

THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:01 PM, JANUARY 25, 2022 AT BERKLEY CITY HALL BY CHAIR KRISTEN KAPELANSKI.

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: Kristen Kapelanski
Joe Bartus
Greg Patterson
Mark Richardson
Daniel Petrosky
Martin Smith
Lisa Kempner
Julie Stearn
Shiloh Dahlin

ABSENT: None

ALSO, PRESENT: Megan Masson-Minock, Interim Community Development Director
Grant Jeffries, 257 Vester St, Ferndale
Daniel Stakhiv, 2240 Iroquois, Detroit
Doug and Laura Respeck, 2413 Cambridge, Berkley

APPROVAL OF AGENDA

Motion by Commissioner Kempner to approve the agenda. Motion supported by Commissioner Patterson.

AYES: Bartus, Dahlin, Kempner, Patterson, Petrosky, Stearn, Richardson, Smith, Kapelanski
NAYS: None
ABSENT: None

APPROVAL OF MINUTES

Motion by Commissioner Patterson to approve the minutes from the regular Planning Commission meeting on November 23, 2021 and supported by Commissioner Bartus.

AYES: Bartus, Dahlin, Kempner, Patterson, Petrosky, Stearn, Richardson, Smith, Kapelanski
NAYS: None
ABSENT: None

COMMUNICATIONS

Planning & Zoning News & Michigan Association of Planning workshops flyer and magazine

CITIZEN COMMENTS

There were no comments from the public in person or via email.

OLD BUSINESS

1. **DDA Guidelines:** Discussion to create DDA Design Overlay District and adopt ordinance language related to the DDA Guidelines, as well as discussion on the Architectural Design Checklist.

Interim Community Development Director Masson-Minock summarized the Carlisle Wortman memo on this subject that was in the packet. She reviewed four questions from the Planning Commission and examples from other communities. In terms of overall advice from best practices, Carlisle Wortman recommends having both guidelines and standards. Standards are what you absolutely want and guidelines are what you would like to have, with incentives if wanted. Standards should be in zoning ordinance so they are enforceable. She recommended a separate workshop to discuss this in detail.

There was no audience comment on the design guideline discussion.

Chair Kapelanski stated she liked the Troy example which would be the minimum the Planning Commission could do. There also could be a full-blown code rewrite of three different districts, depending on time and budget. She asked if the Planning Commission wanted to land somewhere in the middle between the two options?

Commissioner Kempner stated that there needs to be some degree of sitting down and rewriting the zoning. She suggested workshops or a sub-committee to help with ordinance and guidelines.

Commissioner Patterson stated that he agreed with Commissioner Kempner, stating we might as well get the code up to where it needs to be.

Commissioner Dahlin stated that she also agrees with a full rewrite. There was so much time on the Master Plan. There are legitimate loopholes in the zoning, which needs to be addressed.

Commissioner Richardson wanted clarification on what the Planning Commission is being asked to do here. Is the Planning Commission being asked to rewrite the zoning that pertains to the DDA areas, coming up with a plan of applying them? Interim Community Development Director Masson-Minock stated that the Planning Commission is being asked to decide how DDA guidelines are to be enforced in some way through the Zoning Ordinance. She felt that the key information missing was what are the things that are important to the Planning Commission.

Chair Kapelanski reiterated Commissioner Richardson that what we are trying to decipher is whether the Planning Commission wants to have something more subjective than a prescriptive layout. She expressed options of staying in the gray area, or going more prescriptive with a detailed explanation, or a list of requirements to give to applicants, or to go somewhere in the middle where we pick a few things.

Commissioner Kempner stated that the Planning Commission would have to get into the details, because there are some things the Ordinance does not allow, even if we say this is how the Planning Commission would like it to look. Flexibility is good, but Commissioner Kempner felt that they do have to address those issues.

Chair Kapelanski stated that one of the things that was important in the development of design guidelines is the transition from some of these more mixed-use concepts to adjacent residential developments, making sure that was proper buffering and screening. She felt it was best to come at it from a middle of the road approach.

Co-Chair Smith stated that Troy has a very particular checklist and he does not know if we want to get that particular. He stated that Berkley does not have layers of property along one road, like Troy. We have our commercial district then single family. This is a good start to see Troy's example and to base discussion off of that example.

Chair Kapelanski stated that the Planning Commission should focus on the bigger things using setbacks, that determine how the site starts, and where it goes, then the little things are a more subjective standard.

Interim Community Development Director Masson-Minock suggested to do a survey for the Planning Commission in February and come back in March for a workshop session.

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NEW BUSINESS

- 1. **PRZ-01-21:** 2465 Cambridge Road, 2475 Cambridge Road, 2466 Columbia Road, and 2476 Columbia Road. Request to rezone #25-17-353-002, #25-17-353-001, #25-17-353-016, #25-17-353-015 from Coolidge District to Gateway District.

Interim Community Development Director Masson-Minock summarized what is provided in the packet and the rezoning of four parcels, currently used for two duplexes. She reviewed the land use, zoning and future land use designation of the subject parcels and the surrounding area. She mentioned that the property owner owns the property to the south, which is zoned Gateway district. She noted that the intent and land use of the existing Coolidge district and the proposed Gateway district are very close. She stated that while the applicant has indicated interest in building a multiple-family development on these parcels and those in common ownership to the south, neither the proposed zoning district nor the current zoning districts allow multiple family buildings, only residential in upper stories of multi-use buildings. She stated that the rezoning implemented the Master Plan. She summarized the recommended finding of facts to submit to City Council.

