



Alex Agbay, 3479 Cumberland  
Marc Vander Vliet, 1311 Harvard  
Linda Pietila, 4253 Cummings  
Wendy Reich, 3048 Tyler  
Beth Marshall, 1799 Thomas,  
Kathryn Wouqamon, 2420 Buckingham  
Tim and Carol Brogan, 4235 Tyler  
Phillip Klimmek, 2343 Thomas  
Chris Toepp, 2425 Tyler  
Maria Marrone, 2395 Tyler  
Kathryn Lister, 1412 Princeton  
Nikki Elert and Mike Tyrkus, 3971 Bacon  
Alice Riley, 3972 Oakshire  
Karen Converse, 2702 Sunnyknoll  
Steve Williams, 3488 Cumberland  
Tim Queen, 3715 Royal  
Vic Spicer, 3734 Royal  
Dianne Weiland, 3641 Phillips  
Michael Bryant, 3033 Phillips  
Tammy Thibodeau, 3149 Royal  
Barb Olejniczak, 2979 Tyler  
Sandra Samson, 4013 Buckingham  
Bethany Nixon, 2868 Bacon  
Kelly Bean, 3650 Phillips  
Caitlin Falenski, 2517 Hamilton  
Debra Hurnak, 2115 Tyler  
Sharyn and Gary Sussman, 2075 Bacon  
Jennifer and Mike Korsak, 1967 Catalpa  
Carol and Jerry Hermann 2261 Tyler  
Christine Germaine, 1186 Harvard  
Tina Campbell, 3542 Buckingham  
Lori Drouillard, 1260 Larkmoor  
Elizabeth Shaw-Dranes, 2287 Franklin  
Patricia Curtis, 2847 Kenmore  
Jon Long, 2060 Kipling  
Greg and Mary Charland, 3149 Buckingham  
Stephen Sydanmaa, 2843 Thomas  
Andrea and Eric Loukinen, 2881 Thomas  
Bill Scherer, 3855 Gardner  
Robert Scherer, 4235 Cumberland  
Paul Giroux, 2626 Wakefield  
Joshua Hunter, 2240 Thomas  
Monica Hunter, 3875 Cummings  
Andrew Hunter, 3875 Cummings  
John Fulks, 2193 Harvard  
Debbie Fulks, 2193 Harvard  
Ruth Steinert, 2741 Tyler  
Tod Sharon and Chris Copacia, 3152 Bacon  
Sue Balan, 3214 Thomas  
Dorothy Sutton Bennoune, 3226 Thomas

Karima Bennoune, 4042 Robina  
Cathy Beylerian, 1837 Dorothea  
Mark Collar, 1837 Dorothea  
Molly Schneider, 3003 Kipling  
Jill and George Stephens, 2675 Kenmore  
Steve Seabold, 3023 Thomas  
Gayle Bettega, 1991 Dorothea  
Sherry Gill, 2828 Bacon  
Thomas Merritt, 3126 Catalpa  
Iris Drew, 2347 Edgewood  
Chris Keller, 2312 Buckingham  
Ronald and Carol King, 3114 Royal  
Eric and Terri Henriksen, 3462 Buckingham  
Josephine Brewer, 3991 Ellwood  
Cameron Rye, 2576 Bacon  
Dawn Schwanke, 3281 Bacon  
Tammy Broski, 3247 Bacon  
Gary and Tammie Polk, 1440 Eaton  
Kareem Zahr, 1509 Oxford  
Cynthia and Doug Scherphorn, 3373 Catalpa  
Tom Klein, 2770 Oakshire  
Rob and Holly Lambert, 3676 Tyler  
Lisa Kempner and Steve Allen, 2660 Columbia  
Steve Richmond, 2979 Oakshire  
Scott and Tricia Losey, 3083 Thomas  
Diana Keefe, 3296 Kipling  
Debbie Spratt, 2928 Kipling  
Guy Bennett, 2993 Kipling  
Sharon and Tom Cameron, 2088 Dorothea  
Gail and Greg Koshorek, 1882 Larkmoor  
Mary Lackamp, 2067 Cass  
Vickie Moser, 2957 Tyler  
Jim Reed, 2176 Columbia  
Maureen McGee, 1456 Catalpa  
Ron Rogers, 3257 Catalpa  
Mary Freeman, 1998 Greenfield  
Tim Sutton, 2280 Dorothea  
Jackie Parker, 3084 Kenmore  
Georgia Halloran, 3811 Kipling  
Daniel Bowdich, 2467 Mortenson  
Derek Thomas, 1964 Catalpa  
Chris Olson, 1863 Dorothea  
Stephanie Norton, 3279 Catalpa  
Dan Moran, 2678 Buckingham  
Donnie Dykes, 3715 Gardner  
Kurt Hite, 3525 Robina  
Robert Brus, 2135 Dorothea  
Terry and Bill Scholes, 3183 Robina  
Ted Holloway, 1090 Cambridge  
Gayle Sokolsky, 2185 Columbia

