

## PUBLIC NOTICE

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

Tuesday, May 22, 2018  
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 April 24, 2018*

COMMUNICATIONS—*E-mail correspondence from resident regarding bee keeping. Please click [here](#) for e-mail. Click [here](#) for photos.*

CITIZEN COMMENTS

ORDER OF BUSINESS

1. **Site Plan Review:** PSP-10-17 3427 12 Mile Rd—Berkley Marathon
2. **Ordinance Amendment:** 11 Mile District—Revisions
3. **Ordinance Amendment:** Ch.138-Article VI, Division 7—Site Plan Review
4. **Discussion:** Survey results for proposed Public Participation Plan

LIAISON REPORTS

COMMISSIONER/STAFF COMMENTS— [Public Participation Plan Open House & Survey Summary](#) Full results and comments may be accessed [here](#)

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, APRIL 24, 2018 AT CITY HALL BY CHAIRPERSON BUCKLER.**

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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      Lisa Kempner      Martin Smith  
                 Michele Buckler      Ann Shadle      Kristen Kapelanski  
                 David Barnett      Tim Murad

**ABSENT:** Joe Tangari

**ALSO PRESENT:** Ross Gavin, City Council Liaison  
                 Matthew Baumgarten, City Manager  
                 John Pepperman, Interim Finance Director  
                 Tim McLean, Community Development Director  
                 Several members of the public

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**APPROVAL OF AGENDA**

It was moved by Commissioner Barnett to approve the agenda with one revision moving Item #3: Capital Improvements Plan to #2 and supported by Commissioner Murad.

**AYES:** Richardson, Kempner, Murad, Shadle, Barnett, Kapelanski, Smith, and Buckler  
**NAYS:** None

**Motion Carried.**

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**APPROVAL OF MINUTES**

It was moved by Commissioner Murad to approve minutes from March 27, 2018 and supported by Commissioner Barnett.

**AYES:** Richardson, Kempner, Shadle, Barnett, Murad, Kapelanski, Smith, and Buckler  
**NAYS:** None

**Motion Carried.**

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**COMMUNICATIONS**

Memo from DDA Director Carmody, March DDA Minutes, e-mail correspondence from residents

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**CITIZEN COMMENTS**

Wendy Zabramski, Gardner St.: Referenced 2009 DDA Parking Plan. Stated there were parking issues on Gardner St. Also stated she was not notified of the Public Participation Plan open house.

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**5. PSU-01-18: 2838 & 2350 Coolidge Hwy—Special Use Request**

Daniel Stakhiv—Representing FSZ Holdings was present to discuss the proposed special land use request. The special land use request is intended utilize two adjoining buildings as a shared office space. Space in the office could be rented at a flat monthly rate. Offices are permitted in the Downtown District as a Special Land Use.

Commissioner Richardson asked about the square footage of the location and possible building capacity.

Applicant responded that the size of the building was around 3,500 square feet.

Commissioner Barnett expressed concern about utilizing a potential retail space for office use.

Commissioner Smith stated he liked the idea of a shared office concept. He also stated it would bring new life to downtown Berkley and attract local clients.

Commissioner Kapelanski had questions about any potential changes to the building façade as well as the hours of operation.

Mr. Stakhiv stated that clients would have access to the building 24/7 but that normal hours of operation would be 8AM-5PM.

Commissioner Shadle asked about clients and visitors. She also expressed concerns about visitor parking.

Commissioner Kempner asked about the number of spaces in the public/municipal parking lot to the south of 2838 Coolidge. She also expressed support for a shared office space.

Commissioner Murad asked about the ratio for determining parking requirements for office uses.

Commissioner Smith asked if any square footage would be added to the building or if there would be any façade work.

Chair Buckler stated she likes the idea of shared office space and the foot traffic it will generate.

Chair Buckler **Opened the Public Hearing at 7:55PM:**

DDA Director Vivian Carmody: Stated she doesn't like to see potential retail space with an office use, but in this case, a shared office space is embraced.

Annalise Pietras, Franklin: Stated concerns about the parking. She indicated that many people park in front of her house on Franklin. She stated that there are parking issues in residential areas with people trying to access Coolidge. Concerns about parking for special events at 2838 Coolidge.

Chair Buckler Closed the Public Hearing at 8:00PM.

It was moved by Commissioner Smith to recommend to City Council that PSU-01-18 be approved with the following condition: installation of bike racks, and supported by Commissioner Richardson.

AYES: Kempner, Murad, Shadle, Barnett, Kapelanski, Smith, Richardson, and Buckler  
NAYS: None

**Motion Carried.**

## **2. CAPITAL IMPROVEMENTS PLAN: Presentation and Consideration of City CIP**

City Manager Baumgarten was on hand to present the proposed Capital Improvements Plan for 2018-19. The plan was discussed line by line for various City departments.