Applicant

Grant Jeffries
Five- Eighths Architecture
Ferndale MI

The duplexes would continue as duplexes for the time being. This application is trying to position themselves for future development of a multiple-family building. Wayne Wudyka, the property owner, stated that they would like to have a consistent zoning between the parcels, and come into the future when we do with a project and not have to ask for rezoning later.

There were no comments from the public in person or via email.

The Planning Commission discussed the rezoning, and how it is a recommendation to City Council.

Commissioner Richardson asked if the southern boundary of the DDA was on Coolidge. The DDA boundary goes along Coolidge to 11 Mile, making the subject parcels within the DDA district and subject to the DDA design guidelines.

Chair Kapelanski stated that this is following the Master Plan, which matches the future land use map, making it straightforward. Commissioner Kempner stated that the Future Land Map already encompasses all of those properties. Chair Kapelanski stated that as of right now the Future Land Map does not match the zoning. Commissioner Kempner stated that what would be the Gateway Corridor is not necessarily the exact same as what the Gateway District we have right now. This rezoning would result in change to the Gateway District boundaries to match the Master Plan.

Interim Community Development Director Masson-Minock stated that by changing this from the Coolidge District to the Gateway District, the Planning Commission is implementing the area that is envisioned for Coolidge District. Then, the intentions of these districts will need to change to match the Master Plan. Commissioner Richardson confirmed that from this action the Coolidge district would be consolidated. He stated that the Planning Commission was looking at a potential use that is compatible with the likely zoning of that area.

Co-Chair Smith stated that if rezoning did occur, any of the particular uses could go in, not just multi-family. There are no negatives of the rezoning.

Co-Chair Smith motioned to recommend approval of PRZ-01-21 to City Council with the findings of fact in the letter from City staff, motion supported by Commissioner Richardson.

AYES: Bartus, Dahlin, Kempner, Patterson, Petrosky, Stearn, Richardson, Smith, Kapelanski
NAYS: None
ABSENT: None

2. **PSP-01-22:** 3737 Twelve Mile. Sketch Plan for proposed multiple family development.

Interim Community Development Director Masson-Minock summarized the discussion she, City Manager Baumgarten and DDA Executive Director McGuinness had with applicant previously. She described the sketch plan process and the specific question for the Planning Commission on the front yard setback for this proposal.

Applicant

Daniel Stakhiv

The primary use is apartments or townhouses. The Zoning Ordinance requires a zero-foot front yard setback unless the Planning Commission gives an exception. He would like to have small front yards, but without the setbacks, he has to put the buildings right up to the sidewalk. He plans to submit site plan approval within the next month.

Each Commissioner gave their setback opinion and any additional comments.

Co-Chair Smith stated that this use is a great idea on Twelve Mile. The buffer is a good idea and would like to see a bit more than two to three feet setback. The proposed setback is a good idea.

Mr. Stakhiv stated that the side setbacks on the east side are intended for gas meters, and the west side so someone could build on there.

Commissioner Richardson agreed with Planning Commissioner Smith, noting that other places on that intersection have small setbacks.

Commissioner Dahlin agreed with the front setback. Brings up the back setback and dumpster enclosure, as well as the overparking of four spaces.

Commissioner Kempner agreed with the idea of the front setback. She mentioned that what the ordinance says about a front setback is what she does not like. She also agreed with the overparking. She mentioned that in the DDA Design Guidelines it calls for the third story of a building to be setback so it is not so overwhelming.

Commissioner Patterson agreed that having a bigger setback is a good idea. He was in favor of getting rid of additional parking spaces and felt that people can park on the street, if needed.

Commissioner Stearn agreed with the setback.

Commissioner Petrosky stated the setback makes complete sense. He would be in favor of a larger setback, if possible.

Commissioner Bartus agreed with the set back.

Chair Kapelanski is in 100% agreement on the setbacks, and advised going back further with the setbacks.

Mr. Stakhiv stated that he will put a fence and curb to stop circular traffic. The intention is for units with three bedrooms and three bathrooms. Additional recommendations from the Planning Commission were to not include the top black box on the dumpster, include bicycle racks, and more greenery.

3. 2022 Planning Commission Calendar Dates

Commissioner Kempner motioned to approve the meeting 2022 calendar dates, motion supported by Commissioner Patterson.

AYES: Bartus, Dahlin, Kempner, Patterson, Petrosky, Stearn, Richardson, Smith, Kapelanski
NAYS: None
ABSENT: None

LIAISON REPORTS

Commissioner Petrosky stated that the Art Bash applications are officially on the website, and the permit process is being worked out with the City. They plan to move it from Buckingham to Coolidge. The Berkley Street Art Festival committees have meet and have begun planning.

STAFF/COMMISSIONER COMMENTS

Chair Kapelanski commented on how she loved being involved with the sketch plan and the Planning Commission agreed that the sketch plan option should be encouraged.

ADJOURNMENT

Motion to adjourn by Commissioner Richardson. Motion supported by Commissioner Dahlin.

AYES: Bartus, Dahlin, Kempner, Patterson, Petrosky, Stearn, Richardson, Smith, Kapelanski
NAYS: None
ABSENT: None

With no further business, the meeting was adjourned at 8:21 p.m.