Lewis and Maureen Bishop, 1404 Eaton  
Kristen Kapelanski, 2724 Tyler  
David Roberts, 1997 Columbia  
Wendy Zabramski, 3340 Gardner  
Ron Rebant, 1773 Stanford  
Joe and Kathy Chatel, 2341 Mortenson  
Kim Rowe, 2618 Bacon  
Melissa Hammond, 1851 Cass  
Scott Fisher, 1940 Cass  
Brett Somers, 1919 Cass  
Barbara King, 2094 Columbia  
John and Gail Heggie, 3696 Wakefield  
Virginia Brock, 2094 Columbia  
Meg Spicer, 2060 Ellwood  
Bridget Mahrle, 3011 Thoms  
Jill Sanner, 2421 Harvard  
Jodi Rittman, 2957 Thomas  
John Downes, 1920 Harvard  
Chuck Rummmler, 2012 Thomas  
Clay and Beth Baldwin, 2639 Sunnyknoll  
Jim and Stacy Long, 3015 Cumberland  
Sybil Brennan, 1975 Buckingham  
Tara Rundel, 1927 Buckingham  
Kurt and Penny Mayry, 3011 Oakshire  
Sheila and Willard Mayry, 1979 Cass  
Dale and Tammy Phillips, 2700 Buckingham  
Elizabeth and Mark Meacham, 1825 Earlmont  
Jeremiah Miller, 2067 Mortenson  
Georgia Dixon, 2615 Kenmore  
Rachel Postelnic, 1117 Oxford  
Tom Merritt, 3126 Catalpa  
Darryl Benish, 2270 Dorothea  
Amy Vansen, City Planner

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**APPROVAL OF AGENDA**

**It was moved by Commissioner Smith to amend the agenda to include  
Item #3 Discussion: Discussion regarding residential zoning and the form based  
code.**

**Supported by Commissioner Popp.**

**AYES: Murrell, Popp, Shadle, Buckler, Smith, Richardson, Barnett**

**NAYS: None**

**ABSENT: Murad, Tangari**

**It was moved by Commissioner Smith to approve the agenda as amended.**

**Supported by Commissioner Murrell.**

**AYES: Murrell, Popp, Shadle, Buckler, Smith, Richardson, Barnett**

**NAYS: None**

**ABSENT: Murad, Tangari**  
**Motion Carried.**

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**APPROVAL OF MINUTES**

**It was moved by Commissioner Smith to approve the minutes of May 24, 2016.**  
**Supported by Commissioner Richardson.**

**AYES: Popp, Murrell, Shadle, Tangari, Buckler, Murad, Richardson, Smith, Barnett**

**NAYS: None**

**ABSENT: Murad**

**Motion Carried.**

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**COMMUNICATIONS**

Ms. Vansen brought attention to the Planning Commission’s annual report, Michigan Planner Magazine, two articles provided by Oakland County, and two letters from residents.

Chairperson Barnett read a statement regarding the open house originally scheduled for June 21<sup>st</sup> which was cancelled due to concerns about escalating misinformation. He apologized on behalf of the City for the consultant’s comments at the May meeting and not addressing them promptly. He advised that the purpose of the open house was to get feedback from residents on changes that the Planning Commission was considering for the residential districts. The feedback would have been very important. But the proposal has been withdrawn.

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**CITIZEN COMMENTS**

Steve Allen of Columbia asked about the status of the townhouse development on Harvard. Ms. Vansen advised that the Michigan Department of Environmental Quality issues the permits for the utilities and that it still needs to approve the sewer permit.

Dan Moran of Buckingham advised the Planning Commission of an issue he is having with a construction project next door to him. Ms. Vansen advised that she would provide a report to the Planning Commission for the next meeting.

Donnie Dykes of Gardner advised the Planning Commission that a builder next door to him promised improvements above and beyond the approved plan. He was frustrated that the builder had not fulfilled his promise and that the City could not enforce the promise, only what was on the approved plans.