Commissioner Barnett asked about funding for city wayfinding signs between the City and DDA.

Commissioner Shadle asked about funding for sidewalks.

City Manager Baumgarten stated that funding for sidewalks will come from the General Fund and Special Assessments.

Commissioner Richardson was thankful for the new restrooms at Merchant Park. He asked about line items for road resurfacing as well as the potential for a future linear park north of Coolidge.

City Manager Baumgarten briefly discussed the Workshop sessions for the proposed FY18-19 budget scheduled for May 14-16 at the Public Safety Building.

It was moved by Commissioner Smith to adopt the proposed CIP/CERP as written, and supported by Commissioner Murad.

AYES: Murad, Shadle, Barnett, Kapelanski, Smith, Richardson, Kempner, and Buckler  
NAYS: None

**Motion Carried.**

### **3. DISCUSSION: Planning Consultant observations and suggested revisions to the proposed LaSalette development.**

Chair Buckler briefly explained that the presentation by Richard Carlisle was purely a discussion item and that no action was being proposed or taken on this item.

Richard Carlisle of Carlisle-Wortman Associates presented his findings on the proposed LaSalette development. The focus of the discussion was on parking, mass of the building, and open space. Mr. Carlisle also presented some project alternatives that the developer is willing to consider relative to recommended changes.

Commissioner Barnett stated concerns about the mass of the building relative to Oxford. Commissioner Murad stated he would like to see the top floor of the proposed building “stepped back.” He also indicated the scale of the building needs to be reduced.

Commissioner Kapelanski voiced support for seeing a substantial buffer along Oxford if the proposed townhouses are eliminated.

Commissioner Smith voiced concerns about the project being able to provide a variety of housing types.

Chair Buckler clarified that as part of the Planned Unit Development (PUD) requirements, an applicant has to meet the criteria in at least three of the seven areas.

Commissioner Kempner stated concerns about shared parking. She also stated that she doesn’t believe the church has enough parking.

Commissioner Richardson asked if the top floor of the proposed building could have larger apartment units. He favored the elimination of the proposed parking podium. He also asked for better use of green space.

Commissioner Shadle voiced support for new ideas on the concept. She stated she liked the townhouses, but favored a substantial buffer along Oxford if townhouses are eliminated.

Commissioner Murad asked if Mr. Carlisle reviewed traffic patterns.

Richard Carlisle stated that studies indicate that this project would have minimal impact on traffic.

Commissioner Smith asked about the potential for contiguous green space.

#### Public Comment on Item #3

Kurt Hite, Robina: Stated that he believes the Multiple Family Residential parking standard of two spaces per unit should be the strict standard with this project. He also stated there was no room for visitor parking. He also stated that he believes there would be a substantial impact on traffic, in addition to issues with church parking and shared parking.

Keith Owen, Developer Architect: Stated that the applicant has site plans ready that meet all the requirements for a PUD and site plan review. He expressed concerns about time frame. He also stated that changes to the project relative to parking and the townhouses, however, changes cannot be made without guidance from the Planning Commission.

Patty Curtis, Kenmore: Asked about the purpose of the consultant. She stated that she believes the consultant is advocating on behalf of the applicant. She also stated that this project doesn't fit the criteria for a Planned Unit Development and that there were issues with shared parking.

Wendy Zabramski, Gardner: Stated there were issues with the consultant's report. She also stated that the applicant has been unwilling to make changes recommended by the Planning Commission throughout the process.

Ryan Gesund, Kipling: Stated that other communities with more relaxed parking standards typically have better access to mass transit systems.

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**LIAISON REPORTS**

Commissioners Richardson discussed a recent meeting of the Environmental Committee. He also referenced resident Gary Shea was the city recipient of the Recycler of the Year award.

Commissioner Murad discussed Art Bash scheduled in June.

Commissioner Smith stated that Parks & Recreation programs have been well attended. He also stated that May 6 would be the "Friends of the Park" cleanup date.

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**STAFF/COMMISSIONER COMMENTS**

Commissioner Kempner stated that she was hoping for more attendees to the Public Participation Plan Open House.

Commissioner Barnett discussed the completion of the RRC Best Practices training.

Commissioner Murad stated he would like to have seen Public Participation and the discussion of the LaSalette project scheduled as work sessions.

Commissioner Kapelanski asked for confirmation of the parking requirements for the church at LaSalette.

Commissioner Richardson was thankful for the open house on Public Participation. He also encouraged the Planning Commission to "think green," and be mindful of energy efficiency regarding Complete Streets and the Capital Improvements Plan.

Commissioner Smith stated that he attended workshops and an open house for the DDA design guidelines and possible City millage proposals. He also referenced the Road Rally for Athletic Boosters.

Commissioner Shadle reminded everyone that the survey for Public Participation would be active until Friday, April 27 at 5PM.

