

**THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, APRIL 26, 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 Martin Smith  
Joe Bartus Lisa Kempner  
Greg Patterson Julie Stearn  
Mark Richardson Shiloh Dahlin

**ABSENT:** Daniel Petrosky (Excused)

**ALSO, PRESENT:** Megan Masson-Minock, Interim Community Development Director  
Matthew Baumgarten, City Manager

Motion by Commissioner Patterson to excuse the absence of Commissioner Petrosky. Motion supported by Commissioner Stearn.

Voice Vote to approve the absence of Commissioner Petrosky.

AYES: 8  
NAYS: 0  
ABSENT: Petrosky

**MOTION CARRIED**

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**APPROVAL OF AGENDA**

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

Voice vote to approve the agenda

AYES: 8  
NAYS: 0  
ABSENT: Petrosky

**MOTION CARRIED**

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**APPROVAL OF THE MINUTES**

Motion by Commission Kempner to approve the minutes from the regular Planning Commission meeting on March 22, 2022 and supported by Commissioner Patterson.

Voice vote to approve the meeting minutes on March 22, 2022.

AYES: 8  
NAYS: 0  
ABSENT: Petrosky

**MOTION CARRIED**

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**COMMUNICATIONS**

Community Development Department Report  
Emails on Marihuana used in packet  
Email from Chuck Tyrell on Lot 53 on Oxford Road  
Notification from Huntington Woods with their Master Plan process

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**CITIZEN COMMENTS**

NONE

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**OLD BUSINESS**

- 1. **DDA Guidelines:** Review of ordinance language to implement the DDA guidelines, based on March 1, 2022 Work Session.

Interim Community Development Director Masson-Minock reviewed each item with context for the Planning Commission

The Planning Commission discussed various questions and suggestions. They felt comfortable with some of the items moving forward for a public hearing and other items needed to be discussed further at a future work session.

- 2. **Capital Improvements Plan:** Presentation and discussion of the proposed Berkley Capital Improvement Plan by City Manager Matt Baumgarten.

City Manager Matt Baumgarten discussed with the Planning Commission that the CIP requires approval from both the Planning Commission and the City Council to get adopted into the fiscal year budget.

City Manager Matt Baumgarten presented the draft Capital Improvement Plan with the changes from the last discussion and Commissioners asked questions related to the proposed CIP

Motion by Commissioner Richardson to approve the City of Berkley 2022-2029 Capital Improvement Plan. Motion supported by Commissioner Kempner.

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

**MOTION CARRIED**

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**NEW BUSINESS**

- 1. **PSP-04-21: Lot 53 on Oxford Road - The Ivy:** Site Plan for Phase II of the approved project at 2219 Coolidge for the removal of the existing parking lot and construction of two multiple family buildings with a total of 24 dwelling units and a parking lot.

Interim Community Development Director Masson-Minock gave a presentation and overview of the Phase I and highlighted points of information to look at for Phase II and the four terms recommended as conditions for approval.

**APPLICANT PRESENTATION**

Brad Freeman  
Project Manager

John DePorre  
DePorre Building, LLC

Mr. Freeman, addressed the overall concerns that were recommended to them by staff in the staff review.

Mr. DePorre stated that he spoke with former Community Development Director Erin Schlutow about design and keeping it within the ordinances. Mr. DePorre also asked for clarification from the Carlisle Wortman letter.

Michael Gold  
Stonefield Engineering  
Civil Engineer

Mr. Gold explained the decision on parking spaces on this site. The applicants discussed green space and pavement with Chair Kapelanski.

**PUBLIC COMMENT**

Eric Wheeler, 2679 Oxford - Stated that his concern here is having a big impact on residents on that street with traffic and noise. He stated that people divert and travel on Kipling which tends to upset those residents. He suggested that the Commission wait and see what the finished development with the school is going to be. If the result is detrimental, it will result in unhappy residents.

Chair Kapelanski stated that this is a permitted use, and provided that the applicant meets all the requirements the Commission as a body has to approve them, taking in and working with them on tweaks and alterations to address resident and city concerns.

Chris Lattin, 2735 Oxford - Stated that his concern is the increased volume of traffic. This is all being funneled on one access point on Oxford, causing traffic in the neighborhood. He also stated the infrastructure is a dated combined sewage and storm system and will it be able to handle the additional volume getting added to it. Also, will there be a traffic study done on this site?

John Paradise, 2750 Oxford - Stated that he has concerns on the traffic standpoint and knowing where the playground area is with no stop sign. Cars are going through that area at higher rates of speed and can see people cutting through that area.

