

**THE REGULAR MEETING OF THE BERKLEY CITY ZONING BOARD OF APPEALS WAS CALLED TO ORDER AT 7:00 PM, MONDAY, JUNE 13, 2022 BY CHAIR MCALPINE.**

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*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:** Ryan J. Gesund Kevin Wilner  
Sue McAlpine Erik McDonald  
Joseph V. Krug Mark Riley (Alternate)  
Maria Ward

**ABSENT:** Miles Ular

**ALSO PRESENT:** Kim Anderson, City of Berkley Building Clerk  
Mike Auerbach, Planning Consultant  
Dennis Hennen, City Council Liaison

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**CONFIRMATION OF A QUORUM**

Chair McAlpine indicated that Mr. Ular provided advanced notice that he will be absent.

It was moved by Mr. Krug to excuse the absence of Mr. Ular. Motion supported by Mr. Gesund.

AYES: Gesund, Krug, McAlpine, Riley, Ward, Wilner  
NAYS: None  
ABSENT: Ular

**MOTION CARRIED**

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**APPROVAL OF AGENDA**

It was moved by Mr. Gesund to approve the agenda. Motion supported by Mr. Wilner.

AYES: Gesund, Krug, McAlpine, Riley, Ward, Wilner  
NAYS: None  
ABSENT: Ular

**MOTION CARRIED**

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**APPROVAL OF MINUTES**

It was moved by Ms. Ward to approve the minutes of May 9, 2022 as presented. Motion supported by Mr. Wilner.

AYES: Gesund, Krug, McAlpine, Riley, Ward, Wilner  
NAYS: None  
ABSENT: Ular

**MOTION CARRIED**

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**OLD BUSINESS**

None

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**NEW BUSINESS**

1. **APPLICATION PBA-06-22; 2485 Coolidge Hwy.** – Dimensional variance request to construct wall signs for 5 tenants in a multi-tenant building that would increase the total area of all wall signs to more than 100 square feet on the building façade facing Coolidge Highway and to construct 5 identification signs larger than 6 sq. ft. facing the rear parking lot.

**Petitioner:**

Brian Tomina, on behalf of Stella’s Marketplace, LLC  
2485 Coolidge Highway

Planning Consultant Auerbach summarized the June 10, 2022 review letter and read the five standards of review by which the ZBA would discuss the dimensional variance requests.

Mr. Gesund asked if entrances are proposed on the east and west side of the building. Planning Consultant Auerbach indicated that appears to be the case, although the applicant can confirm.

Mr. Tomina summarized the variance requests and responded to questions.

Ms. Ward asked if there will be entrances along Coolidge and the rear of the building and if the signs in the rear of the building will be lit. Mr. Tomina indicated that entrances are proposed on both sides of the building, and the signs in the rear yard on the west elevation will not be lit.

Members commented about the variance request to allow wall signs greater than 100 square feet on the building façade facing Coolidge Highway. Chair McAlpine suggested that the Board consider that request first.

Chair McAlpine opened the floor for public hearing at 7:18 p.m.

No comments were provided.

Chair McAlpine closed the floor for public hearing at 7:18 p.m.

Motion by Ms. Ward to approve the variance to permit the 5 signs proposed on the east side of the building facing Coolidge, with a total area of 234 square feet, not to exceed 90 square feet for Aqua Tots and 36 square feet for the other tenants. Approval is based on the unique circumstances of the property and that the building is the largest to be built recently, that the City's sign requirements are out of date, that strict compliance does not work for a multi-tenant commercial building, that approval is necessary to do justice for the property owners and future tenants, and that approval does not adversely impact neighboring properties. Approval is specifically for the signs proposed in the April 22, 2022 site plans provided in the meeting packet.

Mr. Wilner supported the motion.

AYES: Gesund, Krug, McAlpine, Riley, Ward, Wilner  
NAYS: None  
ABSENT: Ular

**MOTION CARRIED**

Members commented about the variance request to allow the construction of 5 identification signs larger than 6 sq. ft. facing the rear parking lot.

Chair McAlpine opened the floor for public hearing at 7:28 p.m.

No comments were provided.

Chair McAlpine closed the floor for public hearing at 7:28 p.m.

Mr. Gesund asked if there was a reason the identification signs were proposed at the height shown in the site plan.

Cal Mansor, sign contractor, Sign Emporium, 11035 E. 9 Mile

Mr. Mansour and Mr. Tomina indicated that the sign heights are due to the glass entrance doors and windows, and that they will be more centered on the brick façade above the glass than they appear on the plan.

Motion by Ms. Ward to approve the variance to permit to permit the five identification signs on the west elevation not to exceed a maximum of 16 square feet in area each. Approval is based on the need to provide visibility from the parking lot, that the City's sign requirements are out of date, that strict compliance does not work for a multi-tenant commercial building, that approval is necessary to do justice for the property owners and future tenants, that the signs will only take up 3% of the adjoining elevations, and that approval does not adversely impact neighboring properties. Approval is specifically for the signs proposed in the April 22, 2022 site plans provided in the meeting packet, and that the signs shall not be lit.

Mr. Wilner supported the motion.

AYES: Krug, McAlpine, Riley, Ward, Wilner  
NAYS: Gesund

ABSENT: Ular

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**OTHER BUSINESS**

None

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**STAFF / BOARD MEMBER REPORT**

Planning Consultant Auerbach indicated that there were no updates from staff.

Chair McAlpine asked what the procedure would be to recommend an amendment of the City's sign requirements.

City Council Liaison Hennen indicated that he can provide information about that update.

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**LIAISON REPORT**

City Council Liaison Hennen indicated that Council is aware of the need to update the City's sign requirements, and are working to schedule that update while accounting for budget constraints and competing priorities. Council may not be able to schedule the sign requirement update for some time.

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**PUBLIC COMMENTS**

None

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With no further business, the meeting was adjourned at 7:36 p.m.