

THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, AUGUST 26, 2025 AT BERKLEY CITY HALL BY 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/cityofberkley>

DRAFT

PRESENT: Lisa Hamameh Mike Woods
Shiloh Dahlin
Lisa Kempner
Eric Arnsman

ABSENT: Josh Stapp
Joe Bartus

ALSO PRESENT: Kristen Kapelanski, Community Development Director

APPROVAL OF AGENDA

Community Development Director Kapelanski noted that the election of officers should be added to the agenda.

Motion by Commissioner Hamameh to approve the amended agenda with the election of officers added as item number six and supported by Commissioner Arnsman.

Voice vote to approve the agenda

AYES: 5
NAYS: 0
ABSENT: Bartus, Stapp

MOTION CARRIED

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APPROVAL OF THE MINUTES

Motion by Commissioner Hamameh to approve the minutes of the May 27, 2025 regular Planning Commission meeting and supported by Commissioner Arnsman.

Voice vote to approve the meeting minutes of May 27, 2025.

AYES: 5
NAYS: 0
ABSENT: Bartus, Stapp

MOTION CARRIED

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COMMUNICATIONS

Community Development Director Kapelanski shared that the latest issue of the Michigan Association of Planning magazine was provided for the Commissioners. Also included in the packet was a report from the Michigan Municipal League and SEMCOG showcasing ideas to spur development on West Twelve Mile from near Tyler to Greenfield.

CITIZEN COMMENTS

NONE

OLD BUSINESS

NONE

NEW BUSINESS

1. **PUBLIC HEARING PSU-02-25: 2114 Eleven Mile Rd.:** The applicant, F & L Berkley, LLC, is requesting special land use approval for a gas station/convenience store in the Flex District on the northwest corner of Eleven Mile Rd. and Henley Ave.

Community Development Director Kapelanski presented the special land use request noting no changes to the site are proposed. She highlighted the special land use review standards and a needed variance for a deficient pump island setback. She noted that since the site was not being altered, dimensional and general standards from the zoning did not apply as the site and any dimensional requirements would be considered non-conforming. Since this was a special land use, the standards for special land uses and the automotive uses would apply.

The Planning Commission asked some clarifying questions confirming the distinction between a non-conforming use and non-conforming structures. Community Development Director Kapelanski confirmed that if a service use was proposed, the applicant would need to receive special land use approval for that use at a future time.

The applicant's attorney, Ellis Freatman, confirmed no changes to the site are proposed and a service station use was not proposed. The applicant has no objection to providing planters or light shielding as suggested in the staff review. The applicant, Fadi Kajy, stated that there would be one employee per shift. The hours of operation would be 6AM to 11PM.

Chair Kempner opened the public hearing at 7:13PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:14PM.

The Commission discussed the existing screen wall, which covers the majority of the rear property line. They confirmed with the applicant that the vegetation would be trimmed. Community Development Director Kapelanski confirmed that the area not covered by the screen wall was an existing non-conforming condition. The Commission agreed that the location of the garage on the adjacent residential property also helped to buffer the residence.

The Commission asked that a barrier be added to the parking area along Henley to provide a buffer from the sidewalk. The applicant agreed he could do that. The Commission suggested planters as a buffer option to protect the area and to provide greenspace. The applicant said he would be willing to place planter(s) there but would want to confirm it wouldn't conflict with the operation of the underground tanks in that area.

The Commission went through the special land use and all agreed that all standards were met.

Motion by Commissioner Hamameh and supported by Commissioner Dahlin to recommend approval of PSU-02-25 2114 W. Eleven Mile Rd. with the following findings:

- The proposed plan meets the standards of approval in Chapter 138, Section 10.03;

And the following conditions:

- The applicant obtaining a variance from the Zoning Board of Appeals for the front yard setback;
- Shielding of the lights, as required by the ordinance;
- The trees and shrubs along Henley Ave. to be trimmed to accommodate the corner clearance requirements; and
- The installation of substantial landscaping planters along Henley Ave. to clearly delineate the sidewalk to the extent practicable as determined appropriate by the Community Development Director. Alternatively, converting a portion of the pavement adjacent to Henley Ave. in the northeast corner to some sort of greenspace.

Roll call vote on the motion to approve PSU-02-25 2114 W. Eleven Mile Rd.

