

THE SPECIAL WORK SESSION OF THE CITY COUNCIL AND PLANNING COMMISSION OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:04 PM ON TUESDAY, JULY 9, 2024 BY MAYOR DEAN

PRESENT:

Councilmember Clarence Black
Councilmember Dennis Hennen
Councilmember Greg Patterson
Councilmember Jessica Vilani
Mayor Bridget Dean
Commissioner Eric Arnsman
Commissioner Joseph Bartus
Commissioner Shiloh Dahlin
Commissioner Lisa Hamameh
Commissioner Josh Stapp
Commissioner Mike Woods
Chair Lisa Kempner

ABSENT:

Councilmember Steve Baker
Mayor Pro Tem Ross Gavin

OTHERS PRESENT:

Community Development Director Kristen Kapelanski
Interim City Manager Nate Geinzer
City Attorney Dan Christ
City Clerk Victoria Mitchell
Zoning Administrator Kim Anderson

APPROVAL OF AGENDA:

Councilmember Hennen moved to approve the Agenda
Seconded by Councilmember Vilani
Ayes: Black, Hennen, Patterson, Vilani, Dean, Arnsman, Bartus, Dahlin, Hamameh, Stapp, Woods and Kempner
Nays: None
Absent: Baker and Gavin
Motion Approved.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT:

None.

REGULAR AGENDA:

DISCUSSION: Matter of discussing updates to the Draft Zoning Ordinance.

Megan Masson-Minock, Carlisle Wortman Associates principal, presented the draft zoning ordinance.

She thanked all who provided comments regarding the draft zoning ordinance.
She outlined the goals of the workshop:

- Agenda
- Process
- Overview of Big Changes
- Check-in (10 minutes)
- Discussion Items
- Next Steps
- Check out

She stated the process started in the spring of 2023. There were four phases:

1. Ordinance assessment
2. Full draft for review
3. PC and CC Review of Draft Zoning Ordinance
4. Ordinance adoption

Progress includes:

- Monthly steering committee meetings
- joint meetings
- feedback
- draft hearings

Ms. Masson-Minock said we are in Phase 3 now. She hopes to have a draft out by August and hold community input opportunities in September when people are done with summer plans.

Ms. Kapelanski said draft versions have been out to the public.

Discussion continued regarding how the process and draft document is being communicated and how to make it more user-friendly and build engagement. It was stated it is important to explain what is going on.

Ms. Masson-Minock said future zoning ordinance drafts could be searchable. She stated the biggest changes in the draft ordinance include:

- Consolidation of residential zoning districts – 4 districts to 2 districts
- Use-based and site-design-based zoning districts
- Allow accessory dwelling units (with design requirements)
- Parking overlay zoning districts
- PUD process
- Two-tier system for home-based businesses
- Signs now part of the zoning ordinance
- Landscaping regulations - adding
- Off-street parking – a lot of changes there
- Preliminary Plan Review by Planning Commission & Final site plan review by community development director
- Standards for different types of zoning ordinance amendments

Ms. Masson-Minock reviewed Use-Base Zoning and Site-Design-Based Zoning:

Use-base zoning

- Uses allowed by zoning district
- All yards are the same.

Site-Design-Based Zoning

- Use groups instead of a list of individual users
- Use groups and site layouts allowed by street
- Parcel size within the zoning district

Ms. Masson-Minock checked in and asked the group how they would rate the draft zoning ordinance on a scale of one to five. Each participant provided their score which ranged from 3 to 5. The average score was 3.7.

Ms. Masson-Minock thanked the group for the time spent reviewing the draft ordinance. She stated she read through all of the articles and comments provided. She stated Article 6 had the least amount of time with the steering committee.

Ms. Masson-Minock stated the next topic is to review the following discussion items:

- Parking overlay
- Off-street parking
- Multiple Family
- Parking in-lieu fee for using public parking or municipal lot spaces
- Downtown Uses
- First Floor Office
- Any restrictions on multi-story buildings?
- Gateway, Woodward, Downtown
- Height incentives: public space, green roof
- PUD
- Required elements for preliminary PUD application
- Standards for approval

It was asked that childcare facilities and municipal lots are also discussed.

Each item was discussed in detail.

Following the discussion, Ms. Masson-Minock reviewed what she heard regarding some of the more discussable items:

- The group prefers a parking overlay knowing some people don't think it's appropriate, but are willing to test it with the public as long as there is clear information provided on what it is with extra clarification regarding lots to be combined.

- An example for parking in-lieu is offering a spot for purchase in a municipal lot for an apartment that is for rent above a shop.
- Height Incentives:
 - Should public space placement be given a height incentive?
 - Should green roofs be given a height incentive?
 - What roles would PUDs play?
 - Affordable and accessible housing as a required percentage?
 - Was there a question about density in relation to height incentives?
 - Ms. Masson-Minock stated she would go back and reopen that portion of the rewrite with parameters on affordable housing, one-story per green roof, and including public spaces.
- First-floor office use was a topic of discussion:
 - Some members thought first-floor office use would be ok with special use approval.
 - Some thought it was a better option than vacant storefronts.
 - If we allowed that use, could we include a minimum number of employees per square foot to ensure foot traffic is coming to the downtown?
- Initial thoughts were varied and group members were the most divided regarding off-street parking (multifamily). The differences centered on how many parking spaces should be required when considering a multi-family development. The number of parking spaces per dwelling unit ranged from .85 to 2. Discussion topics included:
 - Developers feel 1.5 or higher spots is too high – could prevent development
 - A parking study was conducted. Why wouldn't they go with those results
 - How a fractional parking space is applied needs to be communicated
 - What standards do neighboring communities use
 - Availability of mass transit and on-street parking
 - Choosing a standard that won't result in constant variance requests
 - Ms. Masson-Minock said her experience with other communities are they are moving toward less
 - It was asked what the best case, worst case scenario would be. Ms. Masson-Minock said worst case there is parking overflow. She said best case is you get it right and you have redevelopment along key corridors with attractive housing options.
 - We have a skittish community with multi-family housing
 - Kristen said she thought 1.25 spaces per dwelling unit is something we could present to the community
 - It was mentioned to look at the parking issue on a broader spectrum. Other factors include looking at the city's parking policy and including guest parking spaces.
 - Discussions focused on considering 1.25 to 1.5 spaces.
 - Ms. Masson-Minock suggested taking 1.25 to the community for feedback. Not all agreed. After more discussion, she said she would put in 1.35 with 10 spaces for guests. A 15 percent reduction is there.

At 9 p.m., Ms. Masson-Minock asked everyone to look at the PUD article 7 – and look at Sec. 703 – standards of approval – and as a decision maker, asked is it clear and acceptable. She stated this is a homework assignment and for attendees to provide their thoughts to Ms. Kapelanski or Ms. Anderson. Is what we are asking for enough?

Ms. Masson-Minock thanked everyone for participating in these hard conversations.

Check Out:

- Ms. Masson-Minock asked what needs to happen for a public release of the Map & Zoning Map & Zoning Ordinance (Phase 4).
- A brief discussion took place regarding what the communication plan should look like for Phase 4.

ADJOURNMENT:

Councilmember Patterson moved to adjourn the Special Joint Work Session at 9:07 p.m.

Seconded by Councilmember Vilani.

Ayes: Hennen, Patterson, Vilani, Black, Dean, Arnsman, Bartus, Dahlin, Hamameh, Stapp, Woods and Kempner

Nays: None

Absent: Baker and Gavin

Motion Approved.

Bridget Dean, Mayor

ATTEST:

Victoria Mitchell, City Clerk