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**With no further business, the meeting was adjourned at 9:52PM.**

May 17, 2018

TO: City of Berkley Planning Commission

FROM: Timothy McLean, Community Development Director

RE: Report for the Planning Commission Meeting, May 22, 2018

**1. Site Plan Review:** PSP-10-17: 3427 12 Mile Rd, Berkley Marathon is asking for site plan review on a proposed accessory structure.

APPLICANT:	Kamal Sharrack—3427 12 Mile Rd.	
LOCATION:	3427 12 Mile Rd., Lots 182 to 190 incl, Thomas Brothers Beverly Park Subdivision. Parcel ID# 04-25-18-129-002	
EXISTING ZONING/LAND USE:	Twelve Mile District/Gas Station-Convenience Store	
<b>SURROUNDING ZONING / LAND USE:</b>		
	<b>NORTH</b> Twelve Mile District/Business-Bowling Alley	
<b>WEST</b> Twelve Mile District/Business-Ice Cream Shop		<b>EAST</b> Twelve Mile District/Vacant Building
	<b>SOUTH</b> Single Family Residential District (R-1D)/Single Family Home	

## **DISCUSSION:**

In October 2017, applicant Kevin Sharrack, of Berkley Marathon (3427 12 Mile Rd.) came before the Planning Commission with a potential site plan for an accessory structure on the premises. Action on the proposed structure was postponed until additional information could be supplied on the proposed site plan.

The applicant is looking to construct an 18x30 (540 square feet) detached accessory structure on the premises. The proposed accessory structure would be constructed near the rear lot line. The height of the proposed structure is twelve (12) feet.

The proposed setbacks in the site plan are consistent with the requirements of Sec.138-55 of the Code of Ordinances. The proposed accessory structure is showing a twelve (12) foot setback from the side lot line, which exceeds minimum side-yard setback requirements. The proposed accessory structure is showing a five (5) foot setback from the rear lot, which is the minimum ordinance requirement. From the October 2017 meeting, there were questions about whether or not there was a utility easement that would affect the location of the accessory structure. Currently there are overhead wires but there is no recorded easement that would affect the location.

Please refer to the attached "Pro Garage Design" for the list of building materials. One item of clarification is in the dimensions. The "Pro Garage Design" document indicates the size of the structure as 20x30. When the applicant was informed that a 20x30 structure in that location would require a variance, the site plan was amended to reflect an 18x30 structure that could meet setback requirements. The materials to construct an 18x30 structure are the same as listed in the "Pro Garage Design."

**Attachments:** [Pro Garage Design](#)  
[Application for Site Plan Review](#)

## **2. Ordinance Amendment: Eleven Mile District**

From previous discussions on proposed amendments to uses in the Eleven Mile District, it is time for the "second reading." Based on suggestions made by Planning Commissioners, some of the proposed language has been cleaned up. Attorney Staran has reviewed the proposed changes. Aside from some suggestions for formatting, no issues with the legality of the proposed changes were raised.

Due to the close proximity of residential dwellings to the Eleven Mile District, the Planning Commission may want to consider adding language to prohibit the utilization of loudspeakers or a public address system for car lots. Some of our neighboring municipalities have also required a minimum ten-foot greenbelt at the front property line for outdoor vehicle displays. With the relatively small size of parcels in the Eleven Mile District, if the Planning Commission was inclined to require a greenbelt for outdoor vehicle displays, a five-foot greenbelt could be considered.

If the Planning Commission is comfortable with proposed changes to the language, the next step would be to set a date for a public hearing and have this item on the next agenda to make a recommendation on adoption to City Council.

Attachments: [Eleven Mile District Ordinance Amendment Draft](#)

**3. Ordinance Amendment: Ch.138, Article VI, Division 7—Site Plan Review**

At the October 2017 meeting, there was some discussion among Planning Commissioners about the possibility of amending the ordinance to allow for administrative approval of accessory structures. An amendment to this ordinance has been drafted by City staff that would allow for administrative approval of accessory structures. Administrative approval would be undertaken by the Community Development Director and Building Official. Proposed accessory structures would still be required to meet site standards set by ordinance. If a proposed accessory structure was larger than permitted by ordinance, the applicant would have to seek a dimensional variance with the Zoning Board of Appeals.

At this time, I would like to review proposed changes to the ordinance with the Planning Commission. If the Planning Commission is inclined to allow for administrative approval of accessory structures, this would be the appropriate venue to discuss additional revisions to the proposed changes.

One suggestion that had been made by a Planning Commissioner is to establish a square footage threshold for accessory structures that can be approved administratively. This is something to consider as a possible alternative to allowing all accessory structures to be reviewed and approved administratively.

If the Planning Commission is comfortable with proposed changes to the language, the next step would be to have a second reading or set a date for a public hearing and have this item on the next agenda to make a recommendation on adoption to City Council.

Attachments: [Accessory Structure Ordinance Amendment Draft](#)