELOPMENT DIRECTOR**  
**RE: REPORT FOR THE PLANNING COMMISSION MEETING, JANUARY 22, 2019**

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- 1. SITE PLAN REVIEW:** SP-04-18 Jenna in White, 2685 Coolidge Hwy., Parcel ID # 25-18-279-034, is requesting site plan approval for an addition to the existing building.

**EXISTING ZONING / LAND USE:** Coolidge District / Retail Store

**SURROUNDING ZONING / LAND USE:**

**NORTH:** Coolidge District/Retail Store  
**SOUTH:** Coolidge District/Retail Store  
**EAST:** Downtown District/Retail Store  
**WEST:** R-1D/Single Family Residence

**SECTION 138-678 OF THE BERKLEY CITY CODE SAYS THAT THE SITE PLAN SHALL BE REVIEWED AND APPROVED BY THE PLANNING COMMISSION UPON FINDING THAT:**

- The site meets the requirements of this Code.
- The proposed development does not create adverse effects on public utilities, roads, or sidewalks.
- Pedestrian and vehicular areas are designed for safety, convenience, and compliment adjacent site design.
- Site design, architecture, signs, orientation, and materials are consistent with the city's master plan objectives and the design of the neighboring sites and buildings.
- Landscaping, lighting, dumpster enclosures, and other site amenities are provided where appropriate and in a complementary fashion.
- Site engineering has been provided to ensure that existing utilities will not be adversely affected.

**DISCUSSION:**

The property owner of Jenna in White (2685 Coolidge Hwy) is proposing an addition to the existing building. The applicant is proposing to add onto the existing first floor and construct a second floor. The size of the existing building is 783 square feet. The proposed addition would increase the size of the building to 1,847 square feet.

**SETBACKS AND HEIGHT:**

Front setback requirements in the Coolidge District shall be 10 feet or equal to the setback of adjacent buildings, whichever is less. In this case, the front setback of the building is not changing and is consistent with the front setbacks of adjacent buildings.

In the Coolidge District, no side yards are required along the interior side lot lines except as otherwise specified in the building code. On the exterior side yard that borders on a residential district, there shall be provided a setback of at least 10 feet on the side or residential street. In this case, no side yard borders a residential district.

There must be a minimum 10 foot rear setback in the Coolidge District. With the proposed addition, there would be a rear setback of 27 feet.

Buildings in the Coolidge District can have a maximum height of 40 feet. With the proposed addition, the building would have a height of 21 feet 9 inches.

**SIGNAGE:**

The applicant will continue to utilize existing signage on the east elevation. The applicant is proposing signage on the south elevation. By ordinance, one sign per side of street frontage is permitted. The south elevation does not have street frontage. However, Sec.94-4(7) lists identification signs not exceeding six square feet as being exempt from the sign ordinance. Proposed signage on the south elevation is just over four square feet in size.

**LIGHTING:**

The applicant is proposing no new exterior lighting to the building.

**PARKING:**

The standard for parking for retail stores is 1 space per 225 square feet of usable floor area. The site plan indicates there a usable floor area of 1,046 square feet, making the minimum parking requirement 5 spaces. The applicant has identified 5 parking spaces on the site plan.

**ELEVATIONS:**

**EAST:** There will be no changes to the existing signage on the east elevation. There will be no changes to the existing first floor storefront or the existing granite panel. With the second floor addition, 1" butt jointed glazing is noted on the site plan. Natural aluminum metal panels are identified on the second floor. Cap flashing to match the aluminum panels will be placed at the top of the second floor façade.

**WEST:** This is the rear elevation of the building. The proposed addition at the rear will be painted concrete masonry. On the south facing portion of the rear elevation, the surface material will be vertical matte black corrugated metal paneling. For the first floor, there will be a new canopy with natural aluminum wrap, supported by 4" square galvanized columns. The rear of the building will have two new windows; 1" insulated tempered glass in black anodized aluminum frames. Cap flashing at the top of the rear elevation will match color metal panels.

**NORTH:** No changes to the north elevation.

**SOUTH:** The existing concrete masonry on the first floor is noted. New granite paneling would be placed near the front of the building on the south elevation. The south elevation of the building will have two new windows; 1" insulated tempered glass in black anodized aluminum frames. Vertical matte black corrugated metal paneling will be added to the surface along the second floor of the south elevation and over a portion of the first floor.

**SCREENING:**

There is an existing alley abutting the rear of the property. No additional screening is being proposed by the applicant.