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1. **DISCUSSION:** Discussion regarding future Planning Commission projects

Ms. Vansen stated that there are some housekeeping issues in the Administration section of the zoning ordinance. She was waiting on comments from the City Attorney and Public Safety Director regarding tourist homes. She reminded the Commission that Local Business had been divided into Gateway, Coolidge and Twelve Mile with the idea that each corridor would have its own design or development standards.

Chairperson Barnett asked the commissioners if they had any projects they would like to work on. Hearing none, Chairperson Barnett asked Ms. Vansen to begin work on the Administration section.

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2. **DISCUSSION:** Discussion regarding Rules of Procedure.

Chairperson Barnett advised that he had not yet had a chance to review the Rules of Procedure. He asked commissioners to take some time to review it and note any amendments that may need to be made.

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3. **DISCUSSION:** Discussion regarding Residential Zoning and Form Based Code.

Commissioner Smith stated that he found the level of anger surprising. He stated he had been on the Commission for years and knew many of the people in the audience tonight. He hadn't received any communication from anyone up until last Monday. He asked what other commissioners had experienced. The rest of the Commission concurred that there had been limited inquiries or discussions. Commissioner Smith continued that he found the contempt, false statements and rumors troubling. He would like to hear from residents how the Commission could have done a better job.

Commissioner Richardson stated that Berkley is a wonderful place to live. It has won awards. This didn't happen by accident—volunteers and staff work together to make this happen. To think that they would work against the residents is hard to understand. He expressed hope that being informed and having an honest dialogue would be helpful.

Commissioner Buckler described what a form based code is as well as what the goal of the open house was. She stated that no developers had been chosen, no eminent domain would be used. Single family homes are not for everyone. Different housing types do not equal transient housing or large apartment buildings. Increasing density slightly is not a bad thing. She complemented the City Manager's FAQ.

Commissioner Shadle echoed that Berkley is a great place to live and that is why the commissioners are on the Planning Commission. She hoped the discussion would be respectful and productive.

Commissioner Murrell stated that the open house was the Planning Commission's idea. The Commission wanted to hear from the residents. The map shown as proposed was not the final map. Proposals always change as more and more opinions are heard.

Chairperson Barnett opened the public comment at 8:23 PM.

Tom Merritt of Catalpa thought communication needed to be better. Commissioner Buckler asked how he found out about the proposal. He replied that he had checked the City's website.

Rachel Postelnic of Oxford stated that the City's cancellation of the open house is not the residents' fault. Facebook was used as the primary form of communication. She contended that there was not active enough public engagement in the form based code process. She thought the City should work harder to get greater numbers of younger people on City Boards. She wanted to see any survey data regarding the need for senior housing. She asked that the 2015 Master Plan Amendment be repealed.

Commissioner Smith stated that the housing gap is not just a Berkley problem, but nationwide and was first discussed during the master plan process in 2007.

Wendy Zabramski of Gardner stated that the public hearing held for the master plan amendment in 2015 was not well advertised. The land economics in Berkley won't allow affordable housing to be built. She wondered why St. John Woods and Oakland Manor subdivisions were excluded. In 2007, the City changed the zoning on Greenfield and Twelve Mile to allow townhouses and nothing has been built. Why change more zoning to allow it? She contended that the City didn't need transit oriented development. There are parking problems on Gardner because there aren't large enough parking lots. The single family dwellings being built today are too large and the back yards are too small. She reminded the Commission that the City Planner doesn't live in Berkley.

Chairperson Barnett reviewed how deed restrictions work and how eminent domain is limited to only public utilities and even then it is a very long process.

Commissioner Tangari added that the resident's concerns about large single family homes could have been addressed, at least in part, in this form based code.

Jack Arold of Robina indicated that really all areas of Berkley would be affected by this and so notices should have gone to everyone. He was concerned about denser development and the amount of impervious surface which would result in the stormwater system being taxed. He was concerned about overcrowding schools, too.

Molly Schneider of Kipling said she found out about the proposal through Facebook. She thought the low resolution map was a problem. She likes Berkley because it represents all the things that were good about the 1950's, without the attributes that were bad. She thought the goals of the open house and the form based code should have been communicated.

Joshua Hunter of Thomas stated that the residents wanted an open house. The threatening comments made were unfortunate. He is still opposed to the Residential Master Plan Amendment from 2015. He was in favor of maintaining single family residential districts. He emphasized that a grocery store was needed. He wants to keep neighborhood safe.

Commissioner Smith replied that a grocery store would be great but where would it go? A modern grocery store would involve additional land (presumably residential) and that land would need to be rezoned. He emphasized that the Planning Commission looks at development on a case by case basis.

