

THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, AUGUST 23, 2022 AT BERKLEY CITY HALL BY CO-CHAIR LISA KEMPNER.

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: Shiloh Dahlin Julie Stearn
Greg Patterson Lisa Hamameh
Lisa Kempner Matteo Passalacqua

ABSENT: Joe Bartus

ALSO, PRESENT: Kristin Kapelanski, Community Development Director
Ashley Merz, City Staff

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

Voice Vote to approve the absence of Commissioner Bartus.

AYES: 6
NAYS: 0
ABSENT: Bartus

MOTION CARRIED

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APPROVAL OF AGENDA

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

Voice vote to approve the agenda

AYES: 6
NAYS: 0
ABSENT: Bartus

MOTION CARRIED

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APPROVAL OF THE MINUTES

Motion by Commissioner Hamameh to approve the minutes of regular Planning Commission meeting on July 26, 2022 and supported by Commissioner Patterson.

Voice vote to approve the meeting minutes on July 26, 2022.

AYES: 6
NAYS: 0
ABSENT: Bartus

MOTION CARRIED

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COMMUNICATIONS

Email correspondences concerning Vinsetta Garage

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CITIZEN COMMENTS

NONE

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OLD BUSINESS

NONE

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NEW BUSINESS

1. PSP-14-22 3860 Twelve Mile Road – America’s Stamp Stop Addition: The applicant, Todd Schaefer of America’s Stamp Stop, 3860 Twelve Mile Road, Parcel # 25-07-358-039 on the north side of Twelve Mile, between Prairie Avenue and Cummings Avenue, is requesting site plan approval for a second floor residential addition and façade update to the existing building.

Community Development Director Kapelanski stated the applicant is proposing a second story for residential use, restriping of parking, adding a bike rack, along with some facade updates.

Applicant presentation

Todd Schaefer
13651 Manhattan St
Oak Park, MI 48237

The Applicant, Mr. Schaefer reviewed the project and presented material samples along with Catie Schmitz the Architect from JSN Architecture.

The Commissioners discussed the floor plan, building code use groups and screening of rooftop units

Citizen Comments

NONE

The Commissioners discussed this property would be an improvement and a good use of the property.

Motion to approve PSP-14-22 3860 Twelve Mile Road – America’s Stamp Stop Addition by Commissioner Patterson with reference to the Staff Letter findings, the materials and architects presented do meet the standards, exterior lighting can be reviewed administratively in the final site plan with approval from DPW, Fire Marshall and Community Development Director. Supported by Commissioner Hamameh.

AYES: Kempner, Patterson, Stearn, Passalacqua, Dahlin, Hamameh
NAYS: 0
ABSENT: Bartus

MOTION CARRIED

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2. PSP-10-22 Vinsetta Garage Eaton and Oxford Parking Lots: The applicant, Union Joints, owner of Vinsetta Garage is requesting site plan approval for the construction of two parking lots on the north side of Eaton Road, west of Woodward Avenue, Parcel # 25-17-428-033 and on the north side of Oxford Road, west of Woodward Avenue, Parcel #'s 25-17-431-022 and -23 to serve the existing Vinsetta Garage restaurant.

Community Development Director Kapelanski introduced the application explaining it is governed by a Consent Judgment determining the terms of the development and the purview of the Planning Commission. The Planning Commissions scope in the consent judgment is to determine whether the Site Plan is consistent with the Judgment and with the standards of the Zoning Ordinance. She also reviewed the standards the Planning Commission could review.

The Commissioners asked Community Development Director Kapelanski about alternative layouts, and the number of parking spaces.

Applicant Presentation

Tom Kalas
31350 Telegraph Road Suite 201
Bingham Farms MI, 48025

The Applicant, Mr. Kalas proposed the layout of the parking lots and the intentions of the parking lots for Vinsetta Garage. Mr. Kalas also stated how they came about the number of parking spaces while in consent judgment. He further noted the site amenities including bike parking, landscaping and screen walls.

Co-Chair Kempner assessed the Carlisle & Wortman suggestions and questions, asking the applicant if they will agree to these recommendations:

- Consider amending the landscape plan to include native species: yes
- Consider reconfiguring Eaton to add more buffer along the western property line: no because of existing lot configuration
- Consider reconfiguring Oxford: no, safety issues
- Consider increasing the height of the wall along Oxford to a minimum of 5 feet: no

Landscape Architect - James Eppink

Mr. Eppink further explained the masonry wall and why it is proposed at 4ft.

- Consider reducing the number of light poles: yes
- Reduce the light levels at the southern property line to 0.0-foot candles: yes

Commissioner Passalacqua confirmed the number of parking spaces for Vinsetta asking the applicant if they were committed to limiting the employees not parking in the neighborhood. Mr. Kalas stated that he does not see this as a current issue, especially with post COVID operations.

Commissioner Hamameh questioned the masonry wall height and the safety concerns. Mr. Kalas explained the wall could be imposing but amenable. There was also discussion on landscaping including the plants and wall.

Co-Chair Kempner inquired about the snow removal in the parking lots.