AYES: 5

NAYS: 0

ABSENT: Bartus, Stapp

MOTION CARRIED

- 2. PUBLIC HEARING** An ordinance to amend Article 2 Definitions, Article 6 Site Design Based Districts, Article 9 General Provisions, Article 11 Sign Regulations, Article 14 Off-Street Parking Loading and Access Standards and Article 25 Site Plan Review Procedures and Requirements of Chapter 138 Zoning of the Berkley Code of Ordinances to add definitions for business services and live/work units, to clarify site area governs site layout, to clarify the reviewer for fences, to allow ground-mounted solar energy systems in residential districts, to clarify regulations for residential driveways, to modify the width requirements for attached garages, to clarify regulations for detached accessory buildings and swimming pools, to clarify regulations for window signs and temporary signs, to clarify clear vision zone requirements, to add regulations for areas of residential parking and recreational vehicles, to clarify requirements for where on-street parking may be counted as individual business parking and to clarify requirements and procedures for pre-application and preliminary site plan review.

Community Development Director Kapelanski presented the amendments and referenced her staff review for a list of the included items. These are amendments that have come up in the course of staff using the ordinance and responding to property inquiries, residential zoning certificate requests, et cetera.

Chair Kempner opened the public hearing at 7:50PM.

No one wished to speak and no comments were received.

Chair Kempner closed the public hearing at 7:50PM.

Chair Kempner asked that the next round of amendments clarify when a site plan is required for special land use application. Commissioner Dahlin asked that at a minimum, a scaled sketch plan be provided. Community Development Director Kapelanski said she would add this to the next round of amendments.

Motion by Commissioner Dahlin and supported by Commissioner Woods to recommend approval of the first round of zoning ordinance cleanup amendments listed in the August 26, 2025 Planning Commission agenda.

Roll call vote on the motion to recommend approval of the zoning ordinance amendments

AYES: 5

NAYS: 0

ABSENT: Bartus, Stapp

MOTION CARRIED

3. Community Development Annual Report

Community Development Director Kapelanski presented the Community Development Department Annual Report.

Motion by Commissioner Arnsman and supported by Commissioner Dahlin to accept the Community Development Department Annual Report for Fiscal Year 24/25.

Voice vote on the motion to accept the Community Development Annual Report.

AYES: 5

NAYS: 0

ABSENT: Bartus, Stapp

MOTION CARRIED

4. Planning Commission Bylaws and Rules of Procedure

Community Development Director Kapelanski pointed out the changes suggested for the Bylaws and Rules of Procedure to comply with the Board and Commission Handbook recently approved by the City Council.

Motion by Commissioner Woods and supported by Commissioner Dahlin to approved the revised Bylaws and Rules of Procedure.

Voice vote on the motion to approve the Bylaws and Rules of Procedure.

AYES: 5

NAYS: 0

ABSENT: Bartus, Stapp

MOTION CARRIED

5. Discussion of Training Needs

Community Development Director Kapelanski pointed out that the State's Redevelopment Ready Communities program requires a joint board and commissions meeting be held every year. She thought this could be an opportunity for joint training between some combination of the Planning Commission, City Council and Zoning Board of Appeals.

The Commission suggested exploring special land use consideration and motion making training for the Planning Commission and City Council, and parliamentary procedure training for the Planning Commission, City Council and Zoning Board of Appeals.

6. Election of Officers

Chair Kempner said she would be happy to continue serving as Chair.

Motion by Commissioner Hamameh and supported by Commissioner Dahlin to nominate Lisa Kempner to continue as Chair of the Planning Commission.

Voice vote on the motion to approve Lisa Kempner as Chair of the Planning Commission.

AYES: 5

NAYS: 0

ABSENT: Bartus, Stapp

MOTION CARRIED

Commissioner Dahlin said she would be willing to serve as Vice-Chair.

Motion by Commissioner Woods and supported by Commissioner Hamameh to nominate Shiloh Dahlin as the Vice-Chair of the Planning Commission.

Voice vote on the motion to approve Shiloh Dahlin as Vice-Chair of the Planning Commission.

AYES: 5

NAYS: 0

ABSENT: Bartus, Stapp

MOTION CARRIED

Commissioner Arnsman said he would be willing to serve as Secretary.

Motion by Commissioner Dahlin and supported by Commissioner Hamameh to nominate Eric Arnsman as the Secretary of the Planning Commission.

Voice vote on the motion to approve Eric Arnsman as the Secretary of the Planning Commission.

AYES: 5

NAYS: 0

ABSENT: Bartus, Stapp

MOTION CARRIED

LIAISON REPORT

Commissioners provided updates on the Chamber of Commerce, the Downtown Development Authority and Zoning Board of Appeals.

COMMISSIONER COMMENTS

NONE

STAFF COMMENTS

NONE

ADJOURNMENT

Motion to adjourn by Commissioner Dahlin, supported by Commissioner Arnsman.

Voice vote for adjournment

AYES: 5

NAYS: 0

ABSENT: Bartus, Stapp

With no further business, the meeting was adjourned at 8:15PM.