



**CITY OF BERKLEY PUBLIC NOTICE
REGULAR CITY COUNCIL MEETING
MONDAY, APRIL 6, 2026 - 7:00 PM
CITY HALL - 3338 COOLIDGE HIGHWAY
248-658-3300**

CALL 41ST COUNCIL TO ORDER

APPROVAL OF AGENDA

MAYOR-LED MOMENT OF REFLECTION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT(S)

Comments are invited on each Agenda item when that item comes up for consideration. Matters not listed on the Agenda may be addressed at this time. Please state your name and residential city. Each speaker's remarks are a matter of public record, and the Council will not engage in a back-and-forth discussion. Any person speaking at a City Council Meeting may be called to order by the Mayor or any Council Member for failure to be germane to the business of the City or for disruptive or disorderly behavior which prevents the Council from conducting its business. There is a three-minute limit per speaker.

ORDER OF BUSINESS

CONSENT AGENDA

- 1) Minutes of the 41st Regular City Council meeting on Monday, March 16, 2026; Work Session meeting on Monday, March 16, 2026; Budget Work Session on Wednesday, March 25, 2026; and Budget Work Session on Thursday, March 26, 2026.
- 2) Second reading and adoption of an ordinance of the City Council of the City of Berkley, Michigan, to amend Section 78-2 through 78-9 of Chapter 78, Nuisances, of the Berkley City Code.
- 3) Second reading and adoption of an ordinance of the City Council of the City of Berkley, Michigan, to amend Chapter 106, Streets, Sidewalks and Other Public Places, Article IV, Sidewalks, Division 2, Construction and Repair, Section 106-188, Bond Prerequisite to Issuance, of the City of Berkley Code.
- 4) Second reading and adoption of an ordinance of the City Council of the City of Berkley, Michigan, to amend Section 2-2 of Chapter 2, Administration of the Berkley City Code.
- 5) Second reading and adoption of City-initiated rezoning of PRZ01-26, 2429 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single

Family Residential District.

- 6) Second reading and adoption of City-initiated rezoning of PRZ-02-26, 2431 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District.
- 7) Second reading and adoption of City-initiated rezoning of PRZ-03-26, 2435 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District.
- 8) Second reading and adoption of City-initiated rezoning of PRZ-04-26, 2437 Franklin Road from R-1AB Single Family District to R-1CD Single Family Residential District.
- 9) Purchase of Neptune R900i water meters.
- 10) 2026 Summer Maintenance Agreement between the Road Commission for Oakland County and the City of Berkley.

REGULAR AGENDA

- 1) Recognitions or presentations from the Consent Agenda.
- 2) Berkley Art Bash Event.
- 3) Berkley Pride Festival.

COMMUNICATIONS

ADJOURN

Note: The City Of Berkley Will Provide Necessary Reasonable Auxiliary Aids And Services, Such As Signers For The Hearing Impaired And Verbal Representations Of Printed Materials Being Considered At The Meeting, To Individuals With Disabilities At The Meeting Upon Four Working Days' Notice To The City. Individuals With Disabilities Requiring Auxiliary Aids Or Services Should Contact The City By Writing Or Calling: Victoria Mitchell, ADA Contact, Berkley City Hall, 3338 Coolidge Highway, Berkley, MI 48072 (1-248-658-3310).

Note: Official Minutes Of City Council Meetings And Supporting Documents For Council Packets Are Available For Public Review In The City Clerk'S Office During Normal Working Hours. Anyone Wishing To Submit Correspondence To The Council Before The Meeting May Send An Email To Comment@Berkleymt.Gov By Noon On The Day Of The Meeting. Emails Sent Prior To The Deadline Will Be A Part Of The Meeting Record But Will Not Be Read During The Council Meeting.

THE SPECIAL BUDGET WORK SESSION OF THE FORTY-FIRST COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 5:30 PM ON WEDNESDAY, MARCH 25, 2026 BY MAYOR DEAN

PRESENT: Councilmember Steve Baker
Mayor Pro Tem Ross Gavin
Councilmember Dennis Hennen
Councilmember Gregory Patterson
Councilmember Gary Elrod
Mayor Bridget Dean

ABSENT: Councilmember Clarence Black

OTHER STAFF PRESENT:

City Manager Crystal VanVleck
City Clerk Victoria Mitchell
Finance Director Carl Johnson
Deputy Finance Director Ryan Shaw
Deputy City Manager of Public Services Shawn Young
Community Development Director Kristen Kapelanski
Library Director Matt Church
Chief Innovation Officer Stan Lisica
Downtown Development Director Nate Mack
Director of Communications Caitlin Flora
Executive Assistant to the City Manager Lydia Brauher

APPROVAL OF AGENDA

Councilmember Patterson moved to approve the Agenda
Seconded by Councilmember Baker
Ayes: Elrod, Gavin, Hennen, Patterson, Baker and Dean
Nays: None
Absent: Black
Motion Approved.

PUBLIC COMMENT

None.

REGULAR AGENDA

BUDGET WORK SESSION: Matter of a discussion of the proposed FY 2026/27 City of Berkley Budget:

1. Introduction
2. DDA
3. Information Technology
4. City Manager/City Council/Legal/CDBG
5. Human Resources
6. Building/Planning/Parking (Community Development)
7. Communications
8. Library
9. City Clerk

City Manager VanVleck opened the meeting and explained how the first night of the budget work sessions will run. She provided an overview of what will be discussed.

City Manager VanVleck said she is proud of Communications Director Caitlin Flora and the Finance Department team for continuing to improve the budget document.

Mayor Dean said this is the most readable and easy to get through budget document, followed by other accolades from city council members.

City Manager VanVleck noted that the materials reviewed would be made available to the public.

City Manager VanVleck and Finance Director Carl Johnson provided a relational overview of taxes:

- Taxable Value
- Assessed Value
- Mill Rate

City Manager VanVleck and Finance Director Johnson provided an overview of millages subject to Headlee Override and the breakdown of a tax bill:

- City of Berkley – 38%
- County, Community college, SMART, Art & Zoo – 19%
- Local Schools & SET – 43%

City Manager VanVleck and Finance Director Johnson provided an overview of the FY 2025-26 (Current Year) General Fund (\$4,706,988 fund balance – 27%):

- Revenue – Main Drivers
 - More accurate equipment rental allocation
 - Increase in property tax estimates
 - Other
 - Increase in sale of fixed assets
 - Donations offset by costs
 - Building permits
 - Court fines
- Expenditures – Main Drivers
 - Roll overs
 - Use FY 2025 budget surplus
 - Contractual wage increases
 - 911 Update – County mandate
 - PS pension increases

City Manager VanVleck provided a relational overview of revenues and expenditures throughout the 25-26 FY.

City Manager VanVleck and Finance Director Johnson discussed fund balances, including fund balance policy setting. They discussed:

- FY 2026-27 Council Approved vs. City Manager recommended
 - 16.6 mil council approved in 26/27
 - 17.34 mil city manager recommended 26/27

City Manager VanVleck and Finance Director Johnson discussed some of the changes from what was approved last year as year two to what is being presented tonight.

City Manager VanVleck provided an overview of the General Fund in graph format for revenues and expenses. A breakdown of the \$17 million general fund.

Downtown Development Authority (DDA) Executive Director Nate Mack Discussed:

DDA Budget

- Increased funding for façade and mural incentive programs

- Addition of part-time employee
- Strategic Plan update
- Downtown trolley to return
- Professional development increase for economic development certification

Executive Director Mack also discussed:

- Main Street program/approach
- Newer proposed initiatives
- Strategic plan update – 25k – not done since 2017
- Funding for façade program
- Mural program
- Continuing the flower basket program and everything else not mentioned will continue as is

Finance Director Johnson provided an overview of the DDA budget through the lens of the State Budget Act and went into detail of what comprises the property tax number.

Councilmember Baker commended Nate and the DDA on their thorough review. He said the DDA board thoroughly reviewed its budget before this hearing.

Chief Innovation Officer Stan Lisica Discussed:

Information Technology Budget

- Encrypted email system and design/plan review software
- Subscriptions (hardware and software) relatively stable
- Continued cybersecurity upgrades
- Computer replacement over 26/27 - 27/28 and server replacement
 - Hardware prices increasing due to tariffs and market volatility

A discussion about BS&A software and cybersecurity took place.

City Manager Crystal VanVleck Discussed:

City Manager Budget

- Includes the City Manager and Executive Assistant to the City Manager
 - New employee Lydia Brauher
- Budget includes Citywide Office Supplies – i.e. City Hall bulk supplies
- Budgeted for two staff in-service trainings and a leadership team building activity
- Contractual services – discuss during Communications (\$15k)

City Manager VanVleck further discussed:

- Strategic framework
- Gearing up for Coolidge
- Robust strategic plan update
- Creating a culture of holding employees accountable while empowering them

City Council Budget

- Added \$3k to Consultant for annual evaluation
- Meetings and conferences – discussion on preferred dollar amount and how to allocate funds
- Contractual Services
- Haven House donation removal

Legal Budget

- Labor

- Primary Attorney fees (prosecution, general City, copyright/trademark)
- General liability (MML claims)

City Manager VanVleck said this year, attorney fees will be heavy in the front. They are putting their eyes on everything. We will eventually have standards in place.

City Manager VanVleck said we have used the city attorney heavily on Freedom of Information Act (FOIA) requests as of late. Fifteen percent is FOIA. The vast amount of the expense is from requester Josh Hunter. She stated she received a phone call from another community who said Mr. Hunter is a great draw on their resources, as well.

Further discussion took place regarding FOIA.

City Manager VanVleck said she may have to come to council for a budget amendment. She said she will try extremely hard to keep within the budget and will come to Council before a decision is made regarding being off budget.

Discussion took place regarding worthwhile projects happening that require an upfront cost, but are worth it in the long run.

Community Development Block Grant (CDBG) Budget

- Revenue/Expenditure set annually based on the award amount
 - We requested \$90k for Community Park
- Projects are now awarded based on applications
 - No longer guaranteed project funding per year
- \$3,500: Yard Services
- \$3,500: Large Print Books

Finance Director Johnson explained CDBG and the changes in the program, including new restrictions. He explained the program administered through the County is moving toward a competitive bid type process. That means we could get \$0 or we could receive \$100k.

Finance Director Johnson said it is a net-zero account no matter what we do.

Further CDBG discussion took place.

HR

- Pre-employment physicals and psychological evaluations were moved from DPW and PS in to the HR budget
- Addition of Marathon health clinic incentive (\$100) per active, full time employee that receives their physical from the clinic
- The HR professional development budget was moved to meetings and conferences to avoid confusion with the City professional development budget.

City Manager VanVleck discussed the training budget. She said she would like to look for some more robust trainings.

Community Development Director Kristen Kapelanski Discussed:

Building/Planning/Parking (Community Development) Budget

Planning

- Contractual Services includes funding for Master Plan update
- Conference increased to allow for economic development conferences and training

A discussion took place regarding what proactive conversations the Community Development Department is having regarding data centers and/or detention centers. Director Kapelanski stated these items are not top priorities, but she would place them on her list and discuss the matters with Carlisle Wortman & Associates.

A discussion took place regarding Redevelopment Ready Communities certification.

Joint Planning Commission and City Council meeting prospects were discussed.

Building

- Large monitors added for clerks – transition to fully electronic plan review
- Code enforcement adjusted based on actual activity/cost

Discussions took place regarding:

- Paperless initiatives
- Changes in Code Enforcement
- Trade inspections

Parking Fund

- Slight increase in estimated revenue due to municipal lot permits
- \$1,600 annual costs

Communications Director Caitlin Flora Discussed:

Communications Budget

- Increased full time employees line item to transition part time communications assistant to full time during budget year
 - Accounts for both salary and benefit costs
- Contractual services line item includes new costs for ADA accessibility review of website and necessary updates
 - Required by April 2027
- Professional Development line item includes cost of attendance at Government Social Media Conference
- Rec'd Integration with Website
 - Residents can use the chatbot to ask questions and receive video updates from staff/AI-powered answers pulled directly from our site (example Milford)
 - Staff will receive a report each month tracking the questions our residents are most interest in, allowing us to identify and fix information gaps.

Further discussions took place regarding:

- PR firm support
- Website post-change audit

Library Director Matt Church Discussed:

Library Budget

- Building the study rooms has been fantastic! They are getting used every day and multiple times a day
- Library business is great and circulation is highest it has been in decades
- Replace remaining nine security cameras to complete the system upgrade
- Copier replacement pushed out to future fiscal year
- CIP Items:
 - Front entrance doors will be updated for improved operation
 - Carpet replacement pushed out to future fiscal year

Everyone expressed heartfelt thanks for what a jewel the library is for the community.

City Clerk Victoria Mitchell Discussed:

City Clerk's Office Budget

Elections:

- E-Pollbooks and line chasers were updated in FY 2025-26.
- The Clerk's Office is monitoring the mandatory purchase of new voter equipment, which the Governor's proposed FY 2026-27 budget includes funding for.

Clerk's Office Efficiencies:

- Software purchased in FY 2025-26 continues to automate City Council management, Boards & Commissions, website document storage, and FOIA, showing significant progress.

Administrative changes to reclassify expenditures:

- Budgeting for one additional election per fiscal year has been eliminated, reducing the Contractual Services fund.

Mayor Dean expressed gratitude to all of the directors and to City Manager VanVleck and Finance Director Johnson.

ADJOURNMENT:

Councilmember Patterson moved to adjourn the Special Budget Work Session at 8:24 PM

Seconded by Councilmember Elrod

Ayes: Gavin, Hennen, Patterson, Baker, Elrod and Dean

Nays: None

Absent: Black

Motion Approved.

Bridget Dean, Mayor

ATTEST:

Victoria Mitchell, City Clerk

**THE REGULAR MEETING OF THE FORTY-FIRST COUNCIL OF THE CITY OF BERKLEY, MICHIGAN
WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, MARCH 16, 2026 BY MAYOR DEAN**

PRESENT: Councilmember Steve Baker
Councilmember Clarence Black (attending remotely from military duty)
Councilmember Gary Elrod
Mayor Pro Tem Ross Gavin
Councilmember Gregory Patterson
Mayor Bridget Dean

ABSENT: Councilmember Dennis Hennen

OTHER STAFF PRESENT:

City Manager Crystal VanVleck
City Attorney Lisa Hamameh
City Clerk Victoria Mitchell
Community Development Director Kristen Kapelanski

APPROVAL OF AGENDA

Councilmember Baker moved to approve the agenda
Seconded by Mayor Pro Tem Gavin
Ayes: Black, Elrod, Gavin, Patterson, Baker and Dean
Nays: None
Absent: Hennen
Motion Approved.

The Mayor led a moment of silence for fallen Huntington Woods DPW employee Doug Chmiel.

PUBLIC COMMENT

Trenton Zylinski, Berkley resident, spoke regarding the condition of Columbia Road.

CONSENT AGENDA

Councilmember Baker moved to approve the following Consent Agenda
Seconded by Councilmember Elrod

M-27-26: Minutes of the 41st Regular City Council meeting on Monday, March 2, 2026 and Work Session meeting on Monday, March 2, 2026.

M-28-26: Warrant List No. 1420.

M-29-26: New Subsite UtiliGuard 2RTK line locator from Ditch Witch CO. of Howell, MI, in the amount of \$11,411.77.

O-02-26: Second reading and adoption of an ordinance of the City Council of the City of Berkley, Michigan, to amend Chapter 82, Article IX, Municipal Civil Infractions of the Berkley City Code to add a municipal civil infraction violations bureau and to further define and clarify the provisions in this Article.

O-03-26: Second reading and adoption of an ordinance of the City Council of the City of Berkley, Michigan, to amend Chapter 26, Article VII, Residential Grading and Drainage Standards, Section 26-336(c) to amend as built drawing procedures for single family residential new construction.

O-04-26: Second reading and adoption of an ordinance of the City Council of the City of Berkley, Michigan, to amend Section 130-79 of Chapter 130, Article III, Noxious Weeds, of the Berkley City Code.

O-05-26: Second reading and adoption of an ordinance of the City Council of the City of Berkley, Michigan, to amend Chapter 38, Article III, Snow Emergencies, Section 38-33 of the City of Berkley Code of Ordinances to amend locations where parking is prohibited during a snow emergency.

M-30-26: Consideration of a Development Agreement between AFB Woodward, LLC, AFB Woodward 2, LLC, and the City of Berkley to address issues arising from the inability to combine the parcels associated with The J on Woodward development and authorize the City Manager to execute the document on behalf of the City upon receipt of Mortgagee's consent.

R-05-26: Extension of Oath of Office for City Treasurer and the City's Certifying Assessor to take and file their oaths of office, pursuant to Section 8.2 of the City Charter.

Ayes: Elrod, Gavin, Patterson, Baker, Black and Dean

Nays: None

Absent: Hennen

Motion Approved.

Regular Agenda

RECOGNITIONS/PRESENTATIONS: Matter of receiving any recognitions or presentations from the Consent Agenda.

None.

Second reading and adoption of an ordinance of the City Council of the City of Berkley, Michigan, to amend Section 74-1 through 74-12 of Chapter 74, Noise, of the Berkley City Code to allow for the regulation of sound and sound emitting devices by providing specific definitions and measurable decibel and sound pressure levels, and to remove and modify redundant language and provisions.

Mayor Pro Tem Gavin moved to approve Ordinance No. O-01-26

Seconded by Councilmember Black

Ayes: Gavin, Patterson, Baker, Black, Elrod and Dean

Nays: None

Absent: Hennen

Motion Approved.

First reading of an ordinance of the City Council of the City of Berkley, Michigan, to amend Section 78-2 through 78-9 of Chapter 78, Nuisances, of the Berkley City Code to remove and modify redundant language and provisions and insert references to the municipal civil infractions' ordinance, where applicable.

Councilmember Patterson moved to approve Ordinance No. O-06-26

Seconded by Mayor Pro Tem Gavin

Ayes: Patterson, Baker, Black, Elrod, Gavin and Dean

Nays: None

Absent: Hennen

Motion Approved.

First reading of an ordinance of the City Council of the City of Berkley, Michigan, to amend Chapter 106, Streets, Sidewalks and Other Public Places, Article IV, Sidewalks, Division 2, Construction and Repair, Section 106-188, Bond Prerequisite to Issuance, of the City of Berkley Code to reduce the bond term to one year.

Councilmember Elrod moved to approve Ordinance No. O-07-26

Seconded by Councilmember Baker

Ayes: Baker, Black, Elrod, Gavin, Patterson and Dean

Nays: None

Absent: Hennen

Motion Approved.

First reading of an ordinance of the City Council of the City of Berkley, Michigan, to amend Section 2-2 of Chapter 2, Administration of the Berkley City Code to clarify the authority to issue appearance tickets. Councilmember Patterson moved to approve Ordinance No. O-08-26

Seconded by Councilmember Elrod

Ayes: Black, Elrod, Gavin, Patterson, Baker and Dean

Nays: None

Absent: Hennen

Motion Approved.

City-initiated rezoning of PRZ01-26, 2429 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning (is/is not) consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning (is/is not) compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district (are/are not) compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There (is/is not) adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There (is/is not) demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Mayor Pro Tem Gavin moved to approve Motion No. M-32-26

Seconded by Councilmember Patterson

Ayes: Elrod, Gavin, Patterson, Baker, Black and Dean

Nays: None

Absent: Hennen

Motion Approved.

City-initiated rezoning of PRZ-02-26, 2431 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning (is/is not) consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning (is/is not) compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district (are/are not) compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There (is/is not) adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There (is/is not) demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Councilmember Elrod moved to approve Motion No. M-33-26

Seconded by Mayor Pro Tem Gavin

Ayes: Gavin, Patterson, Baker, Black, Elrod and Dean

Nays: None

Absent: Hennen

Motion Approved.

City-initiated rezoning of PRZ-03-26, 2435 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning (is/is not) consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning (is/is not) compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district (are/are not) compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There (is/is not) adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There (is/is not) demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Councilmember Patterson moved to approve Motion No. M-34-26

Seconded by Councilmember Elrod

Ayes: Patterson, Baker, Black, Elrod, Gavin and Dean

Nays: None

Absent: Hennen

Motion Approved.

City-initiated rezoning of PRZ-04-26, 2437 Franklin Road from R-1AB Single Family District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning (is/is not) consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning (is/is not) compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district (are/are not) compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There (is/is not) adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There (is/is not) demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Councilmember Baker moved to approve Motion No. M-35-26

Seconded by Councilmember Black

Ayes: Baker, Black, Elrod, Gavin, Patterson and Dean

Nays: None

Absent: Hennen

Motion Approved.

COMMUNICATIONS:

COUNCILMEMBER BLACK

- Asked everyone that could hear him for awesome prayers.
- Obviously, Operation Epic Fury is very front and center. Encouraged everyone to remember that there are a lot of families that are grieving and hurting. He asked that everyone keep our service members in their thoughts and prayers as they try to get through the difficulty that is this operation and conflict.

COUNCILMEMBER ELROD

- The Environmental Advisory Committee's next meeting is Tuesday, March 17th at 6:30 PM in the second-floor conference room of the Public Safety building.
- The Beautification Advisory Committee's next meeting is Wednesday, March 25th at 6:30 PM in the second-floor conference room of the Public Safety building.

Stated that he wanted to build on what Councilmember Black brought up about some of the larger world events that are affecting us all. Today he had the unfortunate privilege to attend a funeral mass of a person who had a long and abundant life, and it was more than this was a celebration. He said that he is not someone of great faith, but something did happen during the service where the pastor was speaking about the person's exit from this world. The sky lit up to the point where we all caught ourselves looking up and thinking that it was something that had been done from within the church itself, but it was just the sunlight coming out. He said that the cynic in him would say that it was just a coincidence, but it really moved him. While we're going through all these troubling times, there are these little special moments that we can look to.

COUNCILMEMBER BAKER

- The Berkley Historical Committee did not meet last Tuesday.
 - Please visit in person or go to berkeleyhistory.com.
- The Downtown Development Authority board meets next on Wednesday, March 11th.
 - They met last week, and Community Development Director Kristen Kapelanski provided a fantastic report on how the DDA and its master plan align with the city's master plan and the goals and objectives. There was also a tremendous conversation about a policy on distributing bistro tables and chairs to the businesses, and a vote to recommend that the BOSS social district be expanded. They also reviewed their budget recommendations that Council will be discussing in earnest in the weeks ahead.
 - Visit downtownberkeley.com to learn more about exhibits and events.
- Edward Teller said, "The science of today is the technology of tomorrow."
- Congratulated the Berkley Robotics Team Da Bears 247, who over the weekend opened the 2026 season strong. They competed at Wood Haven High School and brought home two major awards. The team fought through the playoff bracket to reach the finals, and they finished as finalists in the second overall. They also earned the Rising All-Star Award, which recognizes the team's impressive growth and culture shift under the new leadership. This success came despite major challenges this season, including having no dedicated build space until one week before kickoff. And for that, they want to thank the dedicated students, mentors, sponsors, and the strong community support. So check out the robotics program. It is fantastic.
- Please hug somebody you love.

MAYOR PRO TEM GAVIN

- Brief update from the Berkley Chamber:
 - March 20th from 8:30 to 9:30 AM will be the March Chamber chat at Reveal Salon and Beauty on 12 Mile.
 - The next meeting of the Berkley Chamber of Commerce is tomorrow at 5:30 PM at the Library.
- Speaking of the Library, the Friends are currently accepting book and media donations for their book sale in May. People can drop them off anytime the Library is open.
 - March is also Friends of the Library membership month. Encouraged folks to join if you aren't a member already, renew if you are, to help the friends support the Library.
 - The next meeting of the Library board will be the next day, March 18th at 7 PM at the Library.
- Said that he had the good fortune to go to the Michigan Municipal League conference. It was a great conference as always; he stated that he really enjoyed the sessions on storm water management and transportation funding, among others. It's always a pleasure to see other colleagues from around the state.
- Wished everyone a happy St. Patrick's Day tomorrow.

COUNCILMEMBER PATTERSON

- Greeted Councilmember Black and said that it's great to see him on the screen and hear his voice, stay safe there.
- The Parks and Recreation Advisory Board met last week:

- They're working on their bylaws for our new process and goals. They talked about Winterfest, maybe moving the date permanently, because the weather was great and the participation was fantastic. They've almost finalized a place for the Steelers to play and practice.
- The Zoning Board of Appeals also met last week.
 - They approved two variances: one for parking on Woodward so the tattoo shop can put a handicap accessible chair in, and then one residential for sideyard setbacks and between adjacent dwelling setbacks. Thanked the Planning Commission for doing those public hearings.
- Stated that the new Council packet is really nice and easy to follow, thanked those who worked on it.

CITY MANAGER VANVLECK

- The Michigan Municipal League is our statewide organization that provides resources to municipal government, professional development opportunities, and advocacy, among quite a few other things. Our city council has a long history of involvement with MML. All of our council members have attended conferences; each of our council members has attended the newly elected officials training. Councilmember Hennen currently serves as an MML trustee. At the most recent conference, Mayor Dean was asked to speak on a panel on lobbying.
 - Stated that she thinks it's important that the involvement is noted because it elevates Berkley and there are a lot of networking opportunities. It allows our councilmembers to come back with innovative ideas and an understanding of the kinds of issues that not just we're facing, but other municipalities are facing.
- A small reminder for anyone who's interested, budget work sessions will be held next week on Wednesday and Thursday, March 25th and 26th at 5:30 PM in the Public Safety conference room.
- Expressed her appreciation and admiration for both Berkley's Public Safety and Department of Public Works employees.
 - Last week, unfortunately, our Public Safety was again part of a group who ran towards the danger while the rest of us hoped for the best.
 - Another community had a fatality, and it reminds us that our department of Public Works employees are also putting their lives on the line. It's just what they do every day; they go out there to help the community; there is a risk involved.

CITY ATTORNEY HAMAMEH

- No updates.

