

THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:30 PM, JULY 24, 2018 AT CITY HALL BY CHAIR BUCKLER.

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 Lisa Kempner Martin Smith
Ann Shadle Michele Buckler Greg Patterson
Tim Murad Matt Trotto

ABSENT: Kristen Kapelanski

ALSO PRESENT: Ross Gavin, City Council Liaison
Tim McLean, Community Development Director
Several members of the public

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APPROVAL OF AGENDA

It was moved by Commissioner Patterson to approve the agenda as written and supported by Commissioner Richardson.

AYES: Murad, Patterson, Richardson, Shadle, Smith, Trotto, Kempner, Buckler

NAYS: None

ABSENT: Kapelanski

Motion Carried.

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APPROVAL OF MINUTES

It was moved by Commissioner Smith to approve minutes with two revisions (corrections on Public Hearing comments and Liaison Reports) from June 26, 2018 and supported by Commissioner Shadle.

AYES: Patterson, Richardson, Shadle, Smith, Trotto, Kempner, Murad, Buckler

NAYS: None

ABSENT: Kapelanski

Motion Carried.

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COMMUNICATIONS

Written communication from resident Jim Phillips.

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CITIZEN COMMENTS

None

NEW COMMISSIONERS

Chair Buckler introduced new Planning Commissioners Greg Patterson and Matt Trotto.

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1. PUBLIC HEARING: ORDINANCE AMENDMENT: CH.138-ARTICLE VI, DIVISION 7—SITE PLAN REVIEW

Public Hearing opened at 7:39PM

No public comments

Public Hearing closed at 7:40PM

2. ORDINANCE AMENDMENT: CH.138-ARTICLE VI, DIVISION 7—SITE PLAN REVIEW

Community Development Director McLean briefly reviewed proposed changes to the ordinance. The changes would allow for administrative approval of all accessory structures.

Commissioner Murad asked about approval for façade changes. By ordinance, a façade not altered more than 50% does not have to go for plan review by the Planning Commission. He asked if it should be considered that all façade changes be approved administratively.

Commissioner Smith stated he agreed with comments made by Commissioner Murad.

It was moved by Commissioner Richardson to recommend approval of the proposed amendments to Ch.138-Article VI, Division 7—Site Plan Review of the Berkley City Code to City Council and supported by Commissioner Kempner.

AYES: Richardson, Shadle, Smith, Trotto, Kempner, Murad, Patterson, Buckler

NAYS: None

ABSENT: Kapelanski

Motion Carried.

3. DISCUSSION: MASTER PLAN UPDATE

Community Development Director McLean gave an introduction of the Master Plan update. He stated that the Master Plan had not been fully updated since 2007. Prior to 2007, the Master Plan was last updated in 1989.

Chair Buckler asked about timelines, funding, and if the City would utilize a planning consultant for the Master Plan update.

Community Development Director McLean responded that before a request for proposals (RFP) could be sent out, a scope of work for the plan needs to be determined. He suggested that a joint meeting between the Planning Commission and City Council would be the appropriate venue to determine project scope. He stated that \$70,000 to be spread out over two fiscal years had been budgeted for the Master Plan. He also pointed out that the Downtown Development Authority is going through the process to create a Downtown Master Plan and that the City Master Plan should work in concert with that document.

Chair Buckler pointed out that there are many “moving parts” associated with the Master Plan update. The City has recently created a Complete Streets Ordinance. Also, the City’s involvement in the MEDC RRC program, participation in the Main Street program are items that need to be considered in the scope of work for the project.

Chair Buckler asked DDA Director Carmody about the next steps in the Design Guidelines process.

DDA Director Carmody stated that the process to establish the Design Guidelines is underway. There is considerable work to be done for the guidelines relative to the zoning ordinance. Establishing a Design Review Board is an essential part of the process.

Commissioner Kempner stated that she had read the recently updated Master Plan done by the City of Ferndale. She stated that it was very easy to read and navigate through that document. She also stated that the Berkley Master Plan could use some cleaning up.

Commissioner Smith stated that he doesn’t believe a wholesale change to the Master Plan is necessary. He stated that the Cities of Troy and Ferndale had undergone comprehensive changes to their respective Master Plans.

Chair Buckler asked City Council Liaison Ross Gavin for some guidance from City Council on next steps.

Commissioner Richardson asked if the DDA’s Design Guidelines would be adopted as an ordinance.

