

**THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, April 25, 2023 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>*

**PRESENT:** Michael Woods Lisa Hamameh  
Shiloh Dahlin Joe Bartus  
Lisa Kempner Matteo Passalacqua

**ABSENT:** None

**ALSO, PRESENT:** Kristen Kapelanski, Community Development Director  
Matt Baumgarten, City Manager

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**APPROVAL OF AGENDA**

Community Development Director Kapelanski asked the Planning Commission to consider one modification to the agenda to add a discussion of a potential text amendment to add massage and skincare uses as permitted accessory uses in the office district.

Motion by Commissioner Bartus to approve the agenda with the suggested amendment and supported by Commissioner Woods.

Voice vote to approve the agenda

AYES: 6  
NAYS: 0  
ABSENT: 0

**MOTION CARRIED**

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**APPROVAL OF THE MINUTES**

Motion by Commissioner Dahlin to approve the minutes of regular Planning Commission meeting on January 24, 2023 and supported by Commissioner Bartus.

Voice vote to approve the meeting minutes of January 24, 2023.

AYES: 6  
NAYS: 0  
ABSENT: 0

**MOTION CARRIED**

Motion by Commissioner Bartus to approve the minutes of the work session of the Planning Commission and City Council on February 28, 2023 and supported by Commissioner Woods.

Voice vote to approve the meeting minutes of February 28, 2023.

AYES: 6  
NAYS: 0  
ABSENT: 0

**MOTION CARRIED**

Motion by Commissioner Woods to approve the minutes of the joint work session of the Planning Commission and City Council on April 5, 2023 and supported by Commissioner Dahlin.

Voice vote to approve the meeting minutes of April 5, 2023.

AYES: 6  
NAYS: 0  
ABSENT: 0

**MOTION CARRIED**

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**COMMUNICATIONS**

Community Development Director Kapelanski stated the Michigan Planner was provided and staff received one email on the CIP, which appears later in the agenda.

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**CITIZEN COMMENTS**

NONE

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**OLD BUSINESS**

1. **PUBLIC HEARING:** An ordinance of the City Council of the City of Berkley, Michigan to add Section 138-199 and to amend Section 138-32, Section 138-387, Section 138-388, Section 138-418, Section 138-427, Section 138-428, Section 138-442, Section 138-443, Section 138-457 and Section 138-458 of Chapter 138 – Zoning to allow outdoor service areas as a principal permitted use and allow rooftop outdoor eating areas for restaurants and other food serving establishments as a special use.

Community Development Director Kapelanski introduced the amendment and thanked the Commission for their work on this ordinance and stated she has received positive feedback from interested businesses.

Chair Kempner opened the public hearing at 7:05 PM and closed the public hearing at 7:05 PM, there being no members of the public present and no comments received.

Commissioner Bartus confirmed the City would not be liable for damage caused by permittees.

Commissioner Hamameh confirmed the Planning Commission should act on this tonight and asked that future public hearings also include 'consideration' so that the intent of the agenda is clear.

Motion by Commissioner Hamameh to recommend approval to the City Council of the proposed ordinance amendments as presented by staff.

Motion supported by Commissioner Woods.

Roll call vote to recommend approval of the proposed amendment.

AYES: 6  
NAYS: 0  
ABSENT: 0

**MOTION CARRIED**

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**NEW BUSINESS**

**1. Capital Improvement Plan:**

City Manager Baumgarten went over the proposed expenditures of the proposed Capital Improvement Plan. The Planning Commission had several inquiries related to:

- Needed updates to City Hall;
- Electric vehicle charging stations;
- Tree removals for sidewalk replacements;
- Sidewalk replacements generally;
- Light fixture replacements;
- Lead service replacements;
- RCOC's role in road improvements;
- Alley maintenance and conversion; and
- The proposed timeline of the plan in light of the proposed Headlee Override.

Motion by Commissioner Hamameh to approve the Capital Improvement Plan, as presented.  
Motion supported by Commissioner Passalacqua.

Roll call vote to approve the Capital Improvement Plan.

AYES: 6  
NAYS: 0  
ABSENT: 0

MOTION CARRIED  
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**2. Site Plan Extension – Berkley BP PSP-05-22: 2576 Coolidge:**

Community Development Director Kapelanski noted the applicant is asking for an extension of the existing approved site plan for one year.

Commissioner Passalacqua confirmed the reasons for the extension as outlined in the applicant provided letter.

Motion by Commissioner Hamameh to approve the site plan extension for Berkley BP PSP-05-22 at 2576 Coolidge.  
Motion supported by Commissioner Dahlin.

Roll call vote to approve the site plan extension.

AYES: 6  
NAYS: 0  
ABSENT: 0

MOTION CARRIED  
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**3. Discussion of Massage and Skincare Uses in the Office District**

Community Development Director Kapelanski introduced a proposed text amendment by a potential business owner who would like to have an accessory massage use and skincare use at a permitted medical office use in the Office District. She noted massage is listed as a personal service use in other districts.

The Commission discussed the change and felt that they would like additional time to study such an amendment and were not prepared to move forward at this time with an amendment. They suggested the petitioner explore a use interpretation by the Zoning Board of Appeals.

**4. Election of Vice-Chair**

Motion by Commissioner Passalacqua to nominate Commissioner Bartus as the Vice-Chair of the Planning Commission.

Motion supported by Commissioner Woods.

Voice vote to approve Commissioner Bartus as Vice-Chair.

AYES: 6  
NAYS: 0  
ABSENT: 0

**MOTION CARRIED**

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**LIAISON REPORT**

Commissioner Passalacqua noted the DDA is moving forward with updates to the Coolidge crosswalks. Chair Kempner added the crosswalks should be open soon and the DDA is exploring changes to the mural program.

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**COMMISSIONER COMMENTS**

NONE  
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**STAFF COMMENTS**

Community Development Director Kapelanski asked the Commission to get any comments they may on the Zoning Ordinance Audit to her by May 1. Excused absences will be discussed with the City Council at the summer work sessions. A social district on Twelve Mile Rd. was approved by the City Council. The Commission had some general operational questions on the social district. Director Kapelanski previewed an upcoming site plan/special land use request for the former Smith Counseling Center.

Councilmember Patterson reminded everyone of the upcoming Headlee Override election question on May 2. City Council will be holding budget work sessions on May 8 and 9. The City Council approved the amendment to the Zoning Ordinance regulating vape shops.

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**ADJOURNMENT**

Motion to adjourn by Commissioner Dahlin supported by Commissioner Woods.

Voice vote for adjournment

AYES: 6  
NAYS: 0  
ABSENT: 0

**With no further business, the meeting was adjourned at 8:56 at p.m.**