MAYOR DEAN

- Said that she is truly appreciative of the opportunity to go to MML conferences. Stated that she always comes back with a different idea or a fresh perspective. It's rejuvenating to talk to your counterparts across the state and a lot of times you're experiencing very similar issues, challenges, situations and it's nice to be able to get support from one another and hear new ideas.
- Much like the mutual aid agreements that Public Safety has with our surrounding communities, public services have a similar agreement with the South Oakland County Water Association (SOCWA) communities; that was enacted over the weekend.
- Thanked our Department of Public Works and our Public Safety department for assisting Huntington Woods, not only during the storm, but in the wake of the horrible tragedy that unfolded. Also thanked Communications Director, Caitlin Flora, for offering her assistance and helping with the communication and the press release.
- Her next stop on the Mayor's Road Show is Mother Handsome on Saturday, March 28th from 11 to 1 PM, but this one's a little different because she's invited Oak Park Mayor Marian McClellan to join. So, it'll not be Meet Your Mayor, but Meet Your Mayors. Bring your questions, comments, concerns. We always like to know what we're doing well and what we could be doing better.

ADJOURNMENT:

Councilmember Patterson moved to adjourn the Regular Meeting at 7:45 PM

Seconded by Mayor Pro Tem Gavin
Ayes: Elrod, Gavin, Patterson, Baker, Black and Dean
Nays: None
Absent: Hennen
Motion Approved.

Bridget Dean, Mayor

ATTEST:

Victoria Mitchell, City Clerk

DRAFT

THE JOINT MEETING OF THE PLANNING COMMISSION AND FORTY-FIRST COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 5:30 PM ON MONDAY, MARCH 16, 2026 BY MAYOR DEAN

PRESENT: Councilmember Steve Baker
Councilmember Clarence Black (attending remotely due to military duty)
Councilmember Gary Elrod
Mayor Pro Tem Gavin
Councilmember Gregory Patterson
Mayor Bridget Dean
Planning Commissioner Joseph Bartus
Planning Commissioner Shiloh Dahlin
Planning Commissioner Dana Kaplan
Planning Commissioner Josh Stapp
Planning Commissioner Eric Arnsman

ABSENT: Councilmember Dennis Hennen
Planning Commissioner Michael Woods
Planning Chair Lisa Kempner

OTHER STAFF PRESENT:

City Manager Crystal VanVleck
City Clerk Victoria Mitchell
City Attorney Lisa Hamameh
Community Development Director Kristen Kapelanski

APPROVAL OF AGENDA

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

PUBLIC COMMENT

None.

REGULAR AGENDA

Special Land Use Training.

Community Development Director Kristen Kapelanski introduced Megan Masson-Minock, Carlisle Wortman Associates principal, and said she will be conducting Special Land Use training.

Agenda:

- What makes a special land use special?
- Making effective decisions and findings
- Risk management

WHAT MAKES A SPECIAL LAND USE SPECIAL

Statutory Authority

Zoning:

- Michigan Zoning Enabling Act
 - Section 502
 - Legislative body *may* provide for special land uses in a zoning district. If so, must specify:
 - Special land uses and activities eligible for approval
 - The body or official responsible for reviewing and granting approval
 - The requirements and standards for approval
 - The procedures and supporting materials required
 - Public hearing required when a discretionary decision:
 - Notice in newspaper and mailed to property within 300 feet
 - Must happen before decision is made
 - Body or official may deny, approve, or approve with conditions:
 - Decision incorporated in a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed

Masson-Minock placed emphasis on a public hearing is required when a discretionary decision is made.

Masson-Minock reviewed statements of findings and specifics when conditions are involved.

- Public Act 110 of 2006 (MCL 125.3101 et seq)
- City of Berkley Zoning Ordinance
 - Special land uses in each zoning district (Article 10)
 - Planning commission recommends and City Council makes the final decision
 - Conditions of approval – Sec. 10.04
 - Process and supporting materials – Section 10.02 to Section 10.5
 - Public hearing with notice for Planning Commission & City Council
 - City Council: table, approve, approve with conditions, deny, postpone

The Special Land Use Process:

- Staff:
 - Pre-application meeting
 - Application submission
 - Technical review
 - Other including planning, zoning, DPW, etc.
- Planning Commission:
 - Public Hearing
 - Recommendation
- City Council:
 - Public Hearing
 - Decision

Special Land Use Standards

Section 10.03

- The Planning Commission must consider all of the following general standards, and any standards established for a specific use when reviewing a special use request. (Must meet ALL of the standards and if doesn't, must think about denial)

Section 10.03.A

- Compatibility with Adjacent Uses
 - The special land use must be designed and constructed in a manner harmonious with the character of adjacent properties and the surrounding area, as compared to the impacts of permitted uses.

Section 10.03.B

- Compatibility with the Master Plan
 - The proposed Special Land Use must be compatible and in accordance with the goals and objectives of the City of Berkley Master Plan and any associated sub-area and corridor plans, including the Downtown Master Plan.

Section 10.03.C

- Traffic Impact
 - The proposed Special Land Use must be located and designed in a manner that will minimize the impact of traffic, taking into consideration the following:
 - Impact on ... pedestrians, mass transit, construction, maps, loading and unloading, street capacity, traffic flow, etc.
 - Efforts must be made to ensure that multiple transportation modes are safely and effectively accommodated in an effort to provide alternate mode of access and alleviate vehicular traffic congestion.

Masson-Minock went into further detail on traffic studies. She explained often traffic studies look at capacity and not safety. She said often staff has to come in and ask if it is safe.

City Attorney Hamameh explained a lot of times you get a traffic study that says its fine, but a Planning Commission (PC) or City Council does have discretion to determine other factors such as safety.

Section 10.03.D

- Impact on Public Services
 - The proposed Special Land Use must be adequately served by essential public facilities and services, such as:
 - Parks, cyclists, schools, emergency services, etc.
 - Such services must be provided and accommodated without an unreasonable public burden.

Section 10.03.E

- Compliance with Zoning Ordinance Standards
 - The proposed Special Land Use must be designed, constructed, operated, and maintained to meet the stated intent of the zoning districts and must comply with all applicable ordinance standards.

Section 10.03.F

- Impact on the overall environment
 - The proposed Special Land Use must not unreasonably impact the quality of natural features and the environment in comparison to the impacts associated with the typical permitted uses.

Section 10.03.G

- Special Land Use Approval Specific Requirements
 - The general standards and requirements of this Section are basic to all uses authorized by Special Land Use Approval. The specific and detailed requirements relating to particular uses and area requirements must also be satisfied for those uses.

Special Land Use Standards Section 10.03.H

- The following factors must also be considered by the PC when reviewing a special land use request:
 - Factors like hours of operation, if noisy then testing before and after for noise, look at other limitations that link back to a rule. They can't be arbitrary. The condition has to link to the standard and could be regulated.

MAKING EFFECTIVE DECISIONS (AND FINDINGS)

Elements of effective decisions:

- Expect complete information
- Be prepared
- Conduct orderly meetings
- Deliberate properly
- Document decisions

Preparation:

- Conduct a site visit
 - Don't always rely on google maps
 - Don't go on private property
- Avoid "ex parte" contacts
 - You don't want to know more than your colleagues. You want to have equal information
 - Ex: Don't interview neighbors, etc.
- Review Materials
 - Planner and other professional reports
 - Application and plans
 - Ordinance requirements
- Ask questions

Site Visits:

- Dos:
 - Look at the plans beforehand
 - Have a list of things to look at on the site visit
 - Observe the site from the street or public property
 - Look at the character of the surrounding area
 - Look at the site using Google Street View or Oakland County parcel viewer
 - Ask staff for assistance
- Don'ts:
 - Trespass on the applicant's property or any other private property
 - Talk with the applicant or the neighbors about the case – "Ex Parte" discussion

General Meeting Rules

- Keep order
- Stay on subject
- Eliminate misunderstanding of outcomes
- Maintain fairness during deliberation
- Deliberation process
 - Rules for Speakers
 - Degree of formality
 - Comments through the Chair
 - Speaking time should adhere to Rules of Procedure
 - Rules for Speakers
 - Comments through the Chair
 - Deliberate in the open
 - Express opinions
 - Use ordinance standards for decisions
- Decisions and Motions
 - A motion is a formal proposal by a member
 - Types of motions include Main and Secondary
 - Main motion brings subject to the floor and are amendable and debatable
 - Secondary motion modifies a main motion and may be amenable and debatable
 - Common secondary motions: amendment and recess
- Debate: Limits
 - Chair must recognize speaker
 - Cannot speak or carry on side conversation while another is speaking
 - Common modifiers to speaking order
 - Maker of motion speaks first

- No member permitted to speak twice until each member has the opportunity to speak
- Debate: Protocol
 - Stick to the subject
 - Debate issues and not personalities
 - Use formal speech such as “Mr. Smith” and not “Joe” or “Madam Chair” and not “Betty”
 - Motion to limit or extend limits on debate possible
 - Motion to immediately close debate possible
- Meeting Etiquette
 - Face of the City
 - Respect each other and the public
 - Treat all fairly
 - Keep actions simple and understandable
- Delays
 - Appropriate:
 - Incomplete application
 - Extensive changes necessary to comply with ordinance standards
 - Applicant requests delay in writing
 - When necessary information from an agency or the applicant has not been received
 - Not appropriate:
 - When receipt of another agency permit can be handled as a condition
 - Minor changes to the plan are required which will not affect site layout and can be handled as a condition (e.g., variance request for a larger sign)
- Motions
 - Phrase motions carefully to withstand scrutiny by a court
 - Ensure everyone is clear on motion
 - Reference relevant sections of ordinance and reports
 - Conditions may be imposed on a special land use decision
- Motion Musts
 - Special Land Use name and number
 - Site Plan name and number attached to the Special Land Use
 - Date of plan (including revision dates)
 - The result (approved, approved with conditions, denied, tabled)
 - Findings supporting action(s) taken
 - Any conditions (with timetables, if applicable)
 - Who will verify conditions are met (if applicable)
- Conditions
 - May be attached to any affirmative decision
 - Must be reasonable and bear a relationship to the review standards

Masson-Minock discussed when to attach a condition to an approval. She said to consider the request without the condition. She said if the condition was not attached to the decision, would the review standards be met? If not, then a condition can be attached.

General Zoning Principles

- Right to control land use decision is not absolute
- The rights to the public must be weighed against the rights of individuals
 - Reasonable use of their property; and
 - Reasonable economic return
- Zoning Ordinance must be fair and reasonable
 - It must not be arbitrary
- A good Master Plan is a good defense in zoning litigation
- Zoning ordinances should not exclude otherwise lawful uses
 - There are exceptions to this rule

A discussion took place regarding material changes and postponements.

- Zoning ordinances should not exclude otherwise lawful uses
 - Following procedure matters. Adhere to the letter of the requirements of the ZEA and the local ordinance
 - Require applicants seeking zoning relief to follow procedure. Sometimes applicants want to skip steps, but you have procedures for a reason
 - Deal with zoning issues in a prompt manner
- Make sure all zoning decisions are made in open meetings
- Do not express an opinion regarding a pending zoning decision until all the facts have been received in open meeting; to do otherwise is to deprive the applicant of the right to a fair hearing and invite litigation
- When making a decision, make sure it is supported by competent evidence
 - Create a good record
- Experts provide an invaluable service to the City at every stage of the zoning process
 - Their expertise and guidance can be crucial in zoning litigation
 - Whenever there is an issue that appears to be generating controversy, they should be consulted early in the process

A discussion took place regarding to whom the project questions should be directed. It was stated that all questions regarding a project should be directed to city staff. That stands for city council members and planning commissioners.

RISK MANAGEMENT

- You can't avoid litigation
- You can manage risk and liability exposure by:
 - Using consistent rules and procedures
 - Treating everyone fairly and consistently
 - Avoiding conflicts of interest
 - Keeping accurate and complete records
- Risk Management: Conflict of Interest
 - Identification
 - You are the applicant
 - Relative
 - Business associate
 - If you have to ask ...
 - Procedure
 - State nature of conflict
 - Request to abstain from discussion and voting
 - Must be approved by the body
 - Minutes should reflect abstention and reason
- Zoning must provide a reasonable use
- The use need not be the most profitable
- Support your decision with findings based on review standards
- Follow proper procedures
- Case law: In state and federal courts is still emerging

ADJOURNMENT:

Councilmember Patterson moved to adjourn the Work Session at 6:33 PM

Seconded by Councilmember Baker

Ayes: Elrod, Gavin, Patterson, Baker, Black, Dean, Bartus, Dahlin,

Kaplan, Stapp and Arnsman

Nays: None

Absent: Hennen, Woods and Kempner

Motion Approved.

Bridget Dean, Mayor

ATTEST:

Victoria Mitchell, City Clerk

DRAFT

THE SPECIAL BUDGET WORK SESSION OF THE FORTY-FIRST COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 5:30 PM ON THURSDAY, MARCH 26, 2026 BY MAYOR DEAN

PRESENT: Councilmember Gary Elrod
Mayor Pro Tem Ross Gavin
Councilmember Dennis Hennen
Councilmember Gregory Patterson
Mayor Bridget Dean

ABSENT: Councilmember Clarence Black
Councilmember Steve Baker

OTHER STAFF PRESENT:

City Manager Crystal VanVleck
City Clerk Victoria Mitchell
Finance Director Carl Johnson
Deputy Finance Director Ryan Shaw
Deputy City Manager of Public Services Shawn Young
Public Safety Director Matt Koehn
Public Safety Lt. Corey Miller
Public Safety Administrative Assistant/Records Amy Leigh
Parks & Recreation Superintendent Dan McMinn
Facilities Manager Alex Brown
Department of Public Works Superintendent Adam Wozniak
Executive Assistant to the City Manager Lydia Brauher

APPROVAL OF AGENDA

Councilmember Patterson moved to approve the agenda
Seconded by Mayor Pro Tem Gavin
Ayes: Elrod, Gavin, Hennen, Patterson and Dean
Nays: None
Absent: Baker and Black
Motion Approved.

PUBLIC COMMENT

None.

REGULAR AGENDA

BUDGET WORK SESSION: Matter of a discussion of the proposed FY 2026/27 City of Berkley Budget:

1. Facilities
2. Finance/Treasury/Public Improvement
3. Parks & Rec/Senior Activities
4. DPW (Public Works, Garage, Streets, MS, LS, W&S, Infrastructure, Community Field, Sidewalks, Solid Waste)
5. Public Safety (Admin, Dispatch, Operations, Animal Control, Opioid Settlement)

City Manager Crystal VanVleck and Finance Director Carl Johnson provided an overview of the Capital Improvement Project (CIP) by fund for FY 26/27.

Overview of CIP by Capital Outlay Type: FY 26/27

- Vehicles
- Technology

- Machinery & Equipment
- Roads
- Sidewalks & Pathways
- Storm Sewer & Drainage
- Water Distribution
- Parks, Recreation, & Cultural Services
- Buildings & Property

City Manager VanVleck and Finance Director Johnson provided an overview of equipment cost increases:
Vehicles

- 2020 - \$35,212
- 2023 - \$40,479
- 2026 - \$50,891

Weapons and ammunition

- 2020 - \$41,850
- 2023 - \$45,800
- 2026 - \$55,300

Fire helmet

- 2018 - \$280
- 2025 - \$576

Uniforms

- 2020 - \$47,550
- 2023 - \$65,000
- 2026 - \$67,300

Planned fire engine replacement

- 2018 - \$580,000-\$650,000
- 2025 - \$1mill-\$1.2mill

Firefighter turnout gear

- 2018 - \$2,270
- 2025 - \$4,061

Facilities Manager Alex Brown Discussed:

Facilities Budget

- Increased budgets for building maintenance. HVAC repairs are increasing as equipment ages
- Day-to-day operation costs have risen and that is reflected in the budget. Focus on preventative maintenance
- Landscaping/tree trimming for all city buildings
- Painting, carpet, tube heater and other smaller improvements, all included in current operating budgets
- CIP items:
 - Library doors being moved to 2026 due to worsening condition
 - DPW backup generator upgrade
 - Library parking lot
 - Tennis court rehab

City Manager VanVleck discussed the Energy-revolving fund. She said as the City opens its strategic plan process, one of the priorities will be creating a broader sustainability plan.

A discussion took place regarding throwing good money at bad buildings. City Hall was discussed. It is not a functional building. Appreciation was expressed for Mr. Brown's preventative maintenance plan.

A discussion took place regarding asset management software. A presentation at a future City Council meeting was discussed.

Finance Director Carl Johnson Discussed:

Finance/Treasury Budget

Finance

- Salaries and wages increased – department now fully staffed
- New assessing contract with private firm (administered through Finance)
- Overall decrease in department costs

Treasury

- Salaries and wages decreased – consolidation of treasurer/finance director role and elimination of part-time position
- Tax and assessing functions being brought in-house from County

Parks & Recreation Superintendent Dan McMinn Discussed:

Parks & Rec/Senior Activities Budget

- CDBG Snow Removal Supplement
 - Money received from CDBG funding no longer funds an entire year of snow removal based on previous winters
- Sponsorship
 - New sponsorship guide provides an opportunity to showcase all of our events throughout the year. Has already made a difference bringing in new sponsors
- Programming Highlights
 - Youth/Adult
 - Kindermusik, Improved drop-in play, Zumba drop-in classes
- Day Camp
 - Two camps sold out within 15 minutes of registration opening. Added additional spaces from waitlist
- Seniors
 - Additional Day of Senior Exercise, Senior Hangout, Tom Katz Square Dancing Club

Mr. McMinn further discussed:

- New programming and exploration of partnership opportunities with the school district
- Updates to the meeting rooms and kitchen. First up is the large conference room, and next would be the senior activities room

Finance Director Johnson explained:

- Senior Activities Fund. He talked about the fund balance and its relation to upgrades.
- Recreation Revolving Fund
 - It is separate from the General Fund, however receives funding from the General Fund
 - Revenues and appropriations detail

Deputy City Manager of Public Services Shawn Young and Department of Public Works Superintendent Adam Wozniak Discussed:

DPW (Public Works, Garage, Streets, MS, LS, W&S, Infrastructure, Community Field, Sidewalks, Solid Waste) Budget

City Manager VanVleck and Finance Director Johnson began with an overview:

- Summary of Street Funds – Major Streets and Local Streets
- Reviewed estimated revenues, appropriations, other financing sources, resulting in net revenue, appropriations and other financing sources

- Detail on how these funds operate and how they interrelate
- Shifting gears once the lead line replacement mandates were issued. Lead line replacement is an EPA mandate
- Funding shift from road repairs to lead line replacement
- Two years ago the City had negative \$1 mill in the sewer fund. That increased to positive \$100k and now we are at \$1.9 mill.

Public Works Major, Local & Infrastructure Fund

- Bacon Avenue water main and road replacement: targeted start date spring of 2026
- Harvard Road (tentative) water main and road replacement: targeted start date of 2027
- Wakefield Road (tentative) water main and road replacement: targeted start date of 2028

Public Works Water & Sewer Fund

- Lead Service Line Replacement Program - \$1 million/year
- Sewer Lining Program - \$600k/year
- Roughly 1,000 replacement water meters annually

Additional discussion took place regarding:

- Aging Water Main Infrastructure
 - A map was shown indicating all of the water main breaks in the city for the past 25 years.

Public Works Water & Sewer Fund

Utility Rates

- We will see an estimated 7.5% increase (storm/water/sewage) – SOCWA, GLWA, and WRC
- Infrastructure needs far exceed our resources
- Proposed 2026 Increase (8% variable)
- Chart showing 15 Units (average residential)
- Discussed how to understand your water bill

Public Works Solid Waste

- Continuation of curbside leaf collection program
- Continuation of bi-weekly curbside brush pickup program
- Increase in quality and cost for “free compost” provided to our residents

Public Works Sidewalk Fund

This fund is used to account for any special assessment sidewalk projects within the City. Special assessment revenue will be collected to offset the actual construction and engineering expenditures of sidewalk projects.

- Sidewalk replacements across the city were completed a few years ago
- An undetermined variation of the original program would begin in FY 26/27

There was a discussion on Community Field 1. Rental fees will be utilized to maintain and improve the field.

Public Works General Fund

- Continued operations as a combined public service model
- CIP items: equipment replacement based on lifecycles and operational efficiencies

The DPW capital equipment replacement plan (CERP) was reviewed and discussed.

Public Safety Director Matt Koehn Discussed:

Public Safety Budget

- Continue to leverage shared services, mutual aid, automatic aid, and relationships with our local, county, state, and federal law enforcement and fire partners as a force multiplier to assist in keeping our residents, businesses, and visitors safe.

- Continue to prioritize succession planning to prepare for upcoming retirements and strengthen supervision of newly hired PSOs, many of whom have limited prior experience. Key initiatives include:
 - Filling the long-vacant Deputy Director position to enhance leadership capacity
 - Temporarily adding a Sergeant position within the Detective Bureau, allowing the current SRO Sergeant to remain assigned to Berkley Schools (with the additional cost offset by the school district)
 - Filling the long-vacant FOIA Technician position and expanding the use of civilian staff, allowing sworn personnel to focus on core public safety functions

Director Koehn said these priorities ensure continuity of leadership while improving supervision and operational efficiency across the department.

- DPS continues to expand the use of technology to enhance efficiency and effectiveness, improve documentation, reduce liability, and strengthen training
- As DPS continues to fill open positions and move toward full staffing, the K-9 program will be reimplemented using previously donated funds, with no cost to the City
- CIP Items:
 - Ford Police Interceptor Utility including Police Grappler Bumper (replacement)
 - A police grappler is a device that attaches the front bumper of the police car to the rear wheel of another vehicle, by way of heavy-duty nylon straps and is used during a police pursuit to slow and stop a fleeing vehicle (video demonstration)
 - Ford Police Interceptor Utility (replacement)
 - Enclosed trailer for UTV vehicle/equipment transport

Opioid Settlement

- Funding for a ride-along mental health professional
- Director Koehn is looking for a good partner – split costs
- Prioritization was discussed

Mayor Dean thanked the Public Safety Department and lauded the cooperation and mutual respect that is evident.

City Manager VanVleck and Finance Director Johnson Discussed:

Public Improvement Budget

- Adding an additional \$220k into the fund this year – total of \$470k into the fund in FY25/26
- Budgeted no contribution in FY 26/27 – surplus over targeted FB here
- Movement of capital items here

Finance Director Johnson discussed with council members how they would like this fund accounted for – either public improvement fund or general fund.

Mayor Dean expressed gratitude to all of the directors and to City Manager VanVleck and Finance Director Johnson.

ADJOURNMENT:

Councilmember Patterson moved to adjourn the Special Meeting at 9:19 PM

Seconded by Councilmember Hennen

Ayes: Gavin, Hennen, Patterson, Elrod and Dean

Nays: None

Absent: Baker and Black

Motion Approved.

Bridget Dean, Mayor

ATTEST:

Victoria Mitchell, City Clerk

DRAFT



MEMORANDUM

To: Mayor Dean and City Council
From: Kristen Kapelanski
Date: April 6, 2026
Subject: Second reading and adoption of an ordinance of the City Council of the City of Berkley, Michigan, to amend Section 78-2 through 78-9 of Chapter 78, Nuisances, of the Berkley City Code.

Madam Mayor and Members of City Council,

Background

- Chapter 78 of the City Code provides regulations for nuisances.
- The City Council recently approved the first reading of an update to the City Code standards regulating code enforcement actions.
- The City Council recently approved the first reading of an update to the noise regulations in the City Code.

Summary

- The proposed amendment includes changes to reference the new code enforcement process.
- The proposed amendment removes references to noises as a nuisance since specific noise standards are provided elsewhere in the City Code.
- At the request of the Public Safety Department, false alarms have been removed as a nuisance. This is not enforced.
- The City Council approved the first reading of the ordinance on March 16, 2026.

Recommendation

Motion to (approve/deny/postpone) the second reading and adoption of the City Council of the City of Berkley, Michigan, to amend Section 78-2 through 78-9 of Chapter 78, Nuisances, of the Berkley City Code to remove and modify redundant language and provisions and insert references to the municipal civil infractions' ordinance, where

applicable.

AN ORDINANCE
of the City Council of the City of Berkley, Michigan, to amend Section 78-2
through Section 78-9 of Chapter 78, Nuisances, of the Berkley City Code to
remove and modify redundant language and provisions and insert references to
the municipal civil infractions' ordinance, where applicable.

THE CITY OF BERKLEY ORDAINS:

CHAPTER 78 – NUISANCES

ARTICLE I – AMENDMENT.

Section 78-2 through Section 78-9 of the Berkley City Code is amended to remove and modify redundant language, and provisions and insert references to the municipal civil infractions' ordinance, where applicable, as follows:

Sec. 78-2. - Illustrative enumeration.

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions are hereby declared to be and constitute a nuisance; provided, however, that this enumeration will not be deemed or construed to be conclusive, limiting or restrictive:

- (1) Noxious weeds and other rank vegetation.
- (2) The storage upon any property of building materials unless there is in force a valid building permit issued by the city for construction upon such property and such building materials are intended for use in connection with such construction; building materials will include, but will not be limited to, lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, shingles, mortar, concrete or cement, nails, screws, or any other materials used in constructing any structure (all unused building materials will be removed from the premises by the contractor prior to issuance of any occupancy permit or final acceptance by the building inspector).
- (3) The storage or accumulation of junk, trash, rubbish or refuse of any kind, except domestic refuse stored in such a manner as not to create a nuisance. The term "junk" will include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open, remnants of wood, metal or any other material or other castoff material of any kind whether or not the material could be put to any reasonable use.
- (4) Storage on any property of junk vehicles except in a completely enclosed building; for the purpose of this chapter the term "junk vehicles" will include any motor vehicle which is inoperative for any reason such as being in a state of

disassembly, disrepair, stripped, dismantled, unregistered or unlicensed. No vehicle will undergo major overhaul or body work in a residential district of this city.