DDA Director Carmody responded that the Design Guidelines is a stand-alone document and not an ordinance. She referenced the design guidelines process in the City of Ann Arbor as an example. She also stated that all powers of site plan approval rest with the Planning Commission.

Citizen Comments

Wendi Zabramski, Gardner: Asked if the Design Review Board would have any approval powers for a Planned Unit Development (PUD).

Chair Buckler responded that the Design Review Board does not have any authority for approval or denial of a PUD.

Analise Pietras, Franklin: Asked if the Master Plan update would cover just the items outside of the DDA District since a Downtown Master Plan is being developed.

4. DISCUSSION: ORDINANCE AMENDMENT—CH.138-ARTICLE III, DIVISION 1.5—ACCESSORY BUILDINGS & STRUCTURES

Community Development Director McLean introduced this item. The Zoning Board of Appeals had heard a number of cases regarding generators in a residential side yard. Due to no clarity in the ordinance over generators, the ZBA had opined that generators fall under the category of accessory structures. Currently, by ordinance no accessory structures are permitted in a residential side yard.

Chair Buckler stated that it has been one year since the Planning Commission last discussed this item.

Commissioner Murad stated that he doesn't believe a generator should be placed in a side yard and that it can be placed in a rear yard.

Commissioner Trotto discussed building codes relative to the placement of generators.

Commissioner Smith discussed decibel levels. He stated that the permitting of up to 65 decibels in the draft ordinance is too high. He stated that normal conversation between people registers around 60 decibels. He believes this is too loud and that generators should not be in a residential side yard.

Commissioner Shadle stated that she doesn't see an issue with generators in a residential side yard.

Chair Buckler suggested that there be a different decibel standard for generators in a side yard and in a rear yard.

Commissioner Murad asked about the number of permits issued for generators.

Commissioner Trotto stated that the standards for generators in industrial and residential districts is typically different. He stated that a number of communities have language in their ordinances for the use of generators during emergencies.

Commissioner Richardson asked the Community Development Director to look at ordinances for generators in similar sized communities.

Chair Buckler instructed the Community Development Director to revise the draft ordinance based on feedback this evening and bring it back to the Planning Commission.

5. ELECTION OF OFFICERS:

Chair Buckler stated that due to the commitment of time necessary for the Chair, she would like to step down from this role. She also stated that she would be open to nominating Kristen Kapelanski for the Chair position.

Community Development Director McLean informed the Planning Commission that although she is absent from tonight's meeting that Kristen Kapelanski had informed him via email that she is interested in becoming the Chair.

It was moved by Chair Buckler to nominate Kristen Kapelanski as Planning Commission Chair and supported by Commissioner Smith.

AYES: Smith, Trotto, Kempner, Murad, Patterson, Richardson, Shadle, Buckler

NAYS: None

ABSENT: Kapelanski

Motion Carried.

It was moved by Commissioner Richardson to nominate Marty Smith as Planning Commission Vice Chair and supported by Chair Buckler.

AYES: Trotto, Kempner, Murad, Patterson, Richardson, Shadle, Smith, Buckler

NAYS: None

ABSENT: Kapelanski
Motion Carried.

It was moved by Chair Buckler to nominate Mark Richardson as Planning Commission Secretary and supported by Commissioner Murad.

AYES: Kempner, Murad, Patterson, Richardson, Shadle, Smith, Trotto, Buckler

NAYS: None

ABSENT: Kapelanski

Motion Carried.

6. APPOINTMENT OF PLANNING COMMISSION LIAISONS:
Chair Buckler made the following appointments:

Downtown Development Authority: Matt Trotto

Parks & Rec Advisory Board: Greg Patterson

Chamber of Commerce: Tim Murad

Environmental Committee: Mark Richardson

Zoning Board of Appeals: Michele Buckler

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LIAISON REPORTS

Commissioners Richardson discussed the recent meeting of the Environmental Committee. He stated that the focus of the discussion was on annual activities.

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STAFF/COMMISSIONER COMMENTS

Commissioner Smith confirmed that the current Master Plan was approved January 2007.

Commissioner Richardson welcomed new Planning Commissioners Patterson and Trotto.

Commissioner Shadle welcomed new Planning Commissioners Patterson and Trotto.

Commissioner Kemper welcomed new Planning Commissioners Patterson and Trotto.

Commissioner Trotto stated he was happy to be serving on the Planning Commission.

Commissioner Richardson thanked Michele Buckler for her service as the Chair.

Commissioner Smith thanked former commissioners David Barnett and Joe Tangari for their years of service.

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With no further business, the meeting was adjourned at 8:58PM.