**ATTACHMENTS:**

[Site Plan Review Application](#)

[11x17 Site Plan](#)

**2. PUBLIC HEARING: Proposed Design Overlay District**

This item is reserved for the Public Hearing for the proposed Design Overlay District

**ATTACHMENT:**

[Public Hearing Notice](#)

**3. ORDINANCE AMENDMENT: Proposed Design Overlay District**

Director Carmody has made additional revisions based on discussions at the last Planning Commission meeting. Specific changes in the draft addressed and clarified the square footage thresholds associated with Sec. 138-551. Additionally, language was revised in Sec.138-552. Revised language allows for administrative design review only for alterations to existing structures 3,000 gross square feet or less or building expansions no greater than 750 square feet.

If the Planning Commission is inclined to recommend adoption of ordinance language to create the Design Overlay District, it will necessitate revisions to *Sec.138-678 Administrative Review*. This revision would clarify the procedures for administrative review outside of the proposed Design Overlay District. Additionally as previously discussed at the last Planning Commission meeting, a small revision is added to Sec.138-678(1) specifying that administrative review is permitted for façade alterations that do not change exposed surface material more than 50%. There was some discussion about adding language to Sec.138-678(2) about including doors along with windows. I will defer to the Planning Commission regarding any specific language regarding doors as part of administrative review. The Planning Commission asked to see administrative review procedures for some other communities as well. Please see the attached comparison table.

Finally there would have to be minor revisions to *Sec.138-681 Approval Process*. Specifically this section would be identified as applying to site plan review outside of the proposed Design Overlay District.

**ATTACHMENTS:**

[Design Overlay District Language](#)

[Design Overlay Flowchart](#)

[Sec.138-678 Administrative Review](#)

[Administrative Review Comparison](#)

[Sec.138-681 Approval Process](#)

#### **4. MASTER PLAN: Scope of Work Discussion**

A scope of work for the update to the Master Plan is being developed. At the last meeting there was some discussion from the Chair and Vice Chair to review the existing Master plan and come up with some ideas you would like to see in the next update. Vice Chair Smith used the example of the “Catalytic Projects” that were listed in the 2007 Master Plan.

At this time, I would like to hear from Planning Commissioners regarding items they would like to see in the next Master Plan. I’ve put together a list of items for the Master Plan update. This is not an exhaustive list. It also includes my own “wish list” for the Master Plan.

#### **MASTER PLAN SCOPE OF WORK: DRAFT**

##### **STATUTORY REQUIREMENTS:**

- A land use plan and program.
- General location, character and extent of transportation systems and infrastructure, public utility systems and other similar facilities.
- Recommendations for blighted areas and changes to streets, open space, buildings, utilities, etc.
- Recommendations for implementing any of the plan’s proposals.

##### **ITEMS THAT NEED TO BE UPDATED:**

- Demographics
- Existing Conditions
- Market Analysis of Land Use Needs

##### **RRC GUIDE ITEMS:**

- The governing body has adopted (or re-adopted) a master plan in the past five years.
- It reflects the community’s desired direction for the future.
- It identifies strategies for priority redevelopment areas.
- It addresses land use and infrastructure, including Complete Streets elements
- It incorporates recommendations for implementation, including goals, actions, timelines and responsible parties.
- It includes a zoning plan.
- Progress on the master plan is reported annually to the governing body.

##### **THINGS TO BE CONSIDERED:**

- Communication between the MP consultant and Lakota Group on DT Plan. We must avoid duplication of efforts.
- The Downtown Plan and Master Plan should be harmonious.

### **MY “WISH LIST” FOR THE NEXT MASTER PLAN:**

- Very robust community/stakeholder engagement from the consultant. Any recommendations from the consultant need to be reflective of information gained from this robust engagement process.
- Create a Complete Streets plan with recommendations for implementation.
- A Master Plan that meets the Best Practices of the RRC program.
- Visioning for the future of Woodward Ave.
- Recommendations on Green Infrastructure.
- The City of Oak Park has rezoned several parcels on the south side of Eleven Mile between Greenfield and Kipling to mixed-use districts. Recommendations from the consultant on incorporating similar districts on Eleven Mile between Mortensen and Greenfield would be helpful.
- Recommendations on best ways to encourage more multi-family residential development without significantly altering the character of existing residential districts.
- Recommendations on overhauling zoning ordinance to match recommendations regarding future land use.
- Any recommendations in the plan need to be categorized with annual priorities, along with responsible parties and potential funding sources.

### **ATTACHMENTS:**

[2007 Master Plan](#)

[RRC Master Plan Guide](#)