(5) The outdoor or open storage of any salable material, equipment or merchandise on any property, where such open storage is permitted in this city, will be placed, stored or stacked in such a manner that it is not dangerous to human life or otherwise hazardous to the general public safety or welfare. If such hazardous conditions exist they are hereby deemed to be a public nuisance and unsafe and the city manager or their ~~his~~-designee will cause immediate compliance to remove the unsafe conditions. Further, the outdoor or open storage of any material, equipment, products, or merchandise on any property in this city, where such storage is permitted, will be screened from public view, from a public street, and from adjoining properties not of a similar nature, by an enclosure consisting of an obscuring wall, as approved by the building inspector, so as to reduce or mitigate any blighting effects on the surrounding area.

(6) The existence of any structure or damaged partial structure which because of fire, wind or other natural disaster, or physical deterioration is no longer habitable if a dwelling, nor useful of any other purpose for which it may have been intended.

(7) The existence of any vacant building, garage or other outbuilding unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals.

(8) The existence of any incomplete structures unless such structure is in the course of construction in accordance with a valid and subsisting building permit issued by the city. ~~and unless such construction is completed within a reasonable time.~~

(9) Any condition which provides harborage for rats, mice, snakes and other vermin.

(10) Any building material, containers, machinery, junk, raw materials, and similar items will be stored on a paved surface or at least 18 inches above the ground, to prevent harborage for rats, mice, snakes and other vermin.

~~(11) All unnecessary or unauthorized noises and annoying vibrations, including animal noises.~~

(1~~1~~2) All disagreeable or obnoxious odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stenches.

(1~~2~~3) The carcasses of animals or fowl not disposed of within a reasonable time after death.

(134) The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, dead animals, creamery, industrial wastes or other substances.

(145) Any building, structure or other place or location where any activity which is in violation of local, state or federal law is conducted, performed or maintained.

(156) Any accumulation of stagnant water permitted or maintained on any lot or piece of ground.

(167) Dense smoke, noxious fumes, gas, soot or cinders, in unreasonable quantities.

~~(18) Any public safety alarm system the activation of which has resulted in four or more false alarms in a calendar year.~~

(179) No person will feed wild birds other than by means of bird feeders elevated at least 48 inches above the ground levels. Birdfeeders will be designed to be "rodent proof" or will be properly installed with tray and baffle to prevent spillage onto the ground. No more than five birdfeeders may be placed on a lot or property.

(1820) Properties will be kept free of dog droppings, uneaten food, and improperly composted waste.

(1921) No person will leave pet or human food outside on the ground or in open containers where it is accessible to rats. No ground feeding.

(2022) All garbage stored outside will be in watertight plastic or metal containers with tight fitting covers sufficient to keep rats out. Plastic bags are not rat proof and will not be used for overnight outside storage except when placed at curbside for weekly trash pickup.

Sec. 78-3. - Prohibited generally.

It will be unlawful for any person to cause, permit, maintain or allow the creation or maintenance of a nuisance. Violations of this chapter shall be municipal civil infractions subject to the civil fine and sanctions assessable under Chapter 82 of the City Code.

Sec. 78-4. – Penalties.

Any person who violates this article shall be responsible for a municipal civil infraction under Chapter 82 of the City Code.

~~Sec. 78-4. -- Notice to abate.~~

~~Whenever a nuisance is found to exist within the city, the city manager or his designee will give five days' written notice to the owner or occupant of the property upon which such nuisance exists or upon the person causing or maintaining the nuisance.~~

~~Sec. 78-5. – Contents of notice.~~

~~The notice to abate a nuisance issued under the provisions of this chapter will contain: (1) An order to abate the nuisance or to request a hearing within a stated time, which will be reasonable under the circumstances; (2) The location of the nuisance, if the nuisance is stationary; (3) A description of what constitutes the nuisance; (4) A statement of acts necessary to abate the nuisance; and (5) A statement that if the nuisance is not abated as directed and no request for hearing is made before the city manager within the prescribed time, the city will abate such nuisance and assess the cost thereof against such person.~~

~~Sec. 78-6. – Service of notice.~~

~~The notice to abate a nuisance will be served as any other legal process may be served pursuant to law.~~

~~Sec. 78-7. – Abatement by city.~~

~~Upon the failure of the person upon whom notice to abate a nuisance was served pursuant to the provisions of this chapter to abate the nuisance, the city manager or his designee will proceed to abate such nuisance and will prepare a statement of costs incurred in the abatement thereof.~~

~~Sec. 78-8. – Emergency abatement by city.~~

~~When, in the opinion of the city manager or his designee, there is actual and immediate danger to the public or occupants of a particular premise caused by a nuisance on such premises, the city manager or his designee is hereby authorized and empowered, without any notice or hearing, to order and require such premises to be vacated. The city manager or his designee will immediately post the premises, warning of the dangerous condition, and will then abate such nuisance and prepare a statement of costs incurred in the abatement thereof.~~

~~Sec. 78-9. – City's costs.~~

~~Any and all costs incurred by the city in the abatement of a nuisance under the provision of this chapter will constitute a lien against the property upon which such nuisance existed, which costs will be collected as a special assessment under chapter 102.~~

ARTICLE II – SEVERABILITY.

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such selection, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of the Ordinance shall stand and be in full force and effect.

ARTICLE III - EFFECTIVE DATE.

This Ordinance shall take effect following publication in the manner prescribed by law.

ARTICLE IV: REPEALER.

All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect

ARTICLE V: ADOPTION.

This Ordinance is hereby declared to have been adopted by the Berkley City Council at a meeting thereof duly called and held on the ____ day of _____, 2026, and ordered to be given publication in the manner prescribed by the law.

BY: _____

BY: _____

DRAFT



MEMORANDUM

To: Mayor Dean and City Council
From: Kristen Kapelanski

Date: April 6, 2026
Subject: Second reading and adoption of an ordinance of the City Council of the City of Berkley, Michigan, to amend Chapter 106, Streets, Sidewalks and Other Public Places, Article IV, Sidewalks, Division 2, Construction and Repair, Section 106-188, Bond Prerequisite to Issuance, of the City of Berkley Code.

Madam Mayor and Members of City Council,

Background

- Article IV of Chapter 106 of the City Code provides standards for property owners replacing sidewalk slabs.
- The current standards require property owners to bond for their sidewalk slab replacement for five years.
- Typically, sidewalk slabs that fail, fail within the first year of replacement.

Summary

- The proposed amendment revises the bond requirement to one year, commensurate with the typical failure time of replacement/new sidewalk slabs.
- The City Council approved the first reading on March 16, 2026.

Recommendation

Motion to (approve/deny/postpone) the second reading and adoption of the City Council of the City of Berkley, Michigan, to amend Chapter 106, Street, Sidewalks and Other Public Places, Article IV, Sidewalks, Division 2, Construction and Repair, Section 106-188, Bond Prerequisite to Issuance, to reduce the bond term to one year.

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF BERKLEY

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF BERKLEY CHAPTER 106, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES," ARTICLE IV, "SIDEWALKS," DIVISION 2, "CONSTRUCTION AND REPAIR, SECTION 106-188, "BOND PREREQUISITE TO ISSUANCE," IS HEREBY AMENDED TO REDUCE THE BOND TERM TO ONE (1) YEAR.

THE CITY OF BERKLEY ORDAINS:

Section 1 of Ordinance. Ordinance Amendment.

Sec. 106-188 – Bond prerequisite to issuance – is hereby amended to read as follows:

The applicant for a permit under this division shall file a cash or surety bond in the sum as presently established or as hereafter prescribed by resolution of the city council, such bond to be conditioned upon the faithful performance of all of the provisions of this article and of all of the ordinances, rules and regulations of the city pertaining to the work to be done and shall be further conditioned upon the keeping and maintaining of all sidewalks or driveway approaches, constructed, reconstructed or replaced by him under permit covered by the bond in good condition, free from surface scaling, and fit for public travel for a period of one (1) year ~~five years~~ from and after the date of the completion of the construction, reconstruction or replacement of the sidewalk or driveway approach; provided, however, that no such bond shall be required of any owner for the laying, construction, reconstruction or replacement of any sidewalk or driveway approach adjoining property owned by such owner where such work is to be done by such owner. Every person in lieu of the bond herein above required for each separate permit, may file and maintain a blanket cash or surety bond in the amount presently established or hereafter prescribed by resolution of the city council, conditioned upon the faithful performance of all of the provisions of this article and of all the ordinances, rules and regulations of the city pertaining to work done under any permit issued under this division, and further conditioned upon the keeping and maintaining of all sidewalks and driveway approaches constructed, reconstructed or replaced by him under any permit issued while such blanket bond be on file with the city, in good condition, free from surface scaling, and fit for public travel for a period of five years from and after the date of the completion of the last of such work.

Section 2 of Ordinance. Severability.

If any section, clause or provision of this ordinance shall be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 3 of Ordinance. Repealer

All other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4 of Ordinance. Effective Date.

This amendatory ordinance shall be effective 10 days after adoption by the City Council and after publication as provided by the Charter of the City of Berkley.

Ayes:
Nays:
Abstentions:
Absent:

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Berkley, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Berkley at a meeting held of the ____ day of _____, 2026, the original of which is on file in my office.

Victoria Mitchell, City Clerk
City of Berkley



MEMORANDUM

To:

From:

Date: April 6, 2026

Subject: Second reading and adoption of an ordinance of the City Council of the City of Berkley, Michigan, to amend Section 2-2 of Chapter 2, Administration of the Berkley City Code.

Madam Mayor and Members of City Council,

Background

- Staff in the Community Development Department (along with assistance from other relevant departments) have been working to update our processes and procedures for Code Enforcement to determine how we can improve services and create some efficiencies. This is an effort led by Community Development with the assistance of the City Attorney, the Department of Public Works and the Public Safety Department.
- City Council approved the first reading of an amendment to Chapter 82 on February 23, 2026 updating code enforcement procedures, including establishing a Municipal Civil Infraction's Bureau, in accordance with Public Act 12 of 1994 (the "Act"). The Act allowed a local government to establish a Municipal Civil Infractions Bureau as a mechanism to handle violations internally. It also created a process to prosecute municipal civil infraction citations in the court system.

Summary

- A review of City ordinances related to code enforcement as part of updates to Chapter 82 of the City Code (as described above) necessitated an update to Chapter 2, Section 2-2 in order to clarify the authority to issue appearance tickets to violators of the City Code.
- The City Council approved the first reading on March 16, 2026.

Recommendation

Motion to (approve/deny/postpone) the second reading and adoption of the City Council of the City of Berkley, Michigan, to amend Section 2-2 of Chapter 2, Administration of the Berkley City Code to clarify the authority to issue appearance tickets.

AN ORDINANCE
of the City Council of the City of Berkley, Michigan, to amend Section 2-2 of
Chapter 2, Administration of the Berkley City Code to clarify the authority to issue
appearance tickets.

THE CITY OF BERKLEY ORDAINS:
CHAPTER 2 – ADMINISTRATION

ARTICLE I. IN GENERAL

Sec. 2-1. Administrative manual.

The city manager is authorized to adopt such administrative regulations in addition to, but not inconsistent with, the Charter and this Code, as he shall deem necessary and proper to provide for the adequate functioning of all departments. Such regulations shall comprise the administrative manual.

Sec. 2-2. ~~Code enforcement;~~ ~~a~~ Appearance tickets.

It is the intent and purpose of this section to identify and authorize certain public servants of the city to issue and serve appearance tickets as provided by Public Act 366 of 1984 (MCL 764.9c, et seq.) and Chapter 87 of Public Act 1961 (MCL 600.8701, et seq.)

Appearance ticket means a complaint or written notice, on a form determined by the attorney general, state court administrator and director of the department of state police as modified with the prior approval of said state officials to accommodate local enforcement and court procedures and practices, issued and subscribed by a police officer or public servant authorized by this section, directing a designated person to appear in a designated local criminal or civil court at a designated future time in connection with an alleged designated violation of a city code for which the maximum permissible penalty does not exceed 1 year in jail and/or fine.

The following ~~ose~~ persons ~~are~~ designated by the city ~~as zoning officer, code enforcement officer, and building inspector are~~ ~~as~~ authorized to issue and serve appearance tickets with respect to misdemeanor and municipal civil infraction ordinance offenses prohibited by this Code: any member of the Department of Public Safety, City Manager, Building Official, Zoning Officer, Code Enforcement Officer, and such other officers employees, inspectors or public servants of the City who are authorized or responsible for the enforcement of one or more City Code pursuant to state law, city codes or resolutions of the City Council when they have reasonable cause to believe that a person has violated a City Code, enforcement of which is the responsibility or iwhtin the authority fo the public servant. ~~other than chapters 10, 14, 22, 30 (articles IX, X, XI), 34, 42, 46, 50, 62, 66, 82, 86, 98, 102, 110, 114, 118, 122 (articles I, II, III) and 134.~~

Sec. 2-3. Approval of legal documents.

The mayor shall sign, the city clerk shall attest to, the city manager shall approve as to substance, and the city attorney shall approve as to form, all contracts and agreements requiring the assent of the city, unless otherwise provided for by law, the Charter, ordinances or the provisions of this Code.

Sec. 2-4. Payment of monies.

All monies belonging to the city shall be paid out in accordance with the Charter, by warrants drawn by the city clerk and countersigned by the mayor or mayor pro tem when acting for the mayor.

ARTICLE II – SEVERABILITY.

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such selection, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of the Ordinance shall stand and be in full force and effect.

ARTICLE III - EFFECTIVE DATE.

This Ordinance shall take effect following publication in the manner prescribed by law.

ARTICLE IV: REPEALER.

All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect

ARTICLE V: ADOPTION.

This Ordinance is hereby declared to have been adopted by the Berkley City Council at a meeting thereof duly called and held on the ____ day of _____, 2026, and ordered to be given publication in the manner prescribed by the law.

BY:

BY:



MEMORANDUM

To: Mayor Dean and City Council
From: Kristen Kapelanski
Date: April 6, 2026
Subject: Second reading and adoption of City-initiated rezoning of PRZ01-26, 2429 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District.

Madam Mayor and Members of City Council,

Background

- The City Council approved an updated Zoning Ordinance and Zoning Map in March 2025.
- This was the culmination of a two-year process to rewrite the Zoning Ordinance and revise the Zoning Map to match the community vision laid out in the City's Master Plan.
- The previous Zoning Ordinance included four zoning districts for single-family properties. In an effort to consolidate zoning districts and create regulations that better match the actual layout of the City's existing subdivisions, the new Zoning Ordinance condensed the single-family zoning districts from four to two.
- Each single-family property in the City was rezoned to match the current lot size and dimensional regulations of each property to one of the two proposed single-family zoning districts. Generally, anything previously zoned R-1A or R-1B became R-1AB, and anything previously zoned R-1C or R-1D became R-1CD.
- There are thousands of single-family properties in the City, and despite the City's best efforts to confirm that the new zoning district of every property matched the property's current layout, a few parcels were zoned incorrectly, including 2429 Sunnyknoll Ave.
- It is important to ensure that the zoning regulations for each property are in line with the existing site dimensions of the property in order for the property to remain legally conforming in terms of zoning. Absent this correction, the property would be deemed legal non-conforming, which could create future issues if additions or alterations to any structures were proposed, or if any structures were to be damaged by fire, natural disaster, etc.

Summary

- In order to correct this issue, the City has proposed a rezoning of 2429 Sunnyknoll Ave. from R-1AB District to R-1CD District.

- In accordance with Zoning Ordinance regulations, a public notice was posted in the newspaper, notices were mailed to all properties within 300 ft. and temporary signage was placed on the property.
- The property owner also received individualized correspondence explaining the reason for the proposed rezoning.
- The Planning Commission recommended approval of the rezoning on February 24, 2026.
- The City Council approved the first reading on March 16, 2026.

Recommendation

Motion to (approve/deny/postpone) the second reading and adoption of the City-initiated rezoning of PRZ-01-26 2429 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning (is/is not) consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning (is/is not) compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district (are/are not) compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There (is/is not) adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There (is/is not) demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

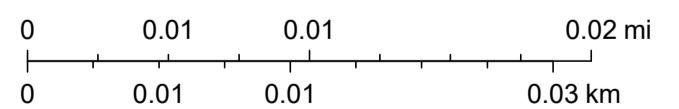
PRZ-01-26 2429 Sunnyknoll Ave.



2/5/2026, 4:20:16 PM

- Light_Gray_Canvas_Reference
- OC Tax Parcels
- OC Site Address
- Light_Gray_Canvas_Base

1:585



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Oakland County, Michigan, SEMCOG, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, NOVEMBER 25, 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: Dana Kaplan Josh Stapp
Shiloh Dahlin Joe Bartus
Lisa Kempner
Eric Arnsman

ABSENT: Mike Woods

ALSO PRESENT: Kristen Kapelanski, Community Development Director
Ryan Shaw, Deputy Finance Director
Michelle Marin, Carlisle Wortman Associates, Planning Consultant

APPROVAL OF AGENDA

Motion by Commissioner Arnsman to approve the agenda and supported by Commissioner Stapp.

Voice vote to approve the agenda

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

APPROVAL OF THE MINUTES

Motion by Commissioner Bartus to approve the minutes of the November 25, 2025 regular Planning Commission meeting and supported by Commissioner Stapp.

Voice vote to approve the meeting minutes of November 25, 2025.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

COMMUNICATIONS

Community Development Director Kapelanski shared the latest mailings from the Michigan Association of Planning.

CITIZEN COMMENTS

NONE

OLD BUSINESS
NONE

NEW BUSINESS

1. PUBLIC HEARING Capital Improvement Plan

Community Development Director Kapelanski explained the Planning Commission's role in improving the Capital Improvement Plan.

Deputy Finance Director Ryan Shaw highlighted the major projects in the Capital Improvement Plan.

Chair Kempner opened the public hearing at 7:07PM.

No one wished to speak and there were no comments received.

Chair Kempner closed the public hearing at 7:08PM.

The Planning Commission confirmed that projects in years further out are not necessarily fully funded.

Motion by Commissioner Arnsman and supported by Commissioner Dahlin to approve the Capital Improvement Plan, as presented.

Voice vote on the motion to approve the Capital Improvement Plan.

AYES: 6

NAYS: 0

ABSENT: Woods

MOTION CARRIED

2. PUBLIC HEARING PRZ-01-26: 2429 Sunnyknoll Ave.: The City is proposing to rezone 2429 Sunnyknoll Ave. on the south side of Sunnyknoll Ave., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski explained that this, and all rezonings on the agenda this evening, were 'clean-up' items initiated by the City to correct errors in the adoption of the updated zoning map one year ago.

Chair Kempner opened the public hearing at 7:12PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:12PM.

Motion by Commissioner Stapp and supported by Commissioner Arnsman, in the matter of PRZ-01-26 2429 Sunnyknoll Ave., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;

- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

- 3. **PUBLIC HEARING PRZ-02-26: 2431 Sunnyknoll Ave.:** The City is proposing to rezone 2431 Sunnyknoll Ave. on the south side of Sunnyknoll Ave., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:17PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:17PM.

Motion by Commissioner Arnsman and supported by Commissioner Dahlin, in the matter of PRZ-02-26 2431 Sunnyknoll Ave., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

- 4. **PUBLIC HEARING PRZ-03-26: 2435 Sunnyknoll Ave.:** The City is proposing to rezone 2435 Sunnyknoll Ave. on the south side of Sunnyknoll Ave., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:21PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:21PM.

Motion by Commissioner Kaplan and supported by Commissioner Bartus, in the matter of PRZ-03-26 2435 Sunnyknoll Ave., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6

NAYS: 0

ABSENT: Woods

MOTION CARRIED

5. **PUBLIC HEARING PRZ-04-26: 2437 Franklin Rd.:** The City is proposing to rezone 2437 Franklin Rd. on the south side of Franklin Rd., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:23PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:24PM.

Motion by Commissioner Dahlin and supported by Commissioner Stapp, in the matter of PRZ-04-26 2437 Franklin Rd., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6

NAYS: 0
ABSENT: Woods

MOTION CARRIED

6. PUBLIC HEARING PRZ-05-26: 2451 Franklin Rd.: The City is proposing to rezone 2451 Franklin Rd. on the south side of Franklin Rd., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:27PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:27PM.

Motion by Commissioner Stapp and supported by Commissioner Bartus, in the matter of PRZ-05-26 2451 Franklin Rd., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

7. PUBLIC HEARING PRZ-06-26: 3170 Eleven Mile Rd.: The City is proposing to rezone the rear 33.5 feet of 3170 Eleven Mile Rd. on the north side of Eleven Mile Rd., east of Gardner Ave. from R-1CD Single Family Residential District to Flex District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:30PM.

Pali Palokaj, owner of 3170 Eleven Mile, and his representative confirmed that the proposed rezoning would not impact a potential expansion of the building.

Courtney (last name inaudible) of Berkley asked what the Flex zoning entailed and inquired about the details of the restaurant expansion.

Community Development Director Kapelanski explained why the rezoning was proposed and the setbacks associated with the Flex District.

No correspondence was received.

Chair Kempner closed the public hearing at 7:33PM.

The Planning Commission confirmed any additions or site changes would go through the site plan review process.

Motion by Commissioner Dahlin and supported by Commissioner Bartus, in the matter of PRZ-06-26 3170 Eleven Mile Rd., motion to recommend approval to the City Council of the City-initiated rezoning of the rear 33.5 feet of the property from R-1CD Single Family Residential District to Flex District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6

NAYS: 0

ABSENT: Woods

MOTION CARRIED

- 8. PUBLIC HEARING PRZ-07-26: 3180 Eleven Mile Rd.:** The City is proposing to rezone the rear 33.5 feet of 3180 Eleven Mile Rd. on the north side of Eleven Mile Rd., east of Gardner Ave. from R-1CD Single Family Residential District to Flex District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:38PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:38PM.

Motion by Commissioner Dahlin and supported by Commissioner Bartus, in the matter of PRZ-07-26 3180 Eleven Mile Rd., motion to recommend approval to the City Council of the City-initiated rezoning of the rear 33.5 feet of the property from R-1CD Single Family Residential District to Flex District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

9. PUBLIC HEARING PRZ-08-26: 22-16-352-06: The City is proposing to rezone Parcel 25-16-352-026 on the north side of Columbia Rd., west of Woodward Ave. to add the Parking Overlay District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:43PM.

Michael Cameron, 724 Columbia, wanted to confirm this rezoning would have no impact on the adjacent public alley.

Community Development Director Kapelanski confirmed this would have no effect on the public alley.

Chair Kempner read an email received from Marisa Weber, 737 Columbia. She had concerns with any parking needs of future businesses and the maintenance of the lot.

Chair Kempner closed the public hearing at 7:48PM.

Community Development Director Kapelanski confirmed she had followed up with the email sender from the public hearing.

Motion by Commissioner Kaplan and supported by Commissioner Bartus, in the matter of PRZ-08-26 Parcel #25-16-352-026, motion to recommend approval to the City Council of the City-initiated rezoning to add the Parking Overlay District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

10. Discussion of potential Zoning Ordinance amendment to regulate data centers

Planning Consultant Marin introduced a potential text amendment providing locations and standards for data centers in the City. The text splits data centers into large, small and accessory facilities with permitted zoning districts listed for each. Thresholds for size, power demand, and water use, as well as decommissioning are also included.

Community Development Director Kapelanski clarified that there are no data centers currently proposed. Staff is merely taking a proactive step to regulate a potential new use.

The Planning Commission discussed the proposed amendment and requested the following changes:

- Add standards for when a data center is considered 'abandoned';
- Create a map for discussion purposes that identifies parcels where data centers could be located based on the proposed ordinance language; and
- Add generator noise and vibration standards.

11. Bylaws and Rules of Procedure

The Planning Commission had no changes to the Bylaws and Rules of Procedure.

LIAISON REPORT

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

Chair Kempner read an update from City Council Liaison Hennen on the City Council's recent meetings.

COMMISSIONER COMMENTS

NONE

STAFF COMMENTS

Community Development Director Kapelanski listed several items the City Council approved over the past months.

ADJOURNMENT

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

Voice vote for adjournment

AYES: 6
NAYS: 0
ABSENT: Woods

With no further business, the meeting was adjourned at 8:23PM.

THE CITY OF BERKLEY
Community Development Department
3338 Coolidge, Berkley, Michigan 48072
(248) 658-3320

NOTICE OF PUBLIC MEETING
BERKLEY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN, in accordance with Section 3.09 of Chapter 138 of the Berkley City Code, that there will be a meeting of the Berkley Planning Commission to be held at the City of Berkley in the Council Chambers, 3338 Coolidge Hwy, Berkley Michigan, on **Tuesday, February 24, 2026** at 7:00pm, or as near thereto as the matter may be reached.

APPLICATION PRZ-01-26

The City of Berkley is proposing to rezone property at 2429 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District.

The complete application information is available for review at <https://berkleymi.gov/community-development/development-projects>.

Comments regarding the request may be made in person on the night of the meeting or may be made in writing. All written comments must be submitted to the Community Development Department or emailed to planning@berkleymi.gov before 5:00p.m on the date of the Planning Commission meeting.