Citizen Comments

Robert Robinette, 1021 Oxford - Stated that noise and sound are his concern. He also stated his concern with the 4ft wall, and would like to see a 5ft wall for headlight screening.

Jonas Reimer, Harvard - Stated that we should completely get rid of all minimum parking requirements, encouraging more cycling and walking making Berkley a people centered city. Residents should walk or bike to restaurants instead of driving. These spaces could be rezoned for housing or businesses.

Sean Sweda, 1047 Eaton - Stated that he is concerned that the Planning Commissions power is being subtracted. He went on to further quote previous City Council Meetings and the City Attorney that supports his argument.

Diane Cicchini, 1035 Oxford - Continued Sean's summary of meeting minutes and recommended the Planning Commission take full authority of plan. She also expressed her frustrations from the noise on Woodward.

Tara Hayes, 1021 Oxford - Asked the Planning Commissioners to withhold approval until every aspect of this project has been precisely detailed on the site plans. She also expressed she felt the Planning Commission did not read the full packet. She also provided a history of Vinsetta not complying, expressing the need for the site plan to have internal improvements and all comments in the letters included in the site plan.

Gabrielle Sweda, 1047 Eaton - Expressed her concern of shortchanging the neighborhood side of the parking lot with landscaping instead of the landscaping facing another parking lot. She also expressed to the Planning Commission to table this today and consult with the city attorney if they have any doubts.

Commissioner Hamameh stated that she would like to see an engineered alternative with parking layouts, and require a 5ft wall along Oxford, adding more landscaping, and reducing light poles.

Commissioner Patterson agrees with what Commissioner Hamameh had to say, and prefers more landscaping and buffering.

Commissioner Dahlin would like to see the background on the number of spaces that were determined, and to see the 5ft wall.

Commissioner Stearn would like to see the 5ft wall and additional landscaping.

Commissioner Passalacqua agrees with everything that has been stated by previous comments

Co-Chair Kempner would like to see more landscaping in the Oxford parking lot, the 5ft wall

The Commission discussed the possibility of making Oxford Parking Lot a One-Way, referencing the ordinance

There was discussion with the applicant about the alternative sketches with the parking lot, the number of parking spots, and landscaping.

Pat McWilliams, Kieft Engineering.

Mr. McWilliams addressed the dimensional layouts of the alternative drawings and the parking lot layout that was decided upon.

Commissioners discussed with the applicant about parking of employees and parking agreements.

There was further discussion on different configurations, landscaping, the possibility of a one-way with reference to the ordinance, and the 5ft wall along Oxford.

Motion by Commissioner Hamameh to approve application PSP-10-22 Vinsetta Garage Eaton and Oxford Parking Lots subject to the following conditions:

- The burning bush to be replaced with native species of same size and growth pattern
- A minimum 5ft wall height along both Oxford and Eaton for each lot
- A reduction of the number of light poles and lighting to comply with the standards in the ordinance and the consent judgment. As far as the number of light poles defer to administration to make that determination
- Revise the island on the Oxford lot so that the drive on the West side meets ordinance minimum with requirement
- The applicant provides the required cut sheets for staff review prior to final approval of the site plan
- The applicant reduces the light levels at the southern property line of the Oxford lot to 0.0-foot candles
- Compliance with all the items noted in the DPW August 19 2022 correspondence, and HRC August 18 2022 review letters, and final site plan approval from DPW, HRC, Fire Marshal and the Community Development Director

Motion Supported by Commissioner Passalacqua

AYES: Kempner, Stearn, Dahlin, Hamameh, Passalacqua

NAYS: Patterson

ABSENT: Bartus

MOTION CARRIED

3. ANNUAL COMMUNITY DEVELOPMENT REPORT: Review of the FY2021 Annual Community Development Report and FY2022 Work Plan.

Community Development Director Kapelanski summarized this is a requirement of the state planning act and one of the items we submit to work towards the Redevelopment Ready Certification. This details the activity of the department for the year, and details the work plan for the following year.

Motion by Commissioner Stearn to distribute the 2021 Annual Community Development Report and 2022 Work Plan to submit to City Council. Motion supported by Commissioner Patterson.

AYES: Patterson, Stearn, Dahlin, Kempner, Hamameh, Passalacqua

NAYS: 0

ABSENT: Bartus

MOTION CARRIED

LIAISON REPORT

Co- Chair Kempner stated that DDA did not have quorum

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COMMISSIONER COMMENTS

Co-Chair Kempner thanked the residents who came to speak during the meeting

Commissioner Patterson encouraged residents to send emails to the Planning Commission, because they are read.

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STAFF COMMENTS

Community Development Director Kapelanski notified the Planning Commission of the special meeting on September 13th and the Regular meeting on September 27th.

City Hall will be closed the week after Labor Day if there is anyone watching who wants to submit plans or permits, try to get them in before they will be accepted via drop box.

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ADJOURNMENT

Motion to adjourn by Commissioner Patterson supported by Commissioner Hamameh.

Voice vote for adjournment

AYES: 6

NAYS: 0

ABSENT: Bartus

With no further business, the meeting was adjourned at 9:17 p.m.