Kimberly Rowe of Bacon was concerned that there were surveyors on the corner. She indicated that the proposed form based code map was adopted as part of the Residential Plan Amendment.

Commissioner Smith replied that no map was adopted as part of that Plan.

Kimberly Rowe continued that she isn't getting the feeling that the proposal has been put aside. She continued that green infrastructure is very important and had several examples.

Commissioner Richardson replied that the state legislature is actually looking at changing laws that will make green infrastructure investment less appealing. He continued that a form based code looks more at how the structure looks rather than how many people live there. He stated that on his street there is a duplex and a couple of new houses along with older single family houses. The duplex is far less obtrusive than the new single family homes.

Scott Fisher of Columbia observed that not everyone has a computer or cable television. He then wondered why some cable television providers do not broadcast Berkley meetings. He stated that most people want to stay in their homes, not move when they get older. Neighbors help out each other. He thought everyone in the City should be mailed notices.

Ms. Vansen reviewed how the notices for the open house were sent. The Planning Commission had wanted notices sent to those areas proposed for Mixed Residential: roughly between Coolidge and Woodward, and Eleven Mile and Columbia. The City uses a program provided free of charge from Oakland County. Typically that system is used for one or two properties and automatically sets a 300 foot radius. The system could not handle all of the properties in question so it was done in several sections. About 1000 notices were sent out. An E-Blast was sent to all enrolled email addresses.

Scott Fisher continued that he didn't think 300 feet was enough and the City should send more notices.

Lewis Bishop of Eaton stated that single family dwellings made Berkley what it is. Huntington Woods has no industry. Berkley should be more like Huntington Woods. The Residential Plan Amendment should be retracted. The City has good snow removal and free parking.

Maureen Bishop of Eaton observed that Berkley is a friendly, caring community. The City shouldn't try to be like Royal Oak or Oak Park. If multiple family housing was added the trees and atmosphere would be lost. She referenced the book *The Tipping Point*. She continued that renters and a transient population are a problem. She thought that allowing more multiple family housing would be a public safety issue and that senior living would not be serviced by this proposal. She wanted the City to be more transparent.

Chairperson Barnett observed that change is a big deal and how to change is important. We don't want to destroy Berkley. The proposal was just a starting point.



Kristen Kapelanski of Tyler supported the Residential Plan Amendment from 2015. She cited demographic trends in the nation and in Michigan. She suggested that a greater population would help sustain Berkley and invigorate the downtown. She suggested that the Planning Commission appoint a group of stakeholders including residents, developers, staff and City officials to arrive at a proposal. Berkley needs to keep being welcoming.

Gayle Sokolsky of Columbia disclosed that she is a senior and disabled. There are many services available to help seniors. It isn't the City's job to run people's lives. She thought the City was dense enough. The new single family houses are too big. It is okay if there is a housing gap. Berkley shouldn't provide that housing.

Kurt Hite of Robina asked that Zoning Board of Appeals meetings be televised. He thought the City should emulate the success of Oakland Manor and St. John Woods and only permit single family detached houses.

Alex Agbay of Cumberland echoed the breakdown in communication. He thought the City should use Facebook to communicate. The proposal would have ruined this City and the City shouldn't pander to the housing gap. He doesn't think the Planning Commission had any ill intent, but people are angry. He expressed anger about LSL Planning's consultant's remark at the May meeting. He thought the Planning Commission should retract the Residential Master Plan Amendment.

Commissioner Richardson emphasized that change is inevitable. The City used to have 23,000 residents, a grocery store, and a theater. The proposal has been scrapped. Guiding change is the Planning Commission's job, not stopping change.

Patricia Curtis of Kenmore asked a question about rezoning standards. If no map was adopted as part of the Master Plan Amendment, can a builder use that language to justify rezoning?

Commissioner Buckler stated that the areas abutting the collector streets were highlighted. The map was meant as a starting point for a discussion. However, the open house has been cancelled.

Patricia Curtis continued that the City should develop a destination like Birmingham. A gathering place in downtown should be developed.

The Planning Commission interjected that a gathering place is being worked on.

Patricia Curtis continued that she had contacted a realtor who advised her that property values would drop if her house was next to an apartment building or townhouse. She is concerned about trickledown. The city will be wrecked. She expressed concern that there were too many variances being given out. The city should make the developers improve the utilities. Multiple family development will result in everyone being flooded. She found the City Manager's email dismissive. She thinks there is an ulterior motive and that this is just spot zoning for developers.