You can watch the meeting: <https://www.youtube.com/user/cityofberkley>

KRISTEN KAPELANSKI
COMMUNITY DEVELOPMENT DIRECTOR

Publish Once:
Oakland Press
Friday, February 6, 2026

THE CITY OF BERKLEY
Community Development Department
3338 Coolidge, Berkley, Michigan 48072
(248) 658-3320

NOTICE OF PUBLIC MEETING
BERKLEY PLANNING COMMISSION

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APPLICATION PRZ-01-26

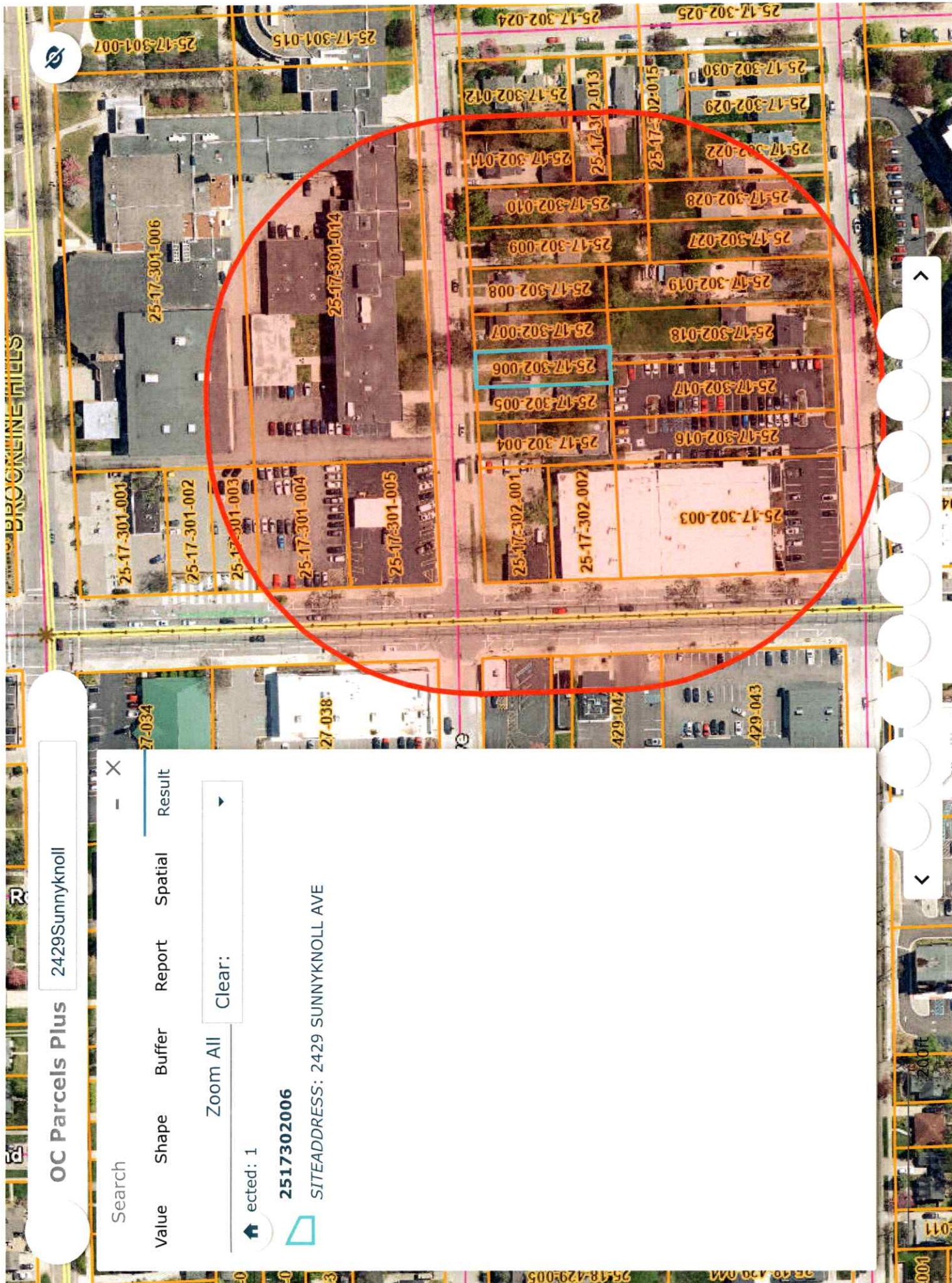
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You can watch the meeting: <https://www.youtube.com/user/cityofberkley>

KRISTEN KAPELANSKI
COMMUNITY DEVELOPMENT DIRECTOR



OC Parcels Plus 2429Sunnyknoll

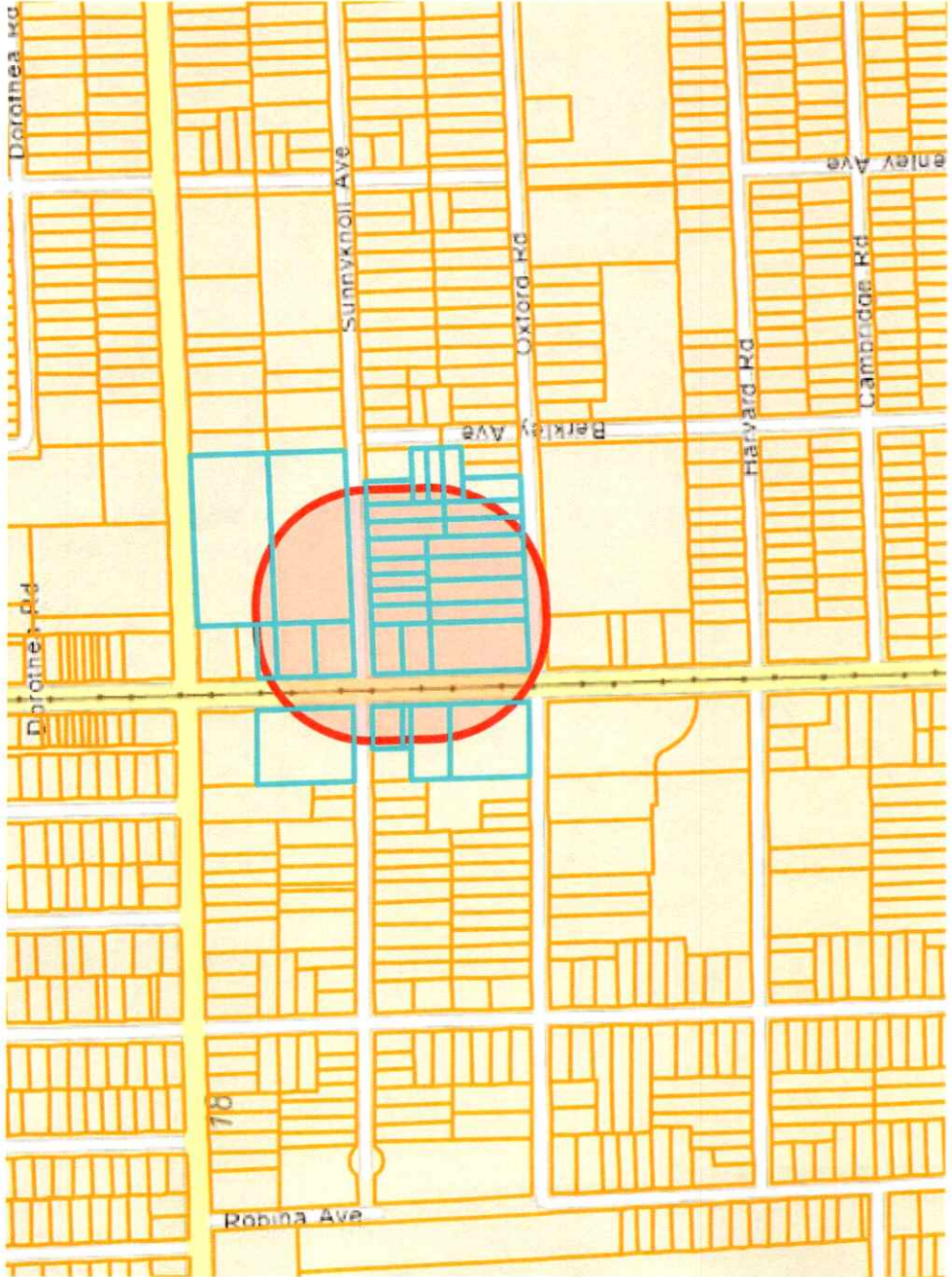
Search - X
Value Shape Buffer Report Spatial Result

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ected: 1

2517302006

SITEADDRESS: 2429 SUNNYKNOLL AVE



BIG D LOCK CITY ENTERPRISES LLC
2448 COOLIDGE HWY
BERKLEY MI 48072 1553

Occupant
2434 OXFORD RD
BERKLEY MI 48072 1787

Occupant
2440 OXFORD RD
BERKLEY MI 48072 1787

ROBERT P LUSK
MARGARET BROSNAHA-LUSK
2325 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

SD INVESTMENTS LLC
810 KELPIE DR
ANN ARBOR MI 48108 7944

SD INVESTMENTS LLC
810 KELPIE DR
ANN ARBOR MI 48108 7944

BRIAN D CABLE
NICOLE CHUBAROV
2343 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

Occupant
2338 COOLIDGE HWY
BERKLEY MI 48072 1500

NICHOLAS KUHAJDA
2360 OXFORD RD
BERKLEY MI 48072 1740

AMY CANNAZZARO
2365 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

SD INVESTMENTS LLC
810 KELPIE DR
ANN ARBOR MI 48108 7944

ANDREW WHITAKER
2380 OXFORD RD
BERKLEY MI 48072 1740

GEOFFREY RICHMOND
2361 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

LINDSEY BALDWIN
2399 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

THERESE MARIE LICKER
JUSTIN KYLE LICKER
2350 OXFORD RD
BERKLEY MI 48072 1740

KEVIN W MURPHY
2395 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

KATHLEEN R CARLETON
2429 SUNNYKNOLL AVE
BERKLEY MI 48072 1792

KADIE JACABSEN
MAX HARTMAN
2435 SUNNYKNOLL AVE
BERKLEY MI 48072 1792

BRIAN BRANNACK
2431 SUNNYKNOLL AVE
BERKLEY MI 48072 1792

Occupant
2416 COOLIDGE HWY
BERKLEY MI 48072 1570

Occupant
2524 COOLIDGE HWY
BERKLEY MI 48072 1573

Occupant
2338 COOLIDGE HWY
BERKLEY MI 48072 1500

2416 COOLIDGE LLC
425 LEXINGTON BLVD
ROYAL OAK MI 48073 2525

BERKLEY SCHOOL DISTRICT
14501 TALBOT ST
OAK PARK MI 48237 1160

SD INVESTMENTS LLC
810 KELPIE DR
ANN ARBOR MI 48108 7944

CHRISTOPHER DEHONDT
2389 BERKLEY AVE
BERKLEY MI 48072 1724

JAMES DZENDZEL
2390 OXFORD RD
BERKLEY MI 48072 1740

DINA M GARGANO
2400 OXFORD RD
BERKLEY MI 48072 1787

DONNA J DOWNES
2371 BERKLEY AVE
BERKLEY MI 48072 1724

BERKLEY SCHOOL DISTRICT
14700 W LINCOLN ST
OAK PARK MI 48237 1366

BERKLEY SCHOOL DISTRICT
14700 W LINCOLN ST
OAK PARK MI 48237 1366

BERKLEY BOARD OF EDUCATION
3127 BACON AVE
BERKLEY MI 48072

ANGELA L EDWARDS
2353 BERKLEY AVE
BERKLEY MI 48072 1724

JEREMY W SHORT
KIMBERLY L SHORT
2310 OXFORD RD
BERKLEY MI 48072

ERICA S WEISSMAN
JEFFREY D WEISSMAN
2326 OXFORD RD
BERKLEY MI 48072 1740



MEMORANDUM

To: Mayor Dean and City Council
From: Kristen Kapelanski
Date: April 6, 2026
Subject: Second reading and adoption of City-initiated rezoning of PRZ-02-26, 2431 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District.

Madam Mayor and Members of City Council,

Background

- The City Council approved an updated Zoning Ordinance and Zoning Map in March 2025.
- This was the culmination of a two-year process to rewrite the Zoning Ordinance and revise the Zoning Map to match the community vision laid out in the City's Master Plan.
- The previous Zoning Ordinance included four zoning districts for single-family properties. In an effort to consolidate zoning districts and create regulations that better match the actual layout of the City's existing subdivisions, the new Zoning Ordinance condensed the single-family zoning districts from four to two.
- Each single-family property in the City was rezoned to match the current lot size and dimensional regulations of each property to one of the two proposed single-family zoning districts. Generally, anything previously zoned R-1A or R-1B became R-1AB, and anything previously zoned R-1C or R-1D became R-1CD.
- There are thousands of single-family properties in the City, and despite the City's best efforts to confirm that the new zoning district of every property matched the property's current layout, a few parcels were zoned incorrectly, including 2431 Sunnyknoll Ave.
- It is important to ensure that the zoning regulations for each property are in line with the existing site dimensions of the property in order for the property to remain legally conforming in terms of zoning. Absent this correction, the property would be deemed legal non-conforming, which could create future issues if additions or alterations to any structures were proposed, or if any structures were to be damaged by fire, natural disaster, etc.

Summary

- In order to correct this issue, the City has proposed a rezoning of 2431 Sunnyknoll Ave. from R-1AB District to R-1CD District.

- In accordance with Zoning Ordinance regulations, a public notice was posted in the newspaper, notices were mailed to all properties within 300 ft. and temporary signage was placed on the property.
- The property owner also received individualized correspondence explaining the reason for the proposed rezoning.
- The Planning Commission recommended approval of the rezoning on February 24, 2026.
- The City Council approved the first reading on March 16, 2026.

Recommendation

Motion to (approve/deny/postpone) the second reading and adoption of the City-initiated rezoning of PRZ-02-26 2431 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning (is/is not) consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning (is/is not) compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district (are/are not) compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There (is/is not) adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There (is/is not) demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.



MEMORANDUM

To: Mayor Dean and City Council
From: Kristen Kapelanski, Community Development Director
Date: March 16, 2026
Subject: PRZ-02-26 2431 Sunnyknoll Ave.

Madam Mayor and Members of City Council,

Background

- The City Council approved an updated Zoning Ordinance and Zoning Map in March 2025.
- This was the culmination of a two-year process to rewrite the Zoning Ordinance and revise the Zoning Map to match the community vision laid out in the City's Master Plan.
- The previous Zoning Ordinance included four zoning districts for single-family properties. In an effort to consolidate zoning districts and create regulations that better match the actual layout of the City's existing subdivisions, the new Zoning Ordinance condensed the single-family zoning districts from four to two.
- Each single-family property in the City was rezoned to match the current lot size and dimensional regulations of each property to one of the two proposed single-family zoning districts. Generally, anything previously zoned R-1A or R-1B became R-1AB, and anything previously zoned R-1C or R-1D became R-1CD.
- There are thousands of single-family properties in the City, and despite the City's best efforts to confirm that the new zoning district of every property matched the property's current layout, a few parcels were zoned incorrectly, including 2431 Sunnyknoll Ave.
- It is important to ensure that the zoning regulations for each property are in line with the existing site dimensions of the property in order for the property to remain legally conforming in terms of zoning. Absent this correction, the property would be deemed legal non-conforming, which could create future issues if additions or alterations to any structures were proposed, or if any structures were to be damaged by fire, natural disaster, etc.

Summary

- In order to correct this issue, the City has proposed a rezoning of 2431 Sunnyknoll Ave. from R-1AB District to R-1CD District.

- In accordance with Zoning Ordinance regulations, a public notice was posted in the newspaper, notices were mailed to all properties within 300 ft. and temporary signage was placed on the property.
- The property owner also received individualized correspondence explaining the reason for the proposed rezoning.
- The Planning Commission recommended approval of the rezoning on February 24, 2026.

Recommendation

Motion to (approve/deny/postpone) the first reading of the City-initiated rezoning of PRZ-02-26 2431 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning (is/is not) consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning (is/is not) compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
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- e) There (is/is not) demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

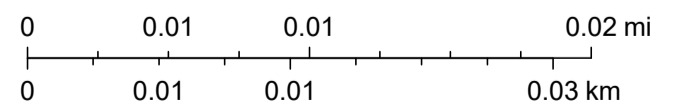
PRZ-02-26 2431 Sunnyknoll Ave.



2/5/2026, 4:25:55 PM

- Light_Gray_Canvas_Reference
- OC Tax Parcels
- OC Site Address
- Light_Gray_Canvas_Base

1:585



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Oakland County, Michigan, SEMCOG, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, NOVEMBER 25, 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: Dana Kaplan Josh Stapp
Shiloh Dahlin Joe Bartus
Lisa Kempner
Eric Arnsman

ABSENT: Mike Woods

ALSO PRESENT: Kristen Kapelanski, Community Development Director
Ryan Shaw, Deputy Finance Director
Michelle Marin, Carlisle Wortman Associates, Planning Consultant

APPROVAL OF AGENDA

Motion by Commissioner Arnsman to approve the agenda and supported by Commissioner Stapp.

Voice vote to approve the agenda

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

APPROVAL OF THE MINUTES

Motion by Commissioner Bartus to approve the minutes of the November 25, 2025 regular Planning Commission meeting and supported by Commissioner Stapp.

Voice vote to approve the meeting minutes of November 25, 2025.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

COMMUNICATIONS

Community Development Director Kapelanski shared the latest mailings from the Michigan Association of Planning.

CITIZEN COMMENTS

NONE

OLD BUSINESS
NONE

NEW BUSINESS

1. PUBLIC HEARING Capital Improvement Plan

Community Development Director Kapelanski explained the Planning Commission's role in improving the Capital Improvement Plan.

Deputy Finance Director Ryan Shaw highlighted the major projects in the Capital Improvement Plan.

Chair Kempner opened the public hearing at 7:07PM.

No one wished to speak and there were no comments received.

Chair Kempner closed the public hearing at 7:08PM.

The Planning Commission confirmed that projects in years further out are not necessarily fully funded.

Motion by Commissioner Arnsman and supported by Commissioner Dahlin to approve the Capital Improvement Plan, as presented.

Voice vote on the motion to approve the Capital Improvement Plan.

AYES: 6

NAYS: 0

ABSENT: Woods

MOTION CARRIED

2. PUBLIC HEARING PRZ-01-26: 2429 Sunnyknoll Ave.: The City is proposing to rezone 2429 Sunnyknoll Ave. on the south side of Sunnyknoll Ave., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski explained that this, and all rezonings on the agenda this evening, were 'clean-up' items initiated by the City to correct errors in the adoption of the updated zoning map one year ago.

Chair Kempner opened the public hearing at 7:12PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:12PM.

Motion by Commissioner Stapp and supported by Commissioner Arnsman, in the matter of PRZ-01-26 2429 Sunnyknoll Ave., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;

- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

- 3. **PUBLIC HEARING PRZ-02-26: 2431 Sunnyknoll Ave.:** The City is proposing to rezone 2431 Sunnyknoll Ave. on the south side of Sunnyknoll Ave., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:17PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:17PM.

Motion by Commissioner Arnsman and supported by Commissioner Dahlin, in the matter of PRZ-02-26 2431 Sunnyknoll Ave., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

- 4. **PUBLIC HEARING PRZ-03-26: 2435 Sunnyknoll Ave.:** The City is proposing to rezone 2435 Sunnyknoll Ave. on the south side of Sunnyknoll Ave., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:21PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:21PM.

Motion by Commissioner Kaplan and supported by Commissioner Bartus, in the matter of PRZ-03-26 2435 Sunnyknoll Ave., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6

NAYS: 0

ABSENT: Woods

MOTION CARRIED

5. **PUBLIC HEARING PRZ-04-26: 2437 Franklin Rd.:** The City is proposing to rezone 2437 Franklin Rd. on the south side of Franklin Rd., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:23PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:24PM.

Motion by Commissioner Dahlin and supported by Commissioner Stapp, in the matter of PRZ-04-26 2437 Franklin Rd., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6

NAYS: 0
ABSENT: Woods

MOTION CARRIED

6. PUBLIC HEARING PRZ-05-26: 2451 Franklin Rd.: The City is proposing to rezone 2451 Franklin Rd. on the south side of Franklin Rd., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:27PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:27PM.

Motion by Commissioner Stapp and supported by Commissioner Bartus, in the matter of PRZ-05-26 2451 Franklin Rd., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

7. PUBLIC HEARING PRZ-06-26: 3170 Eleven Mile Rd.: The City is proposing to rezone the rear 33.5 feet of 3170 Eleven Mile Rd. on the north side of Eleven Mile Rd., east of Gardner Ave. from R-1CD Single Family Residential District to Flex District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:30PM.

Pali Palokaj, owner of 3170 Eleven Mile, and his representative confirmed that the proposed rezoning would not impact a potential expansion of the building.

Courtney (last name inaudible) of Berkley asked what the Flex zoning entailed and inquired about the details of the restaurant expansion.

Community Development Director Kapelanski explained why the rezoning was proposed and the setbacks associated with the Flex District.

No correspondence was received.

Chair Kempner closed the public hearing at 7:33PM.

The Planning Commission confirmed any additions or site changes would go through the site plan review process.

Motion by Commissioner Dahlin and supported by Commissioner Bartus, in the matter of PRZ-06-26 3170 Eleven Mile Rd., motion to recommend approval to the City Council of the City-initiated rezoning of the rear 33.5 feet of the property from R-1CD Single Family Residential District to Flex District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6

NAYS: 0

ABSENT: Woods

MOTION CARRIED

- 8. PUBLIC HEARING PRZ-07-26: 3180 Eleven Mile Rd.:** The City is proposing to rezone the rear 33.5 feet of 3180 Eleven Mile Rd. on the north side of Eleven Mile Rd., east of Gardner Ave. from R-1CD Single Family Residential District to Flex District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:38PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:38PM.

Motion by Commissioner Dahlin and supported by Commissioner Bartus, in the matter of PRZ-07-26 3180 Eleven Mile Rd., motion to recommend approval to the City Council of the City-initiated rezoning of the rear 33.5 feet of the property from R-1CD Single Family Residential District to Flex District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

9. PUBLIC HEARING PRZ-08-26: 22-16-352-06: The City is proposing to rezone Parcel 25-16-352-026 on the north side of Columbia Rd., west of Woodward Ave. to add the Parking Overlay District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:43PM.

Michael Cameron, 724 Columbia, wanted to confirm this rezoning would have no impact on the adjacent public alley.

Community Development Director Kapelanski confirmed this would have no effect on the public alley.

Chair Kempner read an email received from Marisa Weber, 737 Columbia. She had concerns with any parking needs of future businesses and the maintenance of the lot.

Chair Kempner closed the public hearing at 7:48PM.

Community Development Director Kapelanski confirmed she had followed up with the email sender from the public hearing.

Motion by Commissioner Kaplan and supported by Commissioner Bartus, in the matter of PRZ-08-26 Parcel #25-16-352-026, motion to recommend approval to the City Council of the City-initiated rezoning to add the Parking Overlay District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

10. Discussion of potential Zoning Ordinance amendment to regulate data centers

Planning Consultant Marin introduced a potential text amendment providing locations and standards for data centers in the City. The text splits data centers into large, small and accessory facilities with permitted zoning districts listed for each. Thresholds for size, power demand, and water use, as well as decommissioning are also included.

Community Development Director Kapelanski clarified that there are no data centers currently proposed. Staff is merely taking a proactive step to regulate a potential new use.

The Planning Commission discussed the proposed amendment and requested the following changes:

- Add standards for when a data center is considered 'abandoned';
- Create a map for discussion purposes that identifies parcels where data centers could be located based on the proposed ordinance language; and
- Add generator noise and vibration standards.

11. Bylaws and Rules of Procedure

The Planning Commission had no changes to the Bylaws and Rules of Procedure.

LIAISON REPORT

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

Chair Kempner read an update from City Council Liaison Hennen on the City Council's recent meetings.

COMMISSIONER COMMENTS

NONE

STAFF COMMENTS

Community Development Director Kapelanski listed several items the City Council approved over the past months.

ADJOURNMENT

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

Voice vote for adjournment

AYES: 6

NAYS: 0

ABSENT: Woods

With no further business, the meeting was adjourned at 8:23PM.

THE CITY OF BERKLEY
Community Development Department
3338 Coolidge, Berkley, Michigan 48072
(248) 658-3320

NOTICE OF PUBLIC MEETING
BERKLEY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN, in accordance with Section 3.09 of Chapter 138 of the Berkley City Code, that there will be a meeting of the Berkley Planning Commission to be held at the City of Berkley in the Council Chambers, 3338 Coolidge Hwy, Berkley Michigan, on **Tuesday, February 24, 2026** at 7:00pm, or as near thereto as the matter may be reached.

APPLICATION PRZ-02-26

The City of Berkley is proposing to rezone property at 2431 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District.

The complete application information is available for review at <https://berkleymi.gov/community-development/development-projects>.

Comments regarding the request may be made in person on the night of the meeting or may be made in writing. All written comments must be submitted to the Community Development Department or emailed to planning@berkleymi.gov before 5:00p.m on the date of the Planning Commission meeting.