Pat Meslowsky, 1829 Kipling - Questioned if there is not an exit for those cars to leave on Harvard. She also stated that traffic goes fast on Kipling and if there was an exit on Harvard it would seem that traffic would turn left and go to the light.

Email correspondence from Chuck Tyrell - concerns were centered around how this proposal differs from previous proposals that were talked about for this site, parking was a concern, access by emergency vehicles, context with surrounding neighborhood, and storm and waste drainage.

Chair Kapelanski addressed the questions that were mentioned in public comment and offered a suggestion of an easement to the applicants.

There was discussion with the Commission and applicants on traffic, infrastructure on the storm water detention, access points, additional green space, and parking spaces.

The Commission discussed pedestrian circulation and how to make it less awkward with the sidewalk connections and parking spaces with the applicant.

The Commission discussed the dumpsters that are proposed for this site with the applicant, and suggested the moving of dumpsters or having one dumpster instead of two.

Interim Community Development Director Masson-Minock reiterated to the Commission that they have the authority to grant or deny the requested modification based on finding factors she stated.

The Commission stated to the applicants that they can lose five parking spaces and add bike racks from the current plan and specific areas to add greenery.

There was more discussion amongst the Commission and applicants about designs of the building, open stairwells, sidewalks, and the storm water detention system.

Motion to postpone PSP-04-21 by Commissioner Kempner supported by Commissioner Richardson

AYES: Bartus, Dahlin, Kempner, Patterson, Stearn, Richardson, Smith, Kapelanski

NAYS: NONE

ABSENT: Petrosky

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- 2. **PSP-05-22: 2576 Coolidge Highway - BP America:** Site Plan for a new canopy, parking reconfiguration, pump island reconfiguration, new landscaping and building facade improvements of the existing gasoline station.

Interim Community Development Director Masson-Minock provided an overview for the application and details for a non-conforming use. The applicant is not increasing the intensity of the use or increasing any dimensional non-conformity. If the Planning Commission grants site plan approval there are seven items in the staff review that would need to be included as conditions.

**APPLICANT PRESENTATION**

Jason Yaldao

Owner of the BP gas station

Catie Schmitz

JSN Architecture

Mr. Yaldao stated that the goal of this is to make the gas station a nice place for the community. With the development of the plaza in front of the gas station, this upgrade hopes to bring back business.

Ms. Schmitz stated that there is agreement on everything in the review letter except for the extending or adding of a stone base to the canopies. Ms. Schmitz stated that it would be a waste of money the way the poles are designed and provided an overview of how the canopies are designed for the space.

**PUBLIC COMMENT**

NONE

The Commissioners provided feedback on the base of the canopy, agreeing that adding masonry on the bottom should not be required.

The Commissioners asked specific questions pertaining to the placement of pumps, canopies, and drives of this site. The Commissioners also discussed with the applicant about the separation between sidewalk and road, for safety concerns of pedestrians and cars, suggesting an easement or a mountable curb. There was also discussion on other landscaping options for this site and retaining the landscape island along Coolidge.

Motion by Commissioner Patterson to approve PSP-05-22 with support from Commissioner Kempner with conditions that:

- 1. Items 1-7 noted in the staff letter dated April 21, 2022
- 2. Retain the landscape island on Coolidge
- 3. Define sidewalks on Catalpa with clear demarcation, such as a mountable curb with distinguishing concrete or a rock garden with perennials
- 4. Provide planters as can be maintained by the gas station staff
- 5. Dimensions of the canopy are specified on revised plans
- 6. Decorative block matching the building on the outside of the dumpster enclosure

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

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**LIAISON REPORT**

Commissioner Patterson stated that Parks and Recreation is hosting a fundraiser for Jaycee park, for an all-inclusive park. If the city raises 50,000 the State of Michigan will match that. Commissioner Patterson thanked the businesses that donated to the cause already.

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**COMMISSIONER COMMENTS**

Commissioner Richardson thanked Carlisle Wortman for the proposed ordinance amendment language and was impressed with the body of work it presented.

Commissioner Smith stated that he will be resigning after the end of this meeting. After 22 years, he will be resigning from the board. The Commissioners gave their appreciation to Commissioner Smith and all the work he did on the board for 22 years.

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**STAFF COMMENTS**

Interim Community Development Director Masson-Minock discussed with Commissioners and asked for their input on the next two meetings, what the agenda would look like, and changing a work session into a meeting with the amount of agenda items that were submitted on Tuesday, April 26th.

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**ADJOURNMENT**

Motion to adjourn by Commissioner Kempner supported by Commissioner Stearn.

Voice vote for adjournment

AYES: 8  
NAYS: 0  
ABSENT: Petrosky

**With no further business, the meeting was adjourned at 10:45 p.m.**