Commissioner Murrell stated that every city is different. With regard to the size of houses, builders build what people will buy. A grocery store means land will need to be gathered together. Berkley is competing for residents with other cities. We need to make the City very attractive, but we have to be careful. The past does not equal the future.

Patricia Curtis stated that she does think the City needs to keep up with the times, but it needs to be done respectfully. She thought this was poorly communicated.

Commissioner Richardson clarified that the Planning Commission doesn't approve variances or the permits for single family homes.

Commissioners Murrell and Buckler noted that the Planning Commission does draft ordinances with the help of staff. The Zoning Board of Appeals provides input into these ordinances. The Planning Commission drafts the ordinance change and recommends it to the City Council. But the City Council adopts the law.

Stephanie Norton of Catalpa stated she did not receive a notice and confirmed that the map was just a proposal. She stated that infrastructure would be stressed and traffic would be worsened if the City allowed additional housing units. She lives near a school drop off zone and it isn't safe. She is concerned that the Master Plan Amendment opens up the City to rezoning and she feels her property is very exposed. She expressed concern about rebuilding her home if it were damaged.

Commissioner Richardson stated that the Master Plan Amendment is not an ordinance. It is not legally binding. It is consulted in a general way.

Commissioner Tangari further emphasized that the proposal was never going to make single family homes nonconforming. Homes would always be allowed to remain and be rebuilt.

Crystal Krauskoff of Royal stated that if duplexes or townhouses are allowed she will sell and move out of the City.

Commissioner Richardson stated that any property owner has the right to ask for a rezoning. The City can't preemptively state it will never rezone any land.

Lisa Kempner of Columbia found the information presented by the City to be lacking. She found the PowerPoint to be misleading. She found it interesting that Ms. Vansen said she sent out all of these notices but yet no one in the audience had received a notice. She urged the Planning Commission to look into that. She presented a petition of residents against rezoning. She urged the Planning Commission to look at amending the Residential Plan Amendment.

Paul Shkreh of Royal found the 2015 Residential Plan Amendment irresponsible. He was concerned about the City's infrastructure. He advised that there are new residents and long term residents here. He thought mutual respect was important and he wanted to foster responsible government.

Darryl Benish of Dorothea noted that the Residential Plan Amendment states that most of Berkley's residential districts already meet MSHDA's recommended density. The two neighborhoods that don't have the recommended density have been excluded from the proposal. He wants to know why? He stated he thinks there is a hidden agenda going on and 9 times out of 10 that means there is money involved. He thinks there are backroom deals going on. If the City was developed as the proposal shows, it would result in higher property tax revenue for the City and deals for the developer. He thinks it is time for a change and that Ms. Vansen has been in her position too long. He then asked for Ms. Vansen's resignation or termination.

Chairperson Barnett and Commissioner Smith advised Mr. Benish that he was out of order.

Laurie Robertson expressed concern about rezoning and how that process works.

Ms. Vansen explained how a rezoning is advertised, noticed to properties within 300 feet, the standards the Planning Commission use to make a recommendation to City Council and that City Council has the final say.

Laurie Robertson asked Ms. Vansen about a statement made at the May 2015 meeting. Laurie Robertson expressed concern about how developers are purchasing property without it being put up for sale. Ms. Vansen assured her that the City doesn't know when properties are available for purchase unless they are advertised.

Chairperson Barnett advised that any of the recommendations in this proposal have been withdrawn and would not be coming back anytime soon.

Commissioner Shadle stated that rezonings are contextual. Every decision is individual. However this proposal has been withdrawn. But she advised that there has been support expressed for this proposal.

There was some discussion about re-scheduling the open house so that more people could attend. However, when the Planning Commission stated that if the open house were re-scheduled the proposal would be back on the table for consideration, those attending were clear they did not want the proposal reconsidered.

A senior from St. John Woods stated that seniors don't want 3-story townhouses.

Joshua Hunter of Thomas reiterated that he wanted the Planning Commission to change the Residential Plan Amendment.

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**CITIZEN COMMENTS**

None.

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**LIAISON REPORTS**

Commissioner Richardson had nothing to report from the Environmental Advisory Committee.

Commissioner Popp reported that the City Manager introduced himself at the last DDA meeting. David Sabuda had retired. There are plans to resurface Coolidge.

Chairperson Barnett reported that the City Council had approved an architect for the City Hall Renovation project.

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**STAFF/COMMISSIONER COMMENTS**

The Commission was grateful for the interaction at this evening's meeting. The Commission vowed to work on communicating more effectively in multiple ways.

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There being no further business, Chairperson Barnett adjourned the meeting at 11:01 PM.