You can watch the meeting: <https://www.youtube.com/user/cityofberkley>

KRISTEN KAPELANSKI
COMMUNITY DEVELOPMENT DIRECTOR

Publish Once:
Oakland Press
Friday, February 6, 2026

THE CITY OF BERKLEY
Community Development Department
3338 Coolidge, Berkley, Michigan 48072
(248) 658-3320

NOTICE OF PUBLIC MEETING
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APPLICATION PRZ-02-26

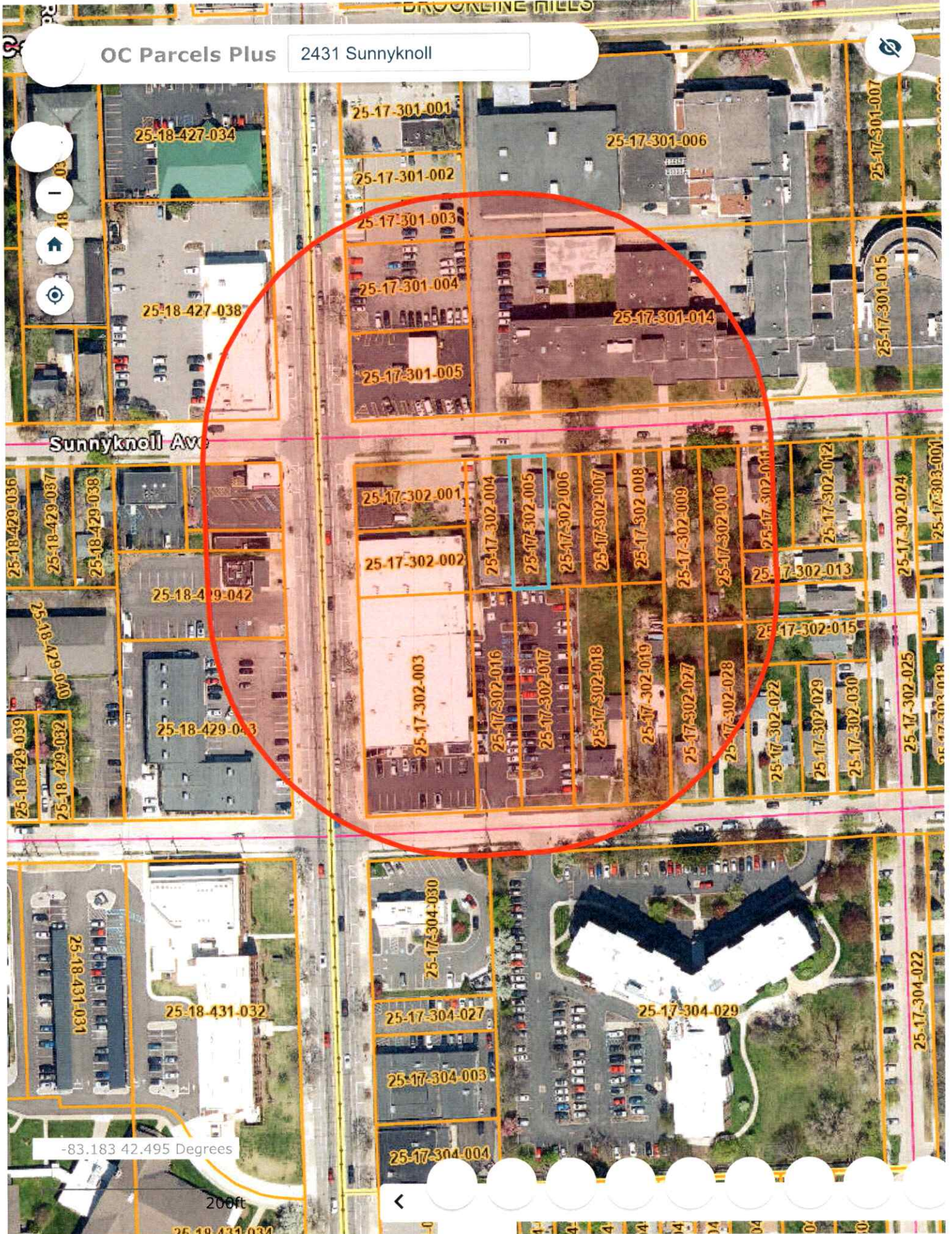
The City of Berkley is proposing to rezone property at 2431 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District.

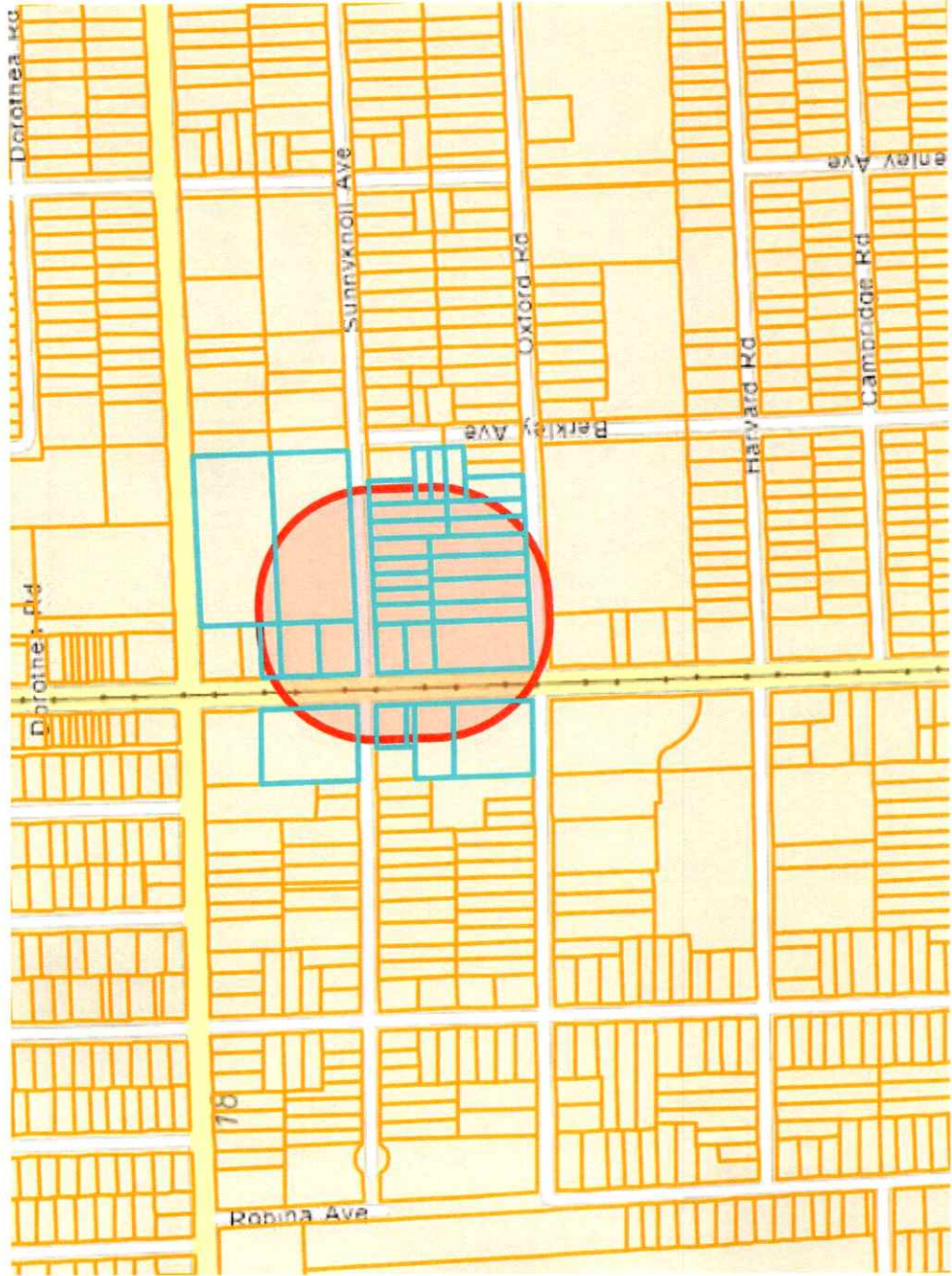
The complete application information is available for review at <https://berkleymi.gov/community-development/development-projects>.

Comments regarding the request may be made in person on the night of the meeting or may be made in writing. All written comments must be submitted to the Community Development Department or emailed to planning@berkleymi.gov before 5:00p.m on the date of the Planning Commission meeting.

You can watch the meeting: <https://www.youtube.com/user/cityofberkley>

KRISTEN KAPELANSKI
COMMUNITY DEVELOPMENT DIRECTOR





BIG D LOCK CITY ENTERPRISES LLC
2448 COOLIDGE HWY
BERKLEY MI 48072 1553

Occupant
2434 OXFORD RD
BERKLEY MI 48072 1787

2416 COOLIDGE LLC
425 LEXINGTON BLVD
ROYAL OAK MI 48073 2525

ROBERT P LUSK
MARGARET BROSNAHA-LUSK
2325 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

SD INVESTMENTS LLC
810 KELPIE DR
ANN ARBOR MI 48108 7944

CHRISTOPHER DEHONDT
2389 BERKLEY AVE
BERKLEY MI 48072 1724

BRIAN D CABBLE
NICOLE CHUBAROV
2343 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

Occupant
2338 COOLIDGE HWY
BERKLEY MI 48072 1500

Occupant
2375 COOLIDGE HWY
BERKLEY MI 48072 1550

AMY CANNAZZARO
2365 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

SD INVESTMENTS LLC
810 KELPIE DR
ANN ARBOR MI 48108 7944

BERKLEY MPS HOLDINGS
PO BOX 354
CLARKSTON MI 48347 0354

GEOFFREY RICHMOND
2361 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

Occupant
2415 COOLIDGE HWY
BERKLEY MI 48072 1571

DONNA J DOWNES
2371 BERKLEY AVE
BERKLEY MI 48072 1724

KEVIN W MURPHY
2395 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

W & S ENTERPRISES INC
275 BILTMORE DR
TROY MI 48084 5449

Occupant
2440 OXFORD RD
BERKLEY MI 48072 1787

BRIAN BRANNACK
2431 SUNNYKNOLL AVE
BERKLEY MI 48072 1792

KAREN TYSON
2399 COOLIDGE HWY
BERKLEY MI 48072 1550

SD INVESTMENTS LLC
810 KELPIE DR
ANN ARBOR MI 48108 7944

Occupant
2338 COOLIDGE HWY
BERKLEY MI 48072 1500

LINDSEY BALDWIN
2399 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

NICHOLAS KUHAJDA
2360 OXFORD RD
BERKLEY MI 48072 1740

SD INVESTMENTS LLC
810 KELPIE DR
ANN ARBOR MI 48108 7944

KATHLEEN R CARLETON
2429 SUNNYKNOLL AVE
BERKLEY MI 48072 1792

ANDREW WHITAKER
2380 OXFORD RD
BERKLEY MI 48072 1740

DINA M GARGANO
2400 OXFORD RD
BERKLEY MI 48072 1787

Occupant
2416 COOLIDGE HWY
BERKLEY MI 48072 1570

THERESE MARIE LICKER
JUSTIN KYLE LICKER
2350 OXFORD RD
BERKLEY MI 48072 1740

Occupant
2301 COOLIDGE HWY
BERKLEY MI 48072 1550

ERICA S WEISSMAN
JEFFREY D WEISSMAN
2326 OXFORD RD
BERKLEY MI 48072 1740

BERKLEY GMPS COMPANY LLC
PO BOX 354
CLARKSTON MI 48347 0354

Occupant
2485 COOLIDGE HWY
BERKLEY MI 48072

KADIE JACABSEN
MAX HARTMAN
2435 SUNNYKNOLL AVE
BERKLEY MI 48072 1792

STELLA'S MARKETPLACE LLC
PO BOX 251273
WEST BLOOMFIELD MI 48325

Occupant
2524 COOLIDGE HWY
BERKLEY MI 48072 1573

BERKLEY SCHOOL DISTRICT
14501 TALBOT ST
OAK PARK MI 48237 1160

JAMES DZENDZEL
2390 OXFORD RD
BERKLEY MI 48072 1740

BERKLEY SCHOOL DISTRICT
14700 W LINCOLN ST
OAK PARK MI 48237 1366

BERKLEY SCHOOL DISTRICT
14700 W LINCOLN ST
OAK PARK MI 48237 1366

BERKLEY BOARD OF EDUCATION
3127 BACON AVE
BERKLEY MI 48072

ANGELA L EDWARDS
2353 BERKLEY AVE
BERKLEY MI 48072 1724



MEMORANDUM

To: Mayor Dean and City Council
From: Kristen Kapelanski

Date: April 6, 2026
Subject: Second reading and adoption of City-initiated rezoning of PRZ-03-26, 2435 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District.

Madam Mayor and Members of City Council,

Background

- The City Council approved an updated Zoning Ordinance and Zoning Map in March 2025.
- This was the culmination of a two-year process to rewrite the Zoning Ordinance and revise the Zoning Map to match the community vision laid out in the City's Master Plan.
- The previous Zoning Ordinance included four zoning districts for single-family properties. In an effort to consolidate zoning districts and create regulations that better match the actual layout of the City's existing subdivisions, the new Zoning Ordinance condensed the single-family zoning districts from four to two.
- Each single-family property in the City was rezoned to match the current lot size and dimensional regulations of each property to one of the two proposed single-family zoning districts. Generally, anything previously zoned R-1A or R-1B became R-1AB, and anything previously zoned R-1C or R-1D became R-1CD.
- There are thousands of single-family properties in the City, and despite the City's best efforts to confirm that the new zoning district of every property matched the property's current layout, a few parcels were zoned incorrectly, including 2435 Sunnyknoll Ave.
- It is important to ensure that the zoning regulations for each property are in line with the existing site dimensions of the property in order for the property to remain legally conforming in terms of zoning. Absent this correction, the property would be deemed legal non-conforming, which could create future issues if additions or alterations to any structures were proposed, or if any structures were to be damaged by fire, natural disaster, etc.

Summary

- In order to correct this issue, the City has proposed a rezoning of 2435 Sunnyknoll Ave. from R-1AB District to R-1CD District.
- In accordance with Zoning Ordinance regulations, a public notice was posted in the

newspaper, notices were mailed to all properties within 300 ft. and temporary signage was placed on the property.

- The property owner also received individualized correspondence explaining the reason for the proposed rezoning.
- The Planning Commission recommended approval of the rezoning on February 24, 2026.
- The City Council approved the first reading on March 16, 2026.

Recommendation

Motion to (approve/deny/postpone) the second reading and adoption of the City-initiated rezoning of PRZ-03-26 2435 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning (is/is not) consistent with the goals, policies, and City of Berkeley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning (is/is not) compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district (are/are not) compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There (is/is not) adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There (is/is not) demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

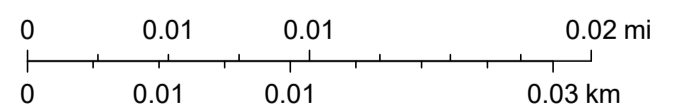
PRZ-03-26 2435 Sunnyknoll Ave.



2/5/2026, 4:30:45 PM

- Light_Gray_Canvas_Reference
- OC Tax Parcels
- OC Site Address
- Light_Gray_Canvas_Base

1:585



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Oakland County, Michigan, SEMCOG, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, NOVEMBER 25, 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: Dana Kaplan Josh Stapp
Shiloh Dahlin Joe Bartus
Lisa Kempner
Eric Arnsman

ABSENT: Mike Woods

ALSO PRESENT: Kristen Kapelanski, Community Development Director
Ryan Shaw, Deputy Finance Director
Michelle Marin, Carlisle Wortman Associates, Planning Consultant

APPROVAL OF AGENDA

Motion by Commissioner Arnsman to approve the agenda and supported by Commissioner Stapp.

Voice vote to approve the agenda

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

APPROVAL OF THE MINUTES

Motion by Commissioner Bartus to approve the minutes of the November 25, 2025 regular Planning Commission meeting and supported by Commissioner Stapp.

Voice vote to approve the meeting minutes of November 25, 2025.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

COMMUNICATIONS

Community Development Director Kapelanski shared the latest mailings from the Michigan Association of Planning.

CITIZEN COMMENTS

NONE

OLD BUSINESS
NONE

NEW BUSINESS

1. PUBLIC HEARING Capital Improvement Plan

Community Development Director Kapelanski explained the Planning Commission's role in improving the Capital Improvement Plan.

Deputy Finance Director Ryan Shaw highlighted the major projects in the Capital Improvement Plan.

Chair Kempner opened the public hearing at 7:07PM.

No one wished to speak and there were no comments received.

Chair Kempner closed the public hearing at 7:08PM.

The Planning Commission confirmed that projects in years further out are not necessarily fully funded.

Motion by Commissioner Arnsman and supported by Commissioner Dahlin to approve the Capital Improvement Plan, as presented.

Voice vote on the motion to approve the Capital Improvement Plan.

AYES: 6

NAYS: 0

ABSENT: Woods

MOTION CARRIED

2. PUBLIC HEARING PRZ-01-26: 2429 Sunnyknoll Ave.: The City is proposing to rezone 2429 Sunnyknoll Ave. on the south side of Sunnyknoll Ave., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski explained that this, and all rezonings on the agenda this evening, were 'clean-up' items initiated by the City to correct errors in the adoption of the updated zoning map one year ago.

Chair Kempner opened the public hearing at 7:12PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:12PM.

Motion by Commissioner Stapp and supported by Commissioner Arnsman, in the matter of PRZ-01-26 2429 Sunnyknoll Ave., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;

- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

- 3. **PUBLIC HEARING PRZ-02-26: 2431 Sunnyknoll Ave.:** The City is proposing to rezone 2431 Sunnyknoll Ave. on the south side of Sunnyknoll Ave., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:17PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:17PM.

Motion by Commissioner Arnsman and supported by Commissioner Dahlin, in the matter of PRZ-02-26 2431 Sunnyknoll Ave., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

- 4. **PUBLIC HEARING PRZ-03-26: 2435 Sunnyknoll Ave.:** The City is proposing to rezone 2435 Sunnyknoll Ave. on the south side of Sunnyknoll Ave., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:21PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:21PM.

Motion by Commissioner Kaplan and supported by Commissioner Bartus, in the matter of PRZ-03-26 2435 Sunnyknoll Ave., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6

NAYS: 0

ABSENT: Woods

MOTION CARRIED

- 5. PUBLIC HEARING PRZ-04-26: 2437 Franklin Rd.:** The City is proposing to rezone 2437 Franklin Rd. on the south side of Franklin Rd., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:23PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:24PM.

Motion by Commissioner Dahlin and supported by Commissioner Stapp, in the matter of PRZ-04-26 2437 Franklin Rd., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6

NAYS: 0
ABSENT: Woods

MOTION CARRIED

6. PUBLIC HEARING PRZ-05-26: 2451 Franklin Rd.: The City is proposing to rezone 2451 Franklin Rd. on the south side of Franklin Rd., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:27PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:27PM.

Motion by Commissioner Stapp and supported by Commissioner Bartus, in the matter of PRZ-05-26 2451 Franklin Rd., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

7. PUBLIC HEARING PRZ-06-26: 3170 Eleven Mile Rd.: The City is proposing to rezone the rear 33.5 feet of 3170 Eleven Mile Rd. on the north side of Eleven Mile Rd., east of Gardner Ave. from R-1CD Single Family Residential District to Flex District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:30PM.

Pali Palokaj, owner of 3170 Eleven Mile, and his representative confirmed that the proposed rezoning would not impact a potential expansion of the building.

Courtney (last name inaudible) of Berkley asked what the Flex zoning entailed and inquired about the details of the restaurant expansion.

Community Development Director Kapelanski explained why the rezoning was proposed and the setbacks associated with the Flex District.

No correspondence was received.

Chair Kempner closed the public hearing at 7:33PM.

The Planning Commission confirmed any additions or site changes would go through the site plan review process.

Motion by Commissioner Dahlin and supported by Commissioner Bartus, in the matter of PRZ-06-26 3170 Eleven Mile Rd., motion to recommend approval to the City Council of the City-initiated rezoning of the rear 33.5 feet of the property from R-1CD Single Family Residential District to Flex District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6

NAYS: 0

ABSENT: Woods

MOTION CARRIED

- 8. PUBLIC HEARING PRZ-07-26: 3180 Eleven Mile Rd.:** The City is proposing to rezone the rear 33.5 feet of 3180 Eleven Mile Rd. on the north side of Eleven Mile Rd., east of Gardner Ave. from R-1CD Single Family Residential District to Flex District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:38PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:38PM.

Motion by Commissioner Dahlin and supported by Commissioner Bartus, in the matter of PRZ-07-26 3180 Eleven Mile Rd., motion to recommend approval to the City Council of the City-initiated rezoning of the rear 33.5 feet of the property from R-1CD Single Family Residential District to Flex District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

9. PUBLIC HEARING PRZ-08-26: 22-16-352-06: The City is proposing to rezone Parcel 25-16-352-026 on the north side of Columbia Rd., west of Woodward Ave. to add the Parking Overlay District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:43PM.

Michael Cameron, 724 Columbia, wanted to confirm this rezoning would have no impact on the adjacent public alley.

Community Development Director Kapelanski confirmed this would have no effect on the public alley.

Chair Kempner read an email received from Marisa Weber, 737 Columbia. She had concerns with any parking needs of future businesses and the maintenance of the lot.

Chair Kempner closed the public hearing at 7:48PM.

Community Development Director Kapelanski confirmed she had followed up with the email sender from the public hearing.

Motion by Commissioner Kaplan and supported by Commissioner Bartus, in the matter of PRZ-08-26 Parcel #25-16-352-026, motion to recommend approval to the City Council of the City-initiated rezoning to add the Parking Overlay District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

10. Discussion of potential Zoning Ordinance amendment to regulate data centers

Planning Consultant Marin introduced a potential text amendment providing locations and standards for data centers in the City. The text splits data centers into large, small and accessory facilities with permitted zoning districts listed for each. Thresholds for size, power demand, and water use, as well as decommissioning are also included.

Community Development Director Kapelanski clarified that there are no data centers currently proposed. Staff is merely taking a proactive step to regulate a potential new use.

The Planning Commission discussed the proposed amendment and requested the following changes:

- Add standards for when a data center is considered 'abandoned';
- Create a map for discussion purposes that identifies parcels where data centers could be located based on the proposed ordinance language; and
- Add generator noise and vibration standards.

11. Bylaws and Rules of Procedure

The Planning Commission had no changes to the Bylaws and Rules of Procedure.

LIAISON REPORT

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

Chair Kempner read an update from City Council Liaison Hennen on the City Council's recent meetings.

COMMISSIONER COMMENTS

NONE

STAFF COMMENTS

Community Development Director Kapelanski listed several items the City Council approved over the past months.

ADJOURNMENT

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

Voice vote for adjournment

AYES: 6

NAYS: 0

ABSENT: Woods

With no further business, the meeting was adjourned at 8:23PM.

THE CITY OF BERKLEY
Community Development Department
3338 Coolidge, Berkley, Michigan 48072
(248) 658-3320

NOTICE OF PUBLIC MEETING
BERKLEY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN, in accordance with Section 3.09 of Chapter 138 of the Berkley City Code, that there will be a meeting of the Berkley Planning Commission to be held at the City of Berkley in the Council Chambers, 3338 Coolidge Hwy, Berkley Michigan, on **Tuesday, February 24, 2026** at 7:00pm, or as near thereto as the matter may be reached.

APPLICATION PRZ-03-26

The City of Berkley is proposing to rezone property at 2435 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District.

The complete application information is available for review at <https://berkleymi.gov/community-development/development-projects>.

Comments regarding the request may be made in person on the night of the meeting or may be made in writing. All written comments must be submitted to the Community Development Department or emailed to planning@berkleymi.gov before 5:00p.m on the date of the Planning Commission meeting.

You can watch the meeting: <https://www.youtube.com/user/cityofberkley>

KRISTEN KAPELANSKI
COMMUNITY DEVELOPMENT DIRECTOR

Publish Once:
Oakland Press
Friday, February 6, 2026

THE CITY OF BERKLEY
Community Development Department
3338 Coolidge, Berkley, Michigan 48072
(248) 658-3320

NOTICE OF PUBLIC MEETING
BERKLEY PLANNING COMMISSION

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APPLICATION PRZ-03-26

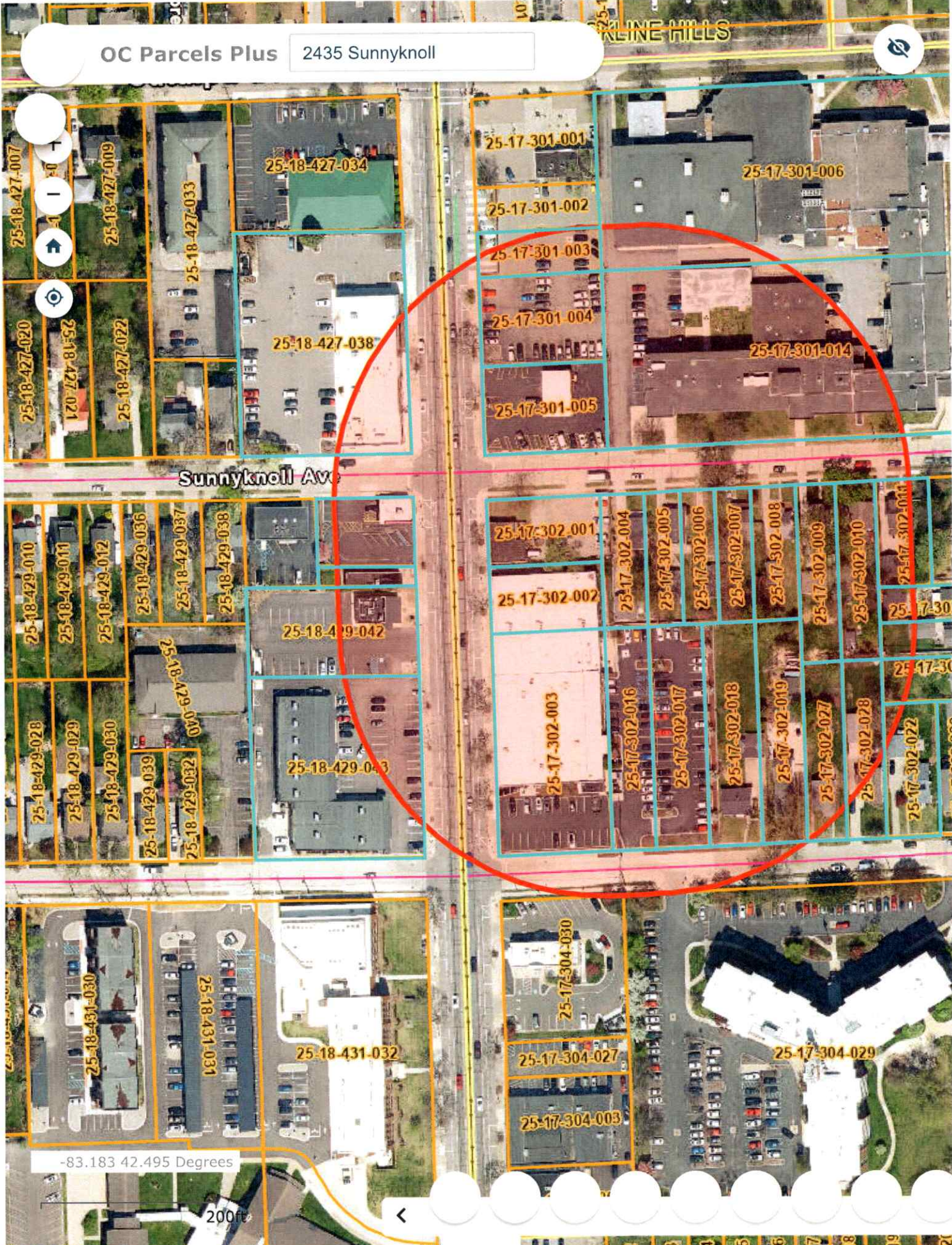
The City of Berkley is proposing to rezone property at 2435 Sunnyknoll Ave. from R-1AB Single Family Residential District to R-1CD Single Family Residential District.

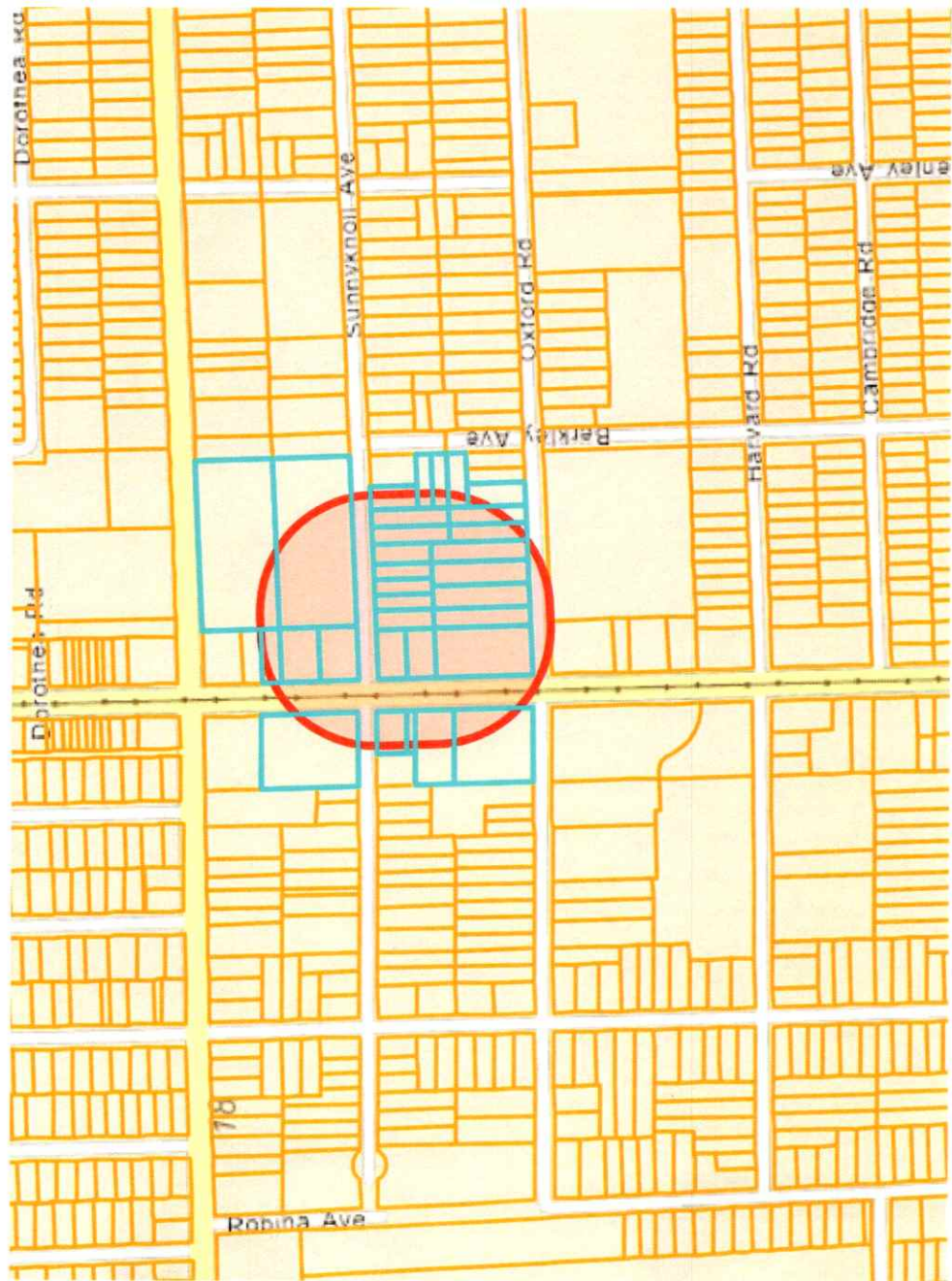
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Comments regarding the request may be made in person on the night of the meeting or may be made in writing. All written comments must be submitted to the Community Development Department or emailed to planning@berkleymi.gov before 5:00p.m on the date of the Planning Commission meeting.

You can watch the meeting: <https://www.youtube.com/user/cityofberkley>

KRISTEN KAPELANSKI
COMMUNITY DEVELOPMENT DIRECTOR





BIG D LOCK CITY ENTERPRISES LLC
2448 COOLIDGE HWY
BERKLEY MI 48072 1553

SD INVESTMENTS LLC
810 KELPIE DR
ANN ARBOR MI 48108 7944

CHRISTOPHER DEHONDT
2389 BERKLEY AVE
BERKLEY MI 48072 1724

BRIAN D CABLE
NICOLE CHUBAROV
2343 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

Occupant
2338 COOLIDGE HWY
BERKLEY MI 48072 1500

Occupant
2375 COOLIDGE HWY
BERKLEY MI 48072 1550

AMY CANNAZZARO
2365 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

SD INVESTMENTS LLC
810 KELPIE DR
ANN ARBOR MI 48108 7944

BERKLEY MPS HOLDINGS
PO BOX 354
CLARKSTON MI 48347 0354

GEOFFREY RICHMOND
2361 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

Occupant
2415 COOLIDGE HWY
BERKLEY MI 48072 1571

DONNA J DOWNES
2371 BERKLEY AVE
BERKLEY MI 48072 1724

KEVIN W MURPHY
2395 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

W & S ENTERPRISES INC
275 BILTMORE DR
TROY MI 48084 5449

Occupant
2440 OXFORD RD
BERKLEY MI 48072 1787

BRIAN BRANNACK
2431 SUNNYKNOLL AVE
BERKLEY MI 48072 1792

KAREN TYSON
2399 COOLIDGE HWY
BERKLEY MI 48072 1550

SD INVESTMENTS LLC
810 KELPIE DR
ANN ARBOR MI 48108 7944

Occupant
2338 COOLIDGE HWY
BERKLEY MI 48072 1500

LINDSEY BALDWIN
2399 SUNNYKNOLL AVE
BERKLEY MI 48072 1744

NICHOLAS KUHAJDA
2360 OXFORD RD
BERKLEY MI 48072 1740

SD INVESTMENTS LLC
810 KELPIE DR
ANN ARBOR MI 48108 7944

KATHLEEN R CARLETON
2429 SUNNYKNOLL AVE
BERKLEY MI 48072 1792

ANDREW WHITAKER
2380 OXFORD RD
BERKLEY MI 48072 1740

DINA M GARGANO
2400 OXFORD RD
BERKLEY MI 48072 1787

Occupant
2416 COOLIDGE HWY
BERKLEY MI 48072 1570

THERESE MARIE LICKER
JUSTIN KYLE LICKER
2350 OXFORD RD
BERKLEY MI 48072 1740

Occupant
2434 OXFORD RD
BERKLEY MI 48072 1787

2416 COOLIDGE LLC
425 LEXINGTON BLVD
ROYAL OAK MI 48073 2525

Occupant
2301 COOLIDGE HWY
BERKLEY MI 48072 1550

BERKLEY GMPS COMPANY LLC
PO BOX 354
CLARKSTON MI 48347 0354

STELLA'S MARKETPLACE LLC
PO BOX 251273
WEST BLOOMFIELD MI 48325

KADIE JACABSEN
MAX HARTMAN
2435 SUNNYKNOLL AVE
BERKLEY MI 48072 1792

Occupant
2524 COOLIDGE HWY
BERKLEY MI 48072 1573

BERKLEY SCHOOL DISTRICT
14501 TALBOT ST
OAK PARK MI 48237 1160

JAMES DZENDZEL
2390 OXFORD RD
BERKLEY MI 48072 1740

BERKLEY SCHOOL DISTRICT
14700 W LINCOLN ST
OAK PARK MI 48237 1366

BERKLEY SCHOOL DISTRICT
14700 W LINCOLN ST
OAK PARK MI 48237 1366

BERKLEY BOARD OF EDUCATION
3127 BACON AVE
BERKLEY MI 48072

ANGELA L EDWARDS
2353 BERKLEY AVE
BERKLEY MI 48072 1724

Occupant
2485 COOLIDGE HWY
BERKLEY MI 48072



MEMORANDUM

To: Mayor Dean and City Council
From: Kristen Kapelanski
Date: April 6, 2026
Subject: Second reading and adoption of City-initiated rezoning of PRZ-04-26, 2437 Franklin Road from R-1AB Single Family District to R-1CD Single Family Residential District.

Madam Mayor and Members of City Council,

Background

- The City Council approved an updated Zoning Ordinance and Zoning Map in March 2025.
- This was the culmination of a two-year process to rewrite the Zoning Ordinance and revise the Zoning Map to match the community vision laid out in the City's Master Plan.
- The previous Zoning Ordinance included four zoning districts for single-family properties. In an effort to consolidate zoning districts and create regulations that better match the actual layout of the City's existing subdivisions, the new Zoning Ordinance condensed the single-family zoning districts from four to two.
- Each single-family property in the City was rezoned to match the current lot size and dimensional regulations of each property to one of the two proposed single-family zoning districts. Generally, anything previously zoned R-1A or R-1B became R-1AB, and anything previously zoned R-1C or R-1D became R-1CD.
- There are thousands of single-family properties in the City, and despite the City's best efforts to confirm that the new zoning district of every property matched the property's current layout, a few parcels were zoned incorrectly, including 2437 Franklin Rd.
- It is important to ensure that the zoning regulations for each property are in line with the existing site dimensions of the property in order for the property to remain legally conforming in terms of zoning. Absent this correction, the property would be deemed legal non-conforming, which could create future issues if additions or alterations to any structures were proposed, or if any structures were to be damaged by fire, natural disaster, etc.

Summary

- In order to correct this issue, the City has proposed a rezoning of 2437 Franklin Rd. from R-1AB District to R-1CD District.
- In accordance with Zoning Ordinance regulations, a public notice was posted in the

newspaper, notices were mailed to all properties within 300 ft. and temporary signage was placed on the property.

- The property owner also received individualized correspondence explaining the reason for the proposed rezoning.
- The Planning Commission recommended approval of the rezoning on February 24, 2026.
- The City Council approved the first reading on March 16, 2026.

Recommendation

Motion to (approve/deny/postpone) the second reading and adoption of the City-initiated rezoning of PRZ-04-26 2437 Franklin Rd. from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

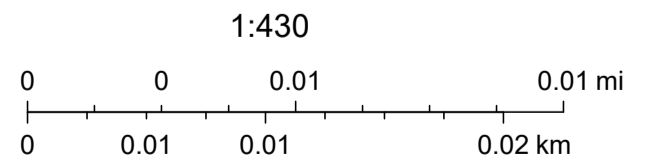
- a) The rezoning (is/is not) consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning (is/is not) compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district (are/are not) compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There (is/is not) adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There (is/is not) demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

PRZ-04-26 2437 Franklin Rd.



2/5/2026, 4:33:07 PM

- OC Tax Parcels
- ° OC Site Address
- Light_Gray_Canvas_Base



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Oakland County, Michigan, SEMCOG, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, NOVEMBER 25, 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: Dana Kaplan Josh Stapp
Shiloh Dahlin Joe Bartus
Lisa Kempner
Eric Arnsman

ABSENT: Mike Woods

ALSO PRESENT: Kristen Kapelanski, Community Development Director
Ryan Shaw, Deputy Finance Director
Michelle Marin, Carlisle Wortman Associates, Planning Consultant

APPROVAL OF AGENDA

Motion by Commissioner Arnsman to approve the agenda and supported by Commissioner Stapp.

Voice vote to approve the agenda

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

APPROVAL OF THE MINUTES

Motion by Commissioner Bartus to approve the minutes of the November 25, 2025 regular Planning Commission meeting and supported by Commissioner Stapp.

Voice vote to approve the meeting minutes of November 25, 2025.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

COMMUNICATIONS

Community Development Director Kapelanski shared the latest mailings from the Michigan Association of Planning.

CITIZEN COMMENTS

NONE

OLD BUSINESS
NONE

NEW BUSINESS

1. PUBLIC HEARING Capital Improvement Plan

Community Development Director Kapelanski explained the Planning Commission's role in improving the Capital Improvement Plan.

Deputy Finance Director Ryan Shaw highlighted the major projects in the Capital Improvement Plan.

Chair Kempner opened the public hearing at 7:07PM.

No one wished to speak and there were no comments received.

Chair Kempner closed the public hearing at 7:08PM.

The Planning Commission confirmed that projects in years further out are not necessarily fully funded.

Motion by Commissioner Arnsman and supported by Commissioner Dahlin to approve the Capital Improvement Plan, as presented.

Voice vote on the motion to approve the Capital Improvement Plan.

AYES: 6

NAYS: 0

ABSENT: Woods

MOTION CARRIED

2. PUBLIC HEARING PRZ-01-26: 2429 Sunnyknoll Ave.: The City is proposing to rezone 2429 Sunnyknoll Ave. on the south side of Sunnyknoll Ave., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski explained that this, and all rezonings on the agenda this evening, were 'clean-up' items initiated by the City to correct errors in the adoption of the updated zoning map one year ago.

Chair Kempner opened the public hearing at 7:12PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:12PM.

Motion by Commissioner Stapp and supported by Commissioner Arnsman, in the matter of PRZ-01-26 2429 Sunnyknoll Ave., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;

- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

- 3. **PUBLIC HEARING PRZ-02-26: 2431 Sunnyknoll Ave.:** The City is proposing to rezone 2431 Sunnyknoll Ave. on the south side of Sunnyknoll Ave., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:17PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:17PM.

Motion by Commissioner Arnsman and supported by Commissioner Dahlin, in the matter of PRZ-02-26 2431 Sunnyknoll Ave., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

- 4. **PUBLIC HEARING PRZ-03-26: 2435 Sunnyknoll Ave.:** The City is proposing to rezone 2435 Sunnyknoll Ave. on the south side of Sunnyknoll Ave., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:21PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:21PM.

Motion by Commissioner Kaplan and supported by Commissioner Bartus, in the matter of PRZ-03-26 2435 Sunnyknoll Ave., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6

NAYS: 0

ABSENT: Woods

MOTION CARRIED

5. **PUBLIC HEARING PRZ-04-26: 2437 Franklin Rd.:** The City is proposing to rezone 2437 Franklin Rd. on the south side of Franklin Rd., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:23PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:24PM.

Motion by Commissioner Dahlin and supported by Commissioner Stapp, in the matter of PRZ-04-26 2437 Franklin Rd., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
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- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6

NAYS: 0
ABSENT: Woods

MOTION CARRIED

6. PUBLIC HEARING PRZ-05-26: 2451 Franklin Rd.: The City is proposing to rezone 2451 Franklin Rd. on the south side of Franklin Rd., east of Coolidge Hwy. from R-1AB Single Family Residential District to R-1CD Single Family Residential District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:27PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:27PM.

Motion by Commissioner Stapp and supported by Commissioner Bartus, in the matter of PRZ-05-26 2451 Franklin Rd., motion to recommend approval to the City Council of the City-initiated rezoning from R-1AB Single Family Residential District to R-1CD Single Family Residential District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
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- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

7. PUBLIC HEARING PRZ-06-26: 3170 Eleven Mile Rd.: The City is proposing to rezone the rear 33.5 feet of 3170 Eleven Mile Rd. on the north side of Eleven Mile Rd., east of Gardner Ave. from R-1CD Single Family Residential District to Flex District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:30PM.

Pali Palokaj, owner of 3170 Eleven Mile, and his representative confirmed that the proposed rezoning would not impact a potential expansion of the building.

Courtney (last name inaudible) of Berkley asked what the Flex zoning entailed and inquired about the details of the restaurant expansion.

Community Development Director Kapelanski explained why the rezoning was proposed and the setbacks associated with the Flex District.

No correspondence was received.

Chair Kempner closed the public hearing at 7:33PM.

The Planning Commission confirmed any additions or site changes would go through the site plan review process.

Motion by Commissioner Dahlin and supported by Commissioner Bartus, in the matter of PRZ-06-26 3170 Eleven Mile Rd., motion to recommend approval to the City Council of the City-initiated rezoning of the rear 33.5 feet of the property from R-1CD Single Family Residential District to Flex District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6

NAYS: 0

ABSENT: Woods

MOTION CARRIED

- 8. PUBLIC HEARING PRZ-07-26: 3180 Eleven Mile Rd.:** The City is proposing to rezone the rear 33.5 feet of 3180 Eleven Mile Rd. on the north side of Eleven Mile Rd., east of Gardner Ave. from R-1CD Single Family Residential District to Flex District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:38PM.

No one wished to speak and no correspondence was received.

Chair Kempner closed the public hearing at 7:38PM.

Motion by Commissioner Dahlin and supported by Commissioner Bartus, in the matter of PRZ-07-26 3180 Eleven Mile Rd., motion to recommend approval to the City Council of the City-initiated rezoning of the rear 33.5 feet of the property from R-1CD Single Family Residential District to Flex District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

9. PUBLIC HEARING PRZ-08-26: 22-16-352-06: The City is proposing to rezone Parcel 25-16-352-026 on the north side of Columbia Rd., west of Woodward Ave. to add the Parking Overlay District

Community Director Kapelanski introduced the rezoning.

Chair Kempner opened the public hearing at 7:43PM.

Michael Cameron, 724 Columbia, wanted to confirm this rezoning would have no impact on the adjacent public alley.

Community Development Director Kapelanski confirmed this would have no effect on the public alley.

Chair Kempner read an email received from Marisa Weber, 737 Columbia. She had concerns with any parking needs of future businesses and the maintenance of the lot.

Chair Kempner closed the public hearing at 7:48PM.

Community Development Director Kapelanski confirmed she had followed up with the email sender from the public hearing.

Motion by Commissioner Kaplan and supported by Commissioner Bartus, in the matter of PRZ-08-26 Parcel #25-16-352-026, motion to recommend approval to the City Council of the City-initiated rezoning to add the Parking Overlay District with the following findings per Section 18.04 of the Zoning Ordinance:

- a) The rezoning is consistent with the goals, policies, and City of Berkley Master Plan, and all applicable subarea and corridor studies, including the Downtown Master Plan;
- b) The rezoning is compatible with the site's physical, geological, hydrological and other environmental features and with the potential uses allowed in the proposed district;
- c) The potential uses allowed in the proposed zoning district are compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- d) There is adequate capacity in City infrastructure and services to accommodate the uses permitted in the requested district; and
- e) There is demonstrated need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Roll call vote on the motion to recommend approval of the proposed zoning ordinance amendment.

AYES: 6
NAYS: 0
ABSENT: Woods

MOTION CARRIED

10. Discussion of potential Zoning Ordinance amendment to regulate data centers

Planning Consultant Marin introduced a potential text amendment providing locations and standards for data centers in the City. The text splits data centers into large, small and accessory facilities with permitted zoning districts listed for each. Thresholds for size, power demand, and water use, as well as decommissioning are also included.

Community Development Director Kapelanski clarified that there are no data centers currently proposed. Staff is merely taking a proactive step to regulate a potential new use.

The Planning Commission discussed the proposed amendment and requested the following changes:

- Add standards for when a data center is considered 'abandoned';
- Create a map for discussion purposes that identifies parcels where data centers could be located based on the proposed ordinance language; and
- Add generator noise and vibration standards.

11. Bylaws and Rules of Procedure

The Planning Commission had no changes to the Bylaws and Rules of Procedure.

LIAISON REPORT

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

Chair Kempner read an update from City Council Liaison Hennen on the City Council's recent meetings.

COMMISSIONER COMMENTS

NONE

STAFF COMMENTS

Community Development Director Kapelanski listed several items the City Council approved over the past months.

ADJOURNMENT

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

Voice vote for adjournment

AYES: 6

NAYS: 0

ABSENT: Woods

With no further business, the meeting was adjourned at 8:23PM.

THE CITY OF BERKLEY
Community Development Department
3338 Coolidge, Berkley, Michigan 48072
(248) 658-3320

NOTICE OF PUBLIC MEETING
BERKLEY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN, in accordance with Section 3.09 of Chapter 138 of the Berkley City Code, that there will be a meeting of the Berkley Planning Commission to be held at the City of Berkley in the Council Chambers, 3338 Coolidge Hwy, Berkley Michigan, on **Tuesday, February 24, 2026** at 7:00pm, or as near thereto as the matter may be reached.

APPLICATION PRZ-04-26

The City of Berkley is proposing to rezone property at 2437 Franklin Rd. from R-1AB Single Family Residential District to R-1CD Single Family Residential District.

The complete application information is available for review at <https://berkleymi.gov/community-development/development-projects>.

Comments regarding the request may be made in person on the night of the meeting or may be made in writing. All written comments must be submitted to the Community Development Department or emailed to planning@berkleymi.gov before 5:00p.m on the date of the Planning Commission meeting.

You can watch the meeting: <https://www.youtube.com/user/cityofberkley>

KRISTEN KAPELANSKI
COMMUNITY DEVELOPMENT DIRECTOR

Publish Once:
Oakland Press
Friday, February 6, 2026

THE CITY OF BERKLEY
Community Development Department
3338 Coolidge, Berkley, Michigan 48072
(248) 658-3320

NOTICE OF PUBLIC MEETING
BERKLEY PLANNING COMMISSION

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APPLICATION PRZ-04-26

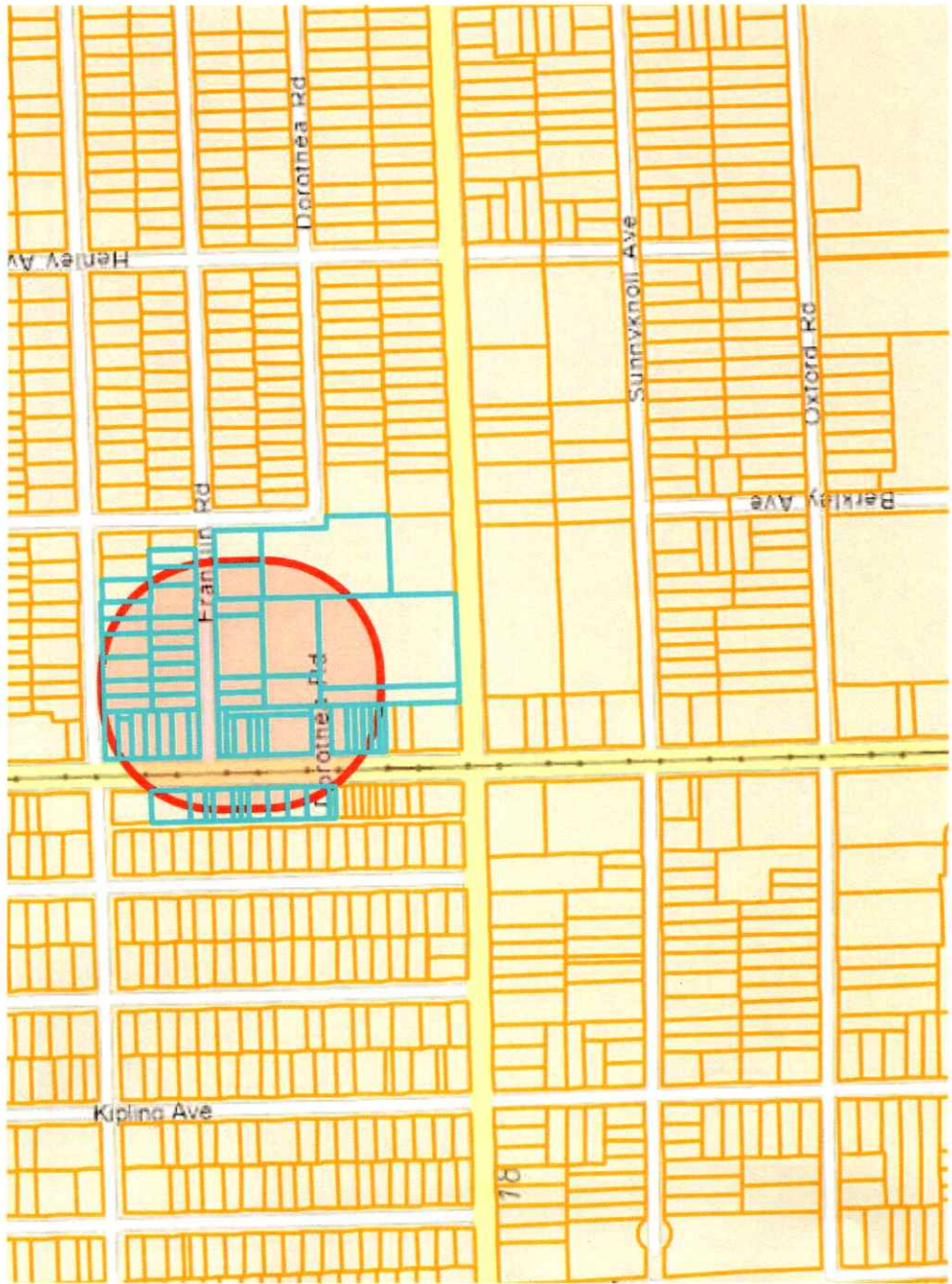
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KRISTEN KAPELANSKI
COMMUNITY DEVELOPMENT DIRECTOR



FREDERIC INVESTMENTS LLC
2695 COOLIDGE HWY
BERKLEY MI 48072 1554

BERKLEY WELLNESS LLC
25831 CONCORD RD
HUNTINGTON WOODS MI 48070 1636

PINCH PROPERTIES LLC
13135 LINCOLN DR
HUNTINGTON WOODS MI 48070 1441

Occupant
2688 COOLIDGE HWY
BERKLEY MI 48072 1555

Occupant
2745 COOLIDGE HWY
BERKLEY MI 48072 1556

LAAM MANAGEMENT LLC
2680 COOLIDGE HWY
BERKLEY MI 48072 1555

BOMBSHELL TREAT BAR
1250 BIRMINGHAM BLVD
BIRMINGHAM MI 48009 4101

SR3 LLC
500 S OLD WOODWARD AVE STE 200
BIRMINGHAM MI 48009 6627

0612 INVESTMENT PROPERTIES LLC
2670 COOLIDGE HWY
BERKLEY MI 48072 1555

BERKLEY SCHOOL DISTRICT
14700 W LINCOLN ST
OAK PARK MI 48237 1366

Occupant
2783 COOLIDGE HWY
BERKLEY MI 48072 1556

Occupant
2676 COOLIDGE HWY
BERKLEY MI 48072 1555

Occupant
2329 FRANKLIN RD
BERKLEY MI 48072 1815

UNIVERSAL ELECTRIC
1361 HOSKINS DR
HOWELL MI 48855 6736

0612 INVESTMENT PROPERTIES LLC
2670 COOLIDGE HWY
BERKLEY MI 48072 1555

BERKLEY SCHOOL DISTRICT
14501 TALBOT ST
OAK PARK MI 48237 1160

JOHN A GOODWIN
2437 FRANKLIN RD
BERKLEY MI 48072 3304

Occupant
2666 COOLIDGE HWY
BERKLEY MI 48072 1555

BERKLEY SCHOOL DISTRICT
14700 W LINCOLN ST
OAK PARK MI 48237 1366

Occupant
2789 COOLIDGE HWY
BERKLEY MI 48072 1556

2666 COOLIDGE HIGHWAY LLC
25892 WOODWARD AVE
ROYAL OAK MI 48067 0910

Occupant
2365 FRANKLIN RD
BERKLEY MI 48072 1815

ROSEWOOD INVESTMENTS LLC
2799 COOLIDGE HWY
BERKLEY MI 48072 1556

ROBERT MCGOWAN
2660 COOLIDGE HWY
BERKLEY MI 48072 1555

BERKLEY SCHOOL DISTRICT
14700 W LINCOLN ST
OAK PARK MI 48237 1366

DECADENT JOURNEYS LLC
2752 COOLIDGE HWY
BERKLEY MI 48072 1557

Occupant
2733 COOLIDGE HWY
BERKLEY MI 48072 1556

Occupant
2770 COOLIDGE HWY
BERKLEY MI 48072 1557

Occupant
2790 COOLIDGE HWY
BERKLEY MI 48072 1557

SR3 LLC
500 S OLD WOODWARD AVE STE 200
BIRMINGHAM MI 48009 6627

Occupant
2730 COOLIDGE HWY
BERKLEY MI 48072 1557

JOSEPH SHAGENA
GINA SHAGENA
2379 WILTSHIRE RD
BERKLEY MI 48072 1823

BERKLEY SCHOOL DISTRICT
14700 W LINCOLN ST
OAK PARK MI 48237 1366

CAMELOT COOLIDGE LLC
2060 COOLIDGE HWY
BERKLEY MI 48072 1546

KENNETH L JOHNSON
2365 WILTSHIRE RD
BERKLEY MI 48072 1823

Occupant
2717 COOLIDGE HWY
BERKLEY MI 48072 1556

CITY OF BERKLEY
3338 COOLIDGE HWY
BERKLEY MI 48072 1636

Occupant
2351 WILTSHIRE RD
BERKLEY MI 48072 1823

BLACK DOG ATELIER LLC
26736 WYOMING RD
HUNTINGTON WOODS MI 48070 1235

Occupant
2782 COOLIDGE HWY
BERKLEY MI 48072 1557

MADELINE C ROTY
3223 GARDEN AVE
ROYAL OAK MI 48073 6526

NICHOLAS P DANOWSKI
ARIEL G REGNER
2425 WILTSHIRE RD
BERKLEY MI 48072 3320

SCOTT C MORROW
JOHN M NIEBAUER
10 WELLESLEY DR
PLEASANT RIDGE MI 48069 1240

GARY HOYE
2395 WILTSHIRE RD
BERKLEY MI 48072 1823

Occupant
2330 CATALPA DR
BERKLEY MI 48072 1290

Occupant
2758 COOLIDGE HWY
BERKLEY MI 48072 1557

RICHARD COMBE
LISA COMBE
2451 WILTSHIRE RD
BERKLEY MI 48072 3320

BERKLEY SCHOOL DISTRICT
14700 W LINCOLN ST
OAK PARK MI 48237 1366

BERKLEY BRICK & MORTAR
2756 MORTENSON BLVD
BERKLEY MI 48072 1817

ARTHUR CURTIS
TIFFANY CURTIS
2437 WILTSHIRE RD
BERKLEY MI 48072 3320

CITY OF BERKLEY
3338 COOLIDGE HWY
BERKLEY MI 48072 1636

Occupant
2705 COOLIDGE HWY
BERKLEY MI 48072 1556

MARIE NALEZYTY
2451 FRANKLIN RD
BERKLEY MI 48072 3304

CITY OF BERKLEY
3338 COOLIDGE HWY
BERKLEY MI 48072 1636

JOEL BACOW
1525 E NINE MILE RD
FERNDALÉ MI 48220

Occupant
2769 COOLIDGE HWY
BERKLEY MI 48072

GEORGE DOUGLAS BLAKE
JACKLYN MARIE BURNETT
2450 FRANKLIN RD
BERKLEY MI 48072 3303

BERKLEY SCHOOL DISTRICT
14700 W LINCOLN ST
OAK PARK MI 48237 1366

2769 COOLIDGE LLC
2392 CAMBRIDGE RD
BERKLEY MI 48072 1709

ULLMAN'S 61 LLC
2816 COOLIDGE HWY
BERKLEY MI 48072 1559

Occupant
2826 COOLIDGE HWY
BERKLEY MI 48072 1559

THOMAS E NASH
SHARI PEACOCK-NASH
2324 FRANKLIN RD
BERKLEY MI 48072 1816

MARTIN B SMITH
2426 FRANKLIN RD
BERKLEY MI 48072 3303

CPIC OF BERKLEY
28913 WOODWARD AVE
BERKLEY MI 48072 0923

ROSEMARY M WOOLLEY
KAREN H HAUG
2366 FRANKLIN RD
BERKLEY MI 48072 1816

CHRISTINE A VETERE
RYAN A ROSSI
2438 FRANKLIN RD
BERKLEY MI 48072 3303

LAUREN GREENBERG
2396 FRANKLIN RD
BERKLEY MI 48072

MELISSA M SAWYERS
2412 FRANKLIN RD
BERKLEY MI 48072 3303

CARLSON MERSINGER LLC
2851 RUSSELL BLVD
ST LOUIS MO 63104 2141

KEVIN MULVANEY
NICOLE MULVANEY
2380 FRANKLIN RD
BERKLEY MI 48072

Occupant
2823 COOLIDGE HWY
BERKLEY MI 48072 1558

CARLSON MERSINGER LLC
2851 RUSSELL BLVD
ST LOUIS MO 63104 2141

Occupant
2880 COOLIDGE HWY
BERKLEY MI 48072 1559

CARLSON MERSINGER LLC
2851 RUSSELL BLVD
ST LOUIS MO 63104 2141

BERKLIDGE GROUP LLC
999 S LOGAN ST STE 300
DENVER CO 80209 5801

Occupant
2838 COOLIDGE HWY
BERKLEY MI 48072 1559

Occupant
2870 COOLIDGE HWY
BERKLEY MI 48072 1559

FSZ HOLDINGS LLC
31150 NORTHWESTERN HWY # 100
FARMINGTON HILLS MI 48072

BERKLIDGE GROUP LLC
999 S LOGAN ST STE 300
DENVER CO 80209 5801

Occupant
2850 COOLIDGE HWY
BERKLEY MI 48072 1559

Occupant
2860 COOLIDGE HWY
BERKLEY MI 48072 1559

FSZ HOLDINGS LLC
31150 NORTHWESTERN HWY # 100
FARMINGTON HILLS MI 48072

BERKLIDGE GROUP LLC
999 S LOGAN ST STE 300
DENVER CO 80209 5801

ALEXANDRA S DZINGLE
2338 FRANKLIN RD
BERKLEY MI 48072 1816



MEMORANDUM

To: Mayor Dean and City Council
From: Adam Wozniak
Date: April 6, 2026
Subject: Purchase of Neptune R900i water meters.

Madam Mayor and Members of City Council,

Background

The City of Berkley is actively upgrading its water system, specifically through the installation of Neptune R900i water meters. This progress brings us closer to completing a city-wide transition to Neptune meters.

Summary

- As of today, we currently need to replace 3,567 old water meters that are incompatible with our water meter reading infrastructure. We have established a monthly target of 160 water meter replacements. This objective is essential to ensuring the continued efficiency and accuracy of our water system.
- Over the years, we have established a productive relationship with Ferguson Waterworks, purchasing a wide range of equipment including water meters and many hard-to-find items that you cannot find at your local stores.
- Purchasing from Ferguson Waterworks will utilize the Oakland County Contract #008704 for Neptune water meters pricing.

It is my recommendation that the City Council approve the purchase of 500 x 5/8"-3/4" Neptune R900i water meters in the amount of \$117,095.00 from Ferguson Waterworks Kentwood, Mi utilizing the Oakland County Contract #008704 utilizing account # 592-536-982-592.

Recommendation

Motion to (approve/deny/postpone) the purchase of 500x 5/8"-3/4" Neptune R900i water meters in the amount of \$117,095 from Ferguson Waterworks of Kentwood, MI, utilizing Oakland County Contract 008704 using budgeted funds from account 592-536-982-592 subject to review by the City Attorney and approval and execution by the City Manager

and subject to attorney review of the terms and conditions of the purchase.



FERGUSON WATERWORKS #2053
 3900 44TH ST SE
 KENTWOOD, MI 49512-3942

Phone: 616-803-7521
 Fax: 616-554-7728

Deliver To:	
From:	Stephen Daniell stephen.daniell@ferguson.com
Comments:	

14:16:15 MAR 09 2026

Page 1 of 1

FERGUSON WATERWORKS #3386

Price Quotation

Phone: 616-803-7521

Fax: 616-554-7728

Bid No: B114029
Bid Date: 03/03/26
Quoted By: ZLD

Cust Phone: 248-658-3490
Terms: NET 10TH PROX

Customer: CITY OF BERKLEY
 DEPT OF PUBLIC WORKS
 3238 BACON AVENUE
 METER ACCOUNT
 BERKLEY, MI 48072

Ship To: CITY OF BERKLEY
 DEPT OF PUBLIC WORKS
 3238 BACON AVENUE
 METER ACCOUNT
 BERKLEY, MI 48072

Cust PO#:

Job Name: METER ACCOUNT

Item	Description	Quantity	Net Price	UM	Total
NED2B11RPDF11	LF 5/8X3/4 T10 MTR P/C R900I CF	500	223.040	EA	111520.00
FMAGTRADESURNEP	NEPTUNE TRADE SURCHARGE FEE OAKLAND COUNTY CONTRACT 008704	500	11.150	EA	5575.00
Net Total:					\$117095.00
Tax:					\$0.00
Freight:					\$0.00
Total:					\$117095.00

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. QUOTES FOR PRODUCTS SHIPPED FOR RESALE ARE NOT FIRM UNLESS NOTED OTHERWISE.

Due to the uncertain impact of potential tariffs, Ferguson's quotation/proposal has not included any provision or contingency for future tariffs or increase of existing tariffs. Ferguson reserves the right to adjust prices to reflect the impact of any new or increased tariffs that affect our costs at the time of shipment. Ferguson will provide notice of any such adjustments along with documentation supporting the changes.

CONTRACTOR CUSTOMERS: IF YOU HAVE DBE/MBE/WBE//VBE/SDVBE/SBE GOOD FAITH EFFORTS DIVERSITY GOALS/ REQUIREMENTS ON A FEDERAL, STATE, LOCAL GOVERNMENT, PRIVATE SECTOR PROJECT, PLEASE CONTACT YOUR BRANCH SALES REPRESENTATIVE IMMEDIATELY PRIOR TO RECEIVING A QUOTE/ORDER.

Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at <https://www.ferguson.com/content/website-info/terms-of-sale>
 Govt Buyers: All items are open market unless noted otherwise.

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with *NP in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.



HOW ARE WE DOING? WE WANT YOUR FEEDBACK!

Scan the QR code or use the link below to complete a survey about your bids:

<https://survey.medallia.com/?bidsorder&fc=3386&on=7016>



MEMORANDUM

To: Mayor Dean and City Council
From: Shawn Young
Date: April 6, 2026
Subject: 2026 Summer Maintenance Agreement between the Road Commission for Oakland County and the City of Berkley.

Madam Mayor and Members of City Council,

Background

The City of Berkley has partnered with RCOC to provide summer maintenance activities (street sweeping) on 12 Mile Road between Greenfield and Woodward for several consecutive years. While Oakland County has jurisdiction over this roadway, the City is able to provide a higher level of service including several sweepings per year.

Summary

- RCOC currently reimburses the City based upon the following formula:

$3.2 \text{ Curb Miles} \times \$192.50/\text{Curb Mile} = \$616.00 \times 3 \text{ Sweepings} = \1848.00

- The reimbursement will be made in two installments, 65% (\$1201.20) in September 2025 and 35% (\$646.80) upon completion of the last maintenance activity.
- Even though the reimbursement does not cover 100% of our costs, the City of Berkley is able to provide a higher level of service to our residents and business.
- As part of the agreement, proof of liability insurance for City personnel/equipment working on County roads and membership in the Michigan Municipal Workers Compensation Fund has already been provided to the Road Commission.

Recommendation

It is my recommendation that City Council (Approve/Deny/Postpone) the 2025 Summer Maintenance Agreement between the Road Commission for Oakland County and the City of Berkley subject to a review of the contract by the City Attorney and approval and

execution by the City Manager.

2026 SUMMER MAINTENANCE AGREEMENT
CITY OF BERKLEY

Under 1951 PA 51, As Amended

This Summer Maintenance Agreement (“Agreement”) is made this ____ day of _____, 2026, between the Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate, (hereinafter variously referred to as the “Board and as the “Road Commission for Oakland County”) and the **City of Berkley**, Oakland County Michigan, a Michigan municipal corporation hereinafter referred to as the “City.”

WHEREAS, certain county primary and local roads more specifically set forth in Exhibit A, attached hereto, are under the jurisdiction and control of the Board and are located within or adjacent to the City; and

WHEREAS, The City desires to be responsible for certain maintenance of said roads under the terms of this Agreement and the Board is willing to participate in the cost thereof as provided in Section III of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein as provided, it is hereby agreed as follows:

I

The City hereby agrees to be responsible for performing Summer Maintenance of certain roads under the terms of this Agreement, and the Board agrees to participate in the cost thereof as provided in Section III of this Agreement. “Summer Maintenance,” herein required to be performed by City, shall mean the work and services specified in Exhibit B hereto and this Agreement. All maintenance work and services performed by the City shall be in accordance with the Board’s minimum maintenance standards and this Agreement.

II

The Board has determined and specified the equipment and personnel necessary to provide the Summer Maintenance and the City has acquired the necessary equipment and personnel so specified. The City shall keep accurate and uniform records of all Summer Maintenance work performed pursuant to this Agreement. The Board shall have the right to audit City accounts and records insofar as such documents concern this Agreement and the work and services performed and to be performed hereunder.

III

In consideration of the Summer Maintenance by the City, the Board hereby agrees to pay to the City the sum of **\$1,848.00**, as set forth in Exhibit A, attached hereto and made a part hereof. Such amounts are to be used by the City for Summer Maintenance. Payments are to be made by the Board to the City as follows:

65% on September 15, 2026
35% upon completion of the last Summer Maintenance activity

The making of said payments shall constitute the Board’s entire obligation in reference to Summer Maintenance.

IV

It is specifically understood and agreed by the City and the Board that by undertaking to perform Summer Maintenance of certain county primary roads, the City does not assume the Board's legal duty to

keep said roads in such condition as to be in accordance with MCLA 224.21, reasonably safe and convenient for public travel, other than as may relate to the work and service to be performed as listed in Section I above, and the City hereby agrees to hold harmless, represent, defend with counsel acceptable to the Board, and indemnify the Board; the County of Oakland; the Office of the Oakland County Water Resources Commissioner and any and all applicable drainage districts(s); the Michigan State Department of Transportation and the Transportation Commission; any and all local units(s) of government within which the roads subject to this Agreement are located, and the respective officers, agents and employees of all of the foregoing, against any and all claims, charges, complaints, damages, or causes of action for (a) public or private property damage, (b) injuries to persons, or (c) other claims, charges, complaints, damages or causes of action arising out of the performance or non-performance of the activities which are the subject matter of this Agreement, both known and unknown, whether during the progress or after the completion thereof. However, this hold harmless provision does not apply in so far as any claim or suit is alleged to be, or demonstrated to be, the result of a defect in highway design or condition and not related to the Summer Maintenance activities set out in Section I. Further, since the Board has the statutory responsibility for maintenance of the roads under this Agreement, it is the intent of the parties that the delegation by this Agreement of those maintenance responsibilities to the City provide immunity to the City as an agent of the County. Therefore, the City falls within the governmental immunity protection of the County.

During that part of the year that the City is providing Summer Maintenance under Section I, the City agrees to notify the Board within 30 days, should it become aware of defects or maintenance requirements in the roads set forth in Exhibit A, if said defects or maintenance requirements are not Summer Maintenance subject to this Agreement.

V

The City shall acquire and maintain, during the term of the Agreement, statutory worker's compensation, employer's liability, automobile and comprehensive general liability insurance coverages, and such other insurance coverages, as described in Exhibit C attached hereto, covering the Board's liability for any and all claims arising out of the City's performance or non-performance of the activities which are the subject matter of this Agreement, and these coverages shall be obtained and maintained in accordance with the requirements set forth in Exhibit C attached hereto and made a part hereof and shall be primary and non-contributory.

VI

The City further agrees to comply with all applicable laws and regulations, including laws and regulations of the State of Michigan for safeguarding the air and waters of the State. In particular, City facilities and operations must meet the provisions of Part 5 (Spillage of Oil and Polluting Materials) rules promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. (Rules R324.2001 through R324.2009 address release prevention planning, secondary containment, surveillance, and release reporting requirements).

VII

In accordance with Michigan 1976 PA 453, as amended, and 1976 PA 220, as amended, the City covenants not to discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, marital status or because of a disability that is unrelated to the individual's ability to perform the duties of the particular job or position, and to require a similar covenant on the part of any subcontractor employed in the performance of the Agreement. A breach of this covenant may be regarded as a material breach of this Agreement.

VIII

The City shall utilize the provisions of the Federal E-Verify Program to verify the work authorization status of all newly hired employees; and the Road Commission for Oakland County may terminate the contract for failure of City to so comply with the Federal E-Verify Program.

IX

It is the intention of the parties hereto that this Agreement is not made for the benefit of any third party. It is anticipated that subsequent agreements regarding Summer Maintenance activities will be executed annually by the parties hereto.

The terms and conditions of this Agreement shall become effective as of April 1, 2026, and shall continue in full force and effect until a subsequent Summer Maintenance agreement has been executed by the parties hereto or until this Agreement is terminated, as set forth below.

In the event that a subsequent Summer Maintenance agreement has not been executed by the parties hereto on or before October 15, 2026, either party may terminate this Agreement by providing the other party hereto with written notice of intent to terminate, at least thirty (30) days prior to the date of termination.

This Agreement is executed by the Board at its meeting of _____, and by the City by authority of a resolution of its governing body, adopted _____, (copy attached as Exhibit D).

Witnesses:

CITY OF BERKLEY
A Municipal Corporation

_____ By: _____

Its: _____

_____ By: _____

Its: _____

Witnesses:

**BOARD OF COUNTY ROAD COMMISSIONERS
OF THE COUNTY OF OAKLAND,**
A Public Body Corporate

_____ By: _____

Its: _____

_____ By: _____

Its: _____

EXHIBIT A

2026 SUMMER MAINTENANCE AGREEMENT

CITY OF BERKLEY

PRIMARY ROAD(S) TO BE MAINTAINED:

Twelve Mile Road, Greenfield Road to Woodward Avenue 3.2 Curb Miles

3.2 Curb Miles x \$192.50/Curb Mile = \$616.00 x 3 Sweepings = \$1,848.00

EXHIBIT B

2026 SUMMER MAINTENANCE AGREEMENT

CITY OF BERKLEY

WORK TO BE PERFORMED:

Sweep all roads listed in Exhibit A, in both directions of travel and around islands, as provided in this Agreement, three (3) times (once between April 15th and May 15th; once between July 15th and August 15th and once between September 15th and October 15th). The City may at its own expense sweep more frequently, subject to the other terms and conditions of this Agreement, including, without limitation, the indemnification and insurance provisions.

EXHIBIT C

2026 SUMMER MAINTENANCE AGREEMENT

CITY OF BERKLEY

SPECIAL PROVISION FOR INDEMNIFICATION, DAMAGE LIABILITY AND INSURANCE

Indemnification and Damage Liability

See provisions of the maintenance agreement to which this Exhibit C is attached.

Insurance Coverage:

The City, prior to execution of the maintenance agreement, shall file with the Board of County Road Commissioners of the County of Oakland (“Board”), copies of completed certificates of insurance as evidence that it carries adequate insurance satisfactory to the Board; and, without the prior written consent of the Board, the City shall not cancel, reduce, or fail to renew the insurance coverage required by this Agreement. The City shall immediately notify the Board and cease operations upon the occurrence of any cancellation, reduction, modification or termination of insurance required hereunder, and shall not resume operations under this Agreement until all insurance as required by this Agreement is in full force and effect. The City shall provide in a form and substance acceptable to the Board an underwriter’s endorsement to its comprehensive general liability insurance and auto liability insurance, including any excess umbrella insurance, in the amounts set forth on Exhibit C, naming the Board and the Office of the Oakland County Water Resources Commissioner as an additional named insured. The City shall obtain and deliver to the Board a notice of cancellation and non-renewal endorsement, acceptable to the Board, for the general liability, auto liability, and worker’s compensation and employer’s liability policies. Prior to commencing the work, the City shall provide to the Board evidence satisfactory to the Board of payment of the current premium for the required insurance and endorsements and shall also obtain certificates of insurance for each policy, providing for thirty (30) days actual (not “endeavor to”) prior, written notice to the Board by the insurance carrier of any cancellation, termination reduction or material change of the policy. The City shall make sure that each of its subcontractors, if any, providing any of the work and services under this contract, shall obtain and maintain insurance as set forth in this Agreement.

The City shall provide the following insurance coverages which shall be primary and non-contributory:

- a. Workmen’s Compensation Insurance: The insurance shall provide protection for the City’s employees, to the statutory limits of the State of Michigan and \$500,000 employer’s liability. The indemnification obligation under this section shall not be limited in any ways by any limitation on the amount or type of damages, compensation or benefits payable by or for the City under worker’s disability compensation coverage established by law.
- b. Bodily Injury and Property Damage Other than Automobile: The insurance shall provide protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operations for one year after completion of the work.

Bodily Injury Liability Each Person: \$1,000,000 Each Occurrence: \$1,000,000 Aggregate: \$2,000,000 -and- Property Damage Liability: Each Occurrence: \$250,000 Aggregate: \$250,000	Or: Single Limit: Bodily injury and Property Damage Each Occurrence: \$1,000,000 Aggregate: \$2,000,000
--	--

Such insurance shall include: 1) explosion, collapse, and underground damage hazards (x,c,u), which shall include, but not be limited to coverage for (a) underground damage to facilities due to drilling and excavating with mechanical equipment; and (b) collapse or structural injury to structures due to blasting or explosion, excavation, tunneling, pile driving, cofferdam work, or building moving or demolition; (2) products and completed operations; (3) contractual liability; and (4) independent contractors' coverages.

- c. Bodily Injury Liability and Property Damage Liability - Automobiles (Comprehensive Auto Liability)
 The minimum limits of bodily injury liability and property damage liability shall be:

Bodily Injury Liability Each Person: \$500,000 Each Occurrence: \$1,000,000 -and- Property Damage Liability: Each Occurrence: \$1,000,000	Or: Single Limit: Bodily Injury and Property Damage Each Occurrence: \$2,000,000
---	--

Such insurance shall include coverage for all owned, hired, and non-owned vehicles.

- d. Excess and Umbrellas Insurance – The City may substitute corresponding excess and/or umbrella liability insurance for a portion of the above listed requirements in order to meet the specified minimum limits of liability.
- e. The City shall provide for and in behalf of the Board and all agencies specified by the Board, as their interest may appear, Owner's Protective Public Liability Insurance. Such insurance shall provide coverage and limits the same as the City's Public Liability Insurance.

Reports – The City or his insurance carrier shall immediately report all claims received which relate to the Contract, and shall also report claims investigations made, and disposition of claims to the County Highway Engineer.

See provisions of the maintenance agreement to which this Exhibit C is attached.



QUALITY LIFE THROUGH GOOD ROADS:
ROAD COMMISSION FOR OAKLAND COUNTY
"WE CARE."

Board of Road Commissioners

James Esshaki
Commissioner

Tylene L. Henry
Commissioner

Eric D. McPherson
Commissioner

Dennis G. Kolar, P.E.
Managing Director

Gary Piotrowicz, P.E., P.T.O.E.
*Deputy Managing Director
County Highway Engineer*

**Highway Maintenance
Department**

**2420 Pontiac Lake Road
Waterford, MI 48328**

248-858-4881

www.rcocweb.org

March 10, 2026

Mr. Shawn Young
Director of Public Works
City of Berkley
3338 Coolidge Highway
Berkley MI 48072

RE: 2026 Summer Maintenance Agreement

Dear Mr. Young:

Attached are two copies of a Summer Maintenance Agreement between the Road Commission for Oakland County and the City of Berkley for sweeping on Twelve Mile Road from Greenfield Road to Woodward Avenue. The frequency of the sweeping activity for this year remains at 3 sweepings.

Please note: We are requesting that the City invoice the Road Commission for 65% of the total contract amount on September 15, 2026, and invoice for the remaining 35% upon completion of the last maintenance activity.

If the agreement is satisfactory, please attach certified copies of the resolution for approval by your City Council and return the two signed copies to this office for approval by the Board of Road Commissioners. One fully signed copy will be returned to you.

Please submit your proof of liability insurance that covers this agreement and particularly covers your personnel and equipment working on county roads under the jurisdiction of the Board of Road Commissioners. As your current Certificate of Membership in the Michigan Municipal Workers Compensation Fund will expire in June, I would appreciate it if you would forward a new certificate at that time. If there are any changes in the coverage during the term of this agreement, we must be notified of these changes.

The Board of County Road Commissioners and I extend our appreciation to you, the City Council and your road employees, for the fine work that has been done in connection with past agreements, and we want to continue to cooperate with you in any way that we can.

Also, please note that the prices in Exhibit A are reflective of our current bids. If you have any questions, please call.

Sincerely,

Darryl M. Heid, P.E.
Director of Highway Maintenance

DMH/Is
attachment



MEMORANDUM

To: Mayor Dean and City Council
From: Victoria Mitchell
Date: April 6, 2026
Subject: Berkley Art Bash Event.

Madam Mayor and Members of City Council,

Background

- The annual Berkley Art Bash is scheduled to take place Saturday, June 13, 2026 from 10 a.m.-6 p.m. It is a Berkley Area Chamber of Commerce event.
- The event will take place on 12 Mile Road, between Buckingham Avenue and Coolidge Highway.
- The event is managed and staffed by members of the Berkley Area Chamber of Commerce and volunteers.
- All necessary documentation was submitted to the Clerk's Office.
- A meeting took place with Berkley Area Chamber of Commerce Events Coordinator Ken Pringle and appropriate City staff to review the event application. All of the necessary approvals were received by City staff.
- Berkley Area Chamber of Commerce Executive Director Darlene Rothman and Events Coordinator Ken Pringle were advised that the cost for the event, due to the City, will be \$2,580.37. The cost is 40 percent of the estimated \$5,108.90 in Department of Public Services costs and \$1,342.03 in Public Safety costs.

Summary

- The Berkley Art Bash Community Special Event Application is before you today for approval.
- The application and event plan received internal approval.
- The applicant is aware that reimbursement of \$2,580.37 will be due to the City.

Recommendation

Motion to (approve/deny/postpone) the “Berkley Art Bash” application for the event on Saturday, June 13, 2026 from 10 a.m.-6 p.m. on 12 Mile Road for the Berkley Area Chamber of Commerce, P.O. Box 72-1253.



**CITY OF BERKLEY
COMMUNITY SPECIAL EVENT
PERMIT APPLICATION DISPOSITION CHECKLIST**

Event Name: Berkley Art Bash

Event Date(s)	Location(s)	Event Hours
<u>June 13, 2026</u>	<u>12 Mile between Coolidge & Buckingham</u>	<u>10:00AM - 6:00PM</u>

ORGANIZATION:

Organization Name: Berkley Area Chamber of Commerce			
Headquarters Street Address: P.O. Box 72-1253			
City: Berkley	State: MI	Zip Code: 48072	Phone: (248) 414-9157
Website: www.berkleychamber.com			

Tax Exempt Status (as defined by the US Internal Revenue Service):

Non-Profit 501(c)(3) _____ N/A _____ Other (specify) 501C-6

The following documents have been submitted:

- | | | |
|---|---|-----------------------------|
| Completed application | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| Valid IRS tax exempt verification | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| Financial report for the preceding fiscal year | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| Proof of Commercial Liability Coverage | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| Estimated cost to execute the solicitation / event | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| Charitable Solicitation / Special Event Hold Harmless Agreement | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |

Application reviewed by: **Public Safety** MLK **Public Works** AW

Building Official KK

Comments:

Presented to City Council:

Date: _____	Approved: ____ YES ____ NO	Organization Notified ____ YES ____ NO	Date _____
-----------------------	--------------------------------------	--	----------------------



City Clerk's Office
 3338 Coolidge Hwy.
 Berkley, MI 48072
 248-658-3300
 Fax: 248-658-3301
 www.berkleymich.org

Print Form

CITY OF BERKLEY, MICHIGAN COMMUNITY SPECIAL EVENT APPLICATION

Name of Event: Berkley Art Bash

Organization / Contact:

Name of Organization: Berkley Area Chamber of Commerce Contact's Name: Ken Pringle
 Address: P.O. Box 72-1253 City: Berkley State/zip: MI 48072
 Telephone: (815) 355-4518 24 Hour Emergency Contact: Ken Pringle (815) 355-4518

If event will be on private property owned by someone else, then a letter of permission from the property owner must be submitted with the application.

Event Location: <u>12 Mile Rd. between Coolidge and Buckingham</u> If the event involves city streets or sidewalks, include a map showing the location. A petition from affected businesses may be required.
Dates and Hours of Event: <u>June 13, 2026 10:00AM to 6:00PM Event set up 6:00AM Tear Down 6:00PM to 7:30PM</u> <u>Road closure between 4:00AM to 10:00PM</u>
How many employees or volunteers? <u>2 Employees, 5 to 15 Volunteers (depending on the time of day) More at Set up/tear down.</u>
How will site be secured during off-hours? <u>There are no off hours. Staff and volunteers will be there for set up and tear down & at street barriers to let artist in/out.</u>
What type of merchandise will be sold? <u>Arts, crafts, jewelry and food.</u>
If you are selling food, include a copy of your receipt from Oakland County Health Department. <u>We provide a list of all food vendors to the health department before the event to confirm they are licensed.</u>
Will there be any electricity outside the building (e.g., extension cords, heaters, lights)? <u>No</u> If yes, an electrical inspection by the City will be required after set up and before opening.
Include a Site Plan showing where merchandise will be sold, how pedestrian and vehicular traffic will circulate on the site.
What are your plans for set up and removal? <u>Each artist is responsible for set up and tear down of booth. Volunteers will be located at street barriers to let artist in and out during set up and tear down hours.</u>
Tax Exempt Status (as defined by the US Internal Revenue Service): Non-Profit <input checked="" type="checkbox"/> 501.C3 <input type="checkbox"/> Other (specify) <input checked="" type="checkbox"/> 501C-6
Include the following documents: <input type="checkbox"/> Internal Revenue Service tax exempt documentation for the organization. <input type="checkbox"/> Organization's financial report for the preceding fiscal year. <input type="checkbox"/> Proof of Commercial Liability Coverage on an "occurrence basis", naming the City of Berkley as additional insured, with no less than \$1,000,000 per occurrence and/or combined single limit, Personal injury, Bodily injury, and Property Damage. <input type="checkbox"/> Liquor Liability, \$500,000 per occurrence and \$500,000 aggregate. (if applicable) <input type="checkbox"/> Special Event Hold Harmless Agreement signed by an authorized representative

By Ordinance, each Community Special Event is limited to a maximum of 7 days.

Applications must be received at least 45 days prior to the event. Events involving the public right of way will require City Council approval. I understand that a representative of the organization will need to attend the City Council meeting. The City will notify me of the meeting date and time.

An application will be denied or an event shut down if complete and accurate information is not provided.

Kenneth James Pringle
 Signature of Applicant

February 11, 2026
 Date

APPROVALS

DEPARTMENT	Approve (YES/NO)	Signature	Date
Planning/Building	Yes	<i>Kristen Kapelanski</i> <small>Kristen Kapelanski (Mar 8, 2026 14:13:22 EDT)</small>	Mar 8, 2026
Comments:			
Public Safety	Yes	<i>Matt Kosku</i>	Mar 6, 2026
Comments:			
Notify SMART, ambulance, and waste collection of any road closures.			
Public Works:	Yes	<i>Adam Wozniak</i>	Mar 6, 2026
Comments:			
Parks/Recreation		N/A	
Comments:			
City Clerk	Yes	<i>Victoria Mitchell</i> <small>Victoria Mitchell (Mar 6, 2026 15:06:22 EST)</small>	Mar 6, 2026
Comments:			
City Manager	Yea	Crystal VanVleck	Mar 6, 2026
Comments:			

For City Use Only:

Date Application Received

Receipt Number

Received	Receipt Number	Date Received
Application Fee (\$200.00) <input type="checkbox"/>		
Clean up Bond (\$100.00) <input type="checkbox"/>		
Fee Waived <input type="checkbox"/>	City Manager's approval required	

City Manager's Signature: _____

Date: _____

(IF APPLICABLE:

Motion Number:

Conditions (if any):

Is fee to be reimbursed?



CITY OF BERKLEY COMMUNITY SPECIAL EVENT HOLD HARMLESS AGREEMENT

Berkley Area

This Hold Harmless Agreement is between Chamber of Commerce, (the Organization) and the City of Berkley, Michigan, (City) for the date(s) specified below.

Organization Name Berkley Area Chamber of Commerce

Address P.O. Box 72-1253

City Berkley State MI Zip 48072 Phone (815) 355-4518 Ken Pringle
(248) 892-3161 Darlene Rothman

Event Name Berkley Art Bash

Event Location(s) 12 Mile between Coolidge & Buckingham Event Date(s) June 13, 2026

To the fullest extent permitted by law, the Organization expressly agrees to indemnify and hold harmless the City of Berkley, its elected and appointed officials, its employees and volunteers and others working on behalf of the City, from and against all loss, cost, expense, damage, liability or claims (whether groundless or not) arising out of bodily injury, sickness or disease (including death resulting at any time there from) which may be sustained or claimed by any person or persons participating in the above named event.

This includes damage or destruction of any property (including loss of use) based on any act or omission (negligent or otherwise) of the Organization or anyone acting on its behalf in connection with or incidental to this agreement. The Organization shall, at its own cost and expense, defend any such claim and any suit, action, or proceeding which may be commenced hereunder. In the event of any suit, action or proceeding, the Organization shall pay:

- Any and all judgments which may be recovered.
- Any and all expenses, including, but not limited to, costs, attorneys' fees and settlement expenses which may be incurred.

The Organization shall not be responsible to the City on indemnity for damages caused by or resulting from the City's sole negligence.

Authorized Representative Kenneth J. Pringle Title Events Coordinator
(Please print)

Signature *Kenneth James Pringle* Date February, 11, 2026

CITY OF BERKLEY MICHIGAN

TEMPORARY TRAFFIC CONTROL ORDER

(TCO NUMBER)

In accordance with the duly adopted Uniform Traffic Code for Cities, Townships, and Villages, the Traffic Engineer hereby issues the following Temporary Traffic Control Order.

Film Permit Applicant: *Please provide the information requested in the shaded area. Submit this page with your application.*

PROJECT NAME:	Berkley Art Bash
Location	12 Mile between Coolidge & Buckingham
DATE/S/TIMES:	June 13, 2026 10:00 AM to 6:00PM
RESPONSIBLE PARTY:	
Name:	Berkley Area Chamber of Commerce
Street Address:	P.O. Box 71-1253
City/State/ZIP:	Berkley, MI 48072
Contact Phone:	(815) 355-4518 Ken Pringle
Email address:	ken@berkleychamber.com

For Official Use Only:

Action required by City :	
<i>(Attach additional pages if needed)</i>	

Approved by: <i>(Print name and title below)</i>	Signature:	Date:
Public Safety	<i>Matt Koehn</i>	Mar 6, 2026
Public Works	<i>Adam Wozniak</i>	Mar 6, 2026
Building Official	<i>Kristen Kapelanski</i> <small>Kristen Kapelanski (Mar 8, 2026 14:13:22 EDT)</small>	Mar 8, 2026

****Original – Traffic Control File**

Return copy of completed form to City Clerk's Office



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
02/10/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Eagle Rock Insurance Agency, Inc 1904 11 Mile Rd Berkley, MI 48072	CONTACT NAME: Susan Firman PHONE (A/C No, Ext): (248)548-5530 FAX (A/C No): E-MAIL ADDRESS: eaglerock@eaglerockinsurance.com
	INSURER(S) AFFORDING COVERAGE NAIC # INSURER A: Home-Owners Insurance Company 26638 INSURER B: The Cincinnati Insurance Company 10677 INSURER C: INSURER D: INSURER E: INSURER F:
INSURED Berkley Chamber of Commerce PO Box 72-1253 Berkley, MI 48072	

COVERAGES **CERTIFICATE NUMBER: 00000595-0** **REVISION NUMBER: 3**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD : WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	04353953	03/09/2026	03/09/2027	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		04353953	03/09/2026	03/09/2027	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> Y / N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> N/A If yes, describe under DESCRIPTION OF OPERATIONS below
B	Directors & Officers		EMN 042 49 52	03/10/2026	03/10/2027	PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The City of Berkley, including all elected and appointed officials, all employees, and volunteers, all boards, commissions, and/or authorities and their board members, employees, and volunteers.

CERTIFICATE HOLDER City of Berkley	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE <i>Thomas Byars</i> (SGF)

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See specific instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
THE GREATER BERKLEY CHAMBER OF COMMERCE

2 Business name/disregarded entity name, if different from above
BERKLEY AREA CHAMBER OF COMMERCE

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Other (see instructions) ▶ _____

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
PO BOX 72-1253

6 City, state, and ZIP code
BERKLEY, NV 48072

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

			-			-			
--	--	--	---	--	--	---	--	--	--

OR

Employer identification number

3	8	-	2	5	6	1	9	2	0
---	---	---	---	---	---	---	---	---	---

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶ **Danlene Rothman** Date ▶ **1-16-25**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

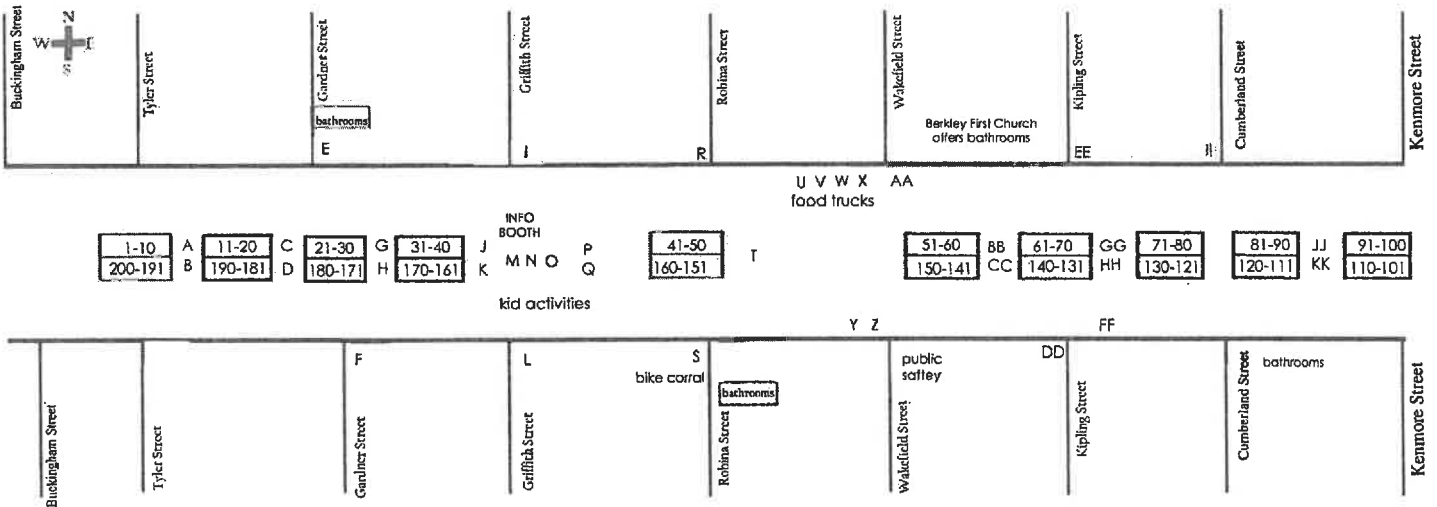
Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.
- If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.



* Artists - Please park on side streets and leave main parking lot spaces open for your customers who are coming and going throughout the day
 DO NOT PARK ON THE SIDES OF THE STREETS DESIGNATED AS FIRE LANES
 YOU WILL BE TICKETED

berkley art baSH Site Layout 2026

For directions enter this address into Google Maps: 3117 W 12 Mile Berkeley MI 48072

Note: Map is for artist layout purposes & is not drawn to scale

Business Search

As of 2/13/2026 we have processed all business filings received in our office through 02/04/2026.

To file a document or annual report/statement for an existing entity, search for the entity, select Request Access from the slide-out drawer, complete the questions, refresh the webpage, and select File Subsequent Document or File Annual Report/Statement.

The same process applies to order certificates and copies.

You must be logged in to file documents or order certificates and copies. Click on the Login button in the top right. If you do not have an account, create one. The credentials from the previous system did not transfer to this system.

Business Search Info:

Berkley Area Chamber of Commerec

Advanced

Results: 1

Name	Filing Date	Status	AR Standing	Entity Type	Entity
GREATER BERKLEY CHAMBER OF COMMERCE	10/23/1984	Active	Good	Domestic Nonprofit Corporation	800794790

THE GREATER BERKLEY CHAMBER OF COMMERCE

Entity Name: THE GREATER BERKLEY CHAMBER OF COMMERCE

Identification #: 800794790

Jurisdiction: Michigan

Entity Type: Domestic Nonprofit Corporation

Entity Status: Active

AR Standing: Good

AR Due Date: 10/01/2026

Initial Filing Date: 10/23/1984

Last Report with Officers and Directors: 2025

Resident Agent Name: BRETT HEITZ

Registered Office Street Address: 2273 COLUMBIA, BERKLEY, MI 48072

Registered Office Mailing Address: P.O. BOX 72-1253, BERKLEY, MI 48072

President Name & Address: TIM MURAD 423 S. WASHINGTON, ROYAL OAK, MI 48067

Secretary Name & Address: JOE MULHERON 2551 MORTENSON BLVD., BERKLEY, MI 48072

Treasurer Name & Address: TAMARA POWELL 3082 COOLIDGE HWY, BERKLEY, MI 48072

Directors Names & Addresses: NATALIE RUBINO 30955 WOODWARD AVE., ROYAL OAK, MI 48073
FRANK LANZKRON-TAMARAZO 2725 12 MILE RD., BERKLEY, MI 48072
ARJOLA KARROCA 28653 WOODWARD AVE., BERKLEY, MI 48072
RISH MITRA 3628 12 MILE RD., BERKLEY, MI 48072
ZACK DUNLAP 2820 12 MILE RD., BERKLEY, MI 48072
LUKE JANES 2783 COOLIDGE HWY., BERKLEY, MI 48072
LISA HOWARD 972 COLUMBIA, BERKLEY, MI 48072
VINCE JAMIL 4138 12 MILE RD., BERKLEY, MI 48072



Signature: Crystal VanVleck

Email: cvanvleck@berkleymi.gov



Profit and Loss
Berkley Area Chamber of Commerce
January 1-December 31, 2025

Distribution account	January 2025	February 2025	March 2025	April 2025	May 2025	June 2025	July 2025	August 2025	September 2025	October 2025	November 2025	December 2025	Total
Income													
402000 Art Bash Revenue													
402100 Art Bash Artists Fees	11,425.00	8,280.00	10,620.00	2,590.00	1,515.00	-5.00							32,425.00
402200 Art Bash Booth Rentals	600.00	160.00	100.00		700.00	-50.00							1,510.00
402300 Art Bash Food/Drink Sales						21.00							21.00
402400 Art Bash Food Vendor Rev	940.00	420.00	1,755.00	420.00		-167.00							3,378.00
402600 Art Bash - Non-Refundable Reg. Fee			20.00										20.00
402800 Art Bash Sponsorship		1,350.00	250.00	850.00	4,355.00	2,500.00	750.00						10,050.00
402700 Art Bash Misc. Event Sales						904.00							904.00
402800 Art Bash Other						70.00							70.00
Total for 402000 Art Bash Revenue	12,965.00	8,210.00	12,745.00	3,860.00	6,570.00	3,283.00	760.00						\$48,363.00
607000 PROGRAM EXPENSES													
608000 Art Bash Expense													
608100 Advertising/Marketing						1,534.82		119.58					1,654.70
608200 Art Bash Printing Exp.		187.64			91.43	881.29							1,160.36
608400 Entertainment						1,175.00							1,175.00
608500 Miscellaneous						612.68	122.73				-400.00		335.41
608600 Art Bash Logistics													
608902 Permits & City Fees			411.20				-50.00		2,524.78				2,885.98
608604 Equipment Rental						1,711.00							1,711.00
Total for 608000 Art Bash Logistics			411.20			1,711.00	-60.00		2,524.78				\$4,696.98
Total for 608000 Art Bash Expense		187.64	411.20		91.43	5,914.79	72.73	119.88	2,524.78		-400.00		\$8,922.46

Cash Basis Friday, March 06, 2026 09:43 PM GMTZ

Berkley Area Chamber of Commerce	
2026 ART BASH Budget	2026 Proposed Budget

Income	
401000 Art Bash/BSAF Combo Sponsorship	0.00
402000 Art Bash Revenue	0.00
402100 Art Bash Artists Fees	\$35,000
402200 Art Bash Booth Rentals	\$1,000
402300 Art Bash Food/Drink Sales	\$100
402400 Art Bash Food Vendor Rev	\$4,000
402500 Art Bash - Non-Refundable Reg. Fee	\$0
402600 Art Bash Sponsorship	\$14,400
402700 Art Bash Misc. Event Sales	\$1,500
402800 Art Bash Other	\$0

Total 402000 Art Bash Revenue	\$ 56,000.00
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Expenses	
607000 PROGRAM EXPENSES	0.00
608000 Art Bash Expense	0.00
608100 Advertising/Marketing	\$4,000
608200 Art Bash Printing Exp.	\$2,000
608300 Artist Refund	\$200
608400 Entertainment	\$1,200
608500 Miscellaneous	\$800
608600 Art Bash Logistics	Broken Down Below
608602 Permits & City Fees	\$3,000
608604 Equipment Rental	\$1,800

Total 608600 Art Bash Logistics	\$ 4,800.00
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Total 608000 Art Bash Expense	\$ 13,000.00
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Net Art Bash Revenue	\$ 43,000.00
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MEMORANDUM

To: Mayor Dean and City Council
From: Victoria Mitchell
Date: April 6, 2026
Subject: Berkley Pride Festival.

Madam Mayor and Members of City Council,

Background

- The annual Downtown Development Authority (DDA) Berkley Pride Block Party is scheduled to take place Sunday, June 28, 2026 from 1-5 p.m. This is the fifth year for the event.
- Berkley Pride is an annual family-friendly block party that celebrates the LGBTQ+ community.
- The event will take place on Robina Avenue, south of 12 Mile Road; Griffith Avenue, south of 12 Mile Road; and the Municipal Parking Lot between Robina and Griffith, south of 12 Mile Road.
- The event is managed and staffed by members of the Downtown Development Authority and volunteers.
- The majority of the necessary documentation was submitted to the Clerk's Office, and a plan is in place to receive the outstanding items.
- A meeting took place with DDA Executive Director Nate Mack and appropriate City staff to review the event application. All of the necessary approvals were received.
- DDA Executive Director Nate Mack was advised that the cost for the event, due to the City, will be \$1,246.69. The cost is 40 percent of the estimated \$2,445.71 in Department of Public Services costs and \$671.01 in Public Safety costs.

Summary

- The Berkley Pride Block Party Community Special Event Application is before you today for approval.
- The application and event plan received internal approval.

- The applicant is aware that reimbursement of \$1,246.69 will be due to the City.

Recommendation

Motion to (approve/deny/postpone) the Downtown Development Authority (DDA) event application for the "Berkley Pride Block Party" on Robina south of 12 Mile Road; on Gardner south of 12 Mile Road; and in the Municipal Parking Lot located between those two roads, on Sunday, June 28, 2026 from 1 to 5 p.m. Approval is conditional upon the submission of required items and documents before the event date.



CITY OF BERKLEY COMMUNITY SPECIAL EVENT PERMIT APPLICATION DISPOSITION CHECKLIST

Event Name: Berkley Pride Block Party

Event Date(s) <u>6/28/26</u>	Location(s) <u>Robina, South of 12 Mile; Griffith, South of 12 Mile; Municipal Lot between those streets</u>	Event Hours <u>1:00 - 5:00 PM</u>
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ORGANIZATION:

Organization Name: <u>DDA</u>			
Headquarters Street Address: <u>3338 Coolidge Hwy</u>			
City: <u>Berkley</u>	State: <u>MI</u>	Zip Code: <u>48072</u>	Phone: <u>(248) 752 - 0589</u>
Website: <u>www.downtownberkley.com</u>			

Tax Exempt Status (as defined by the US Internal Revenue Service):

Non-Profit 501(c)(3) N/A Other (specify) Public Authority

The following documents have been submitted:

- | | |
|---|---|
| Completed application | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| Valid IRS tax exempt verification | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| Financial report for the preceding fiscal year | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| Proof of Commercial Liability Coverage | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| Estimated cost to execute the solicitation / event | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| Charitable Solicitation / Special Event Hold Harmless Agreement | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |

Application reviewed by: Public Safety See Approvals Public Works See Approvals
Building Official See Approvals

Comments:

Presented to City Council:

Date: <u> </u>	Approved: <input type="checkbox"/> YES <input type="checkbox"/> NO	Organization Notified <input type="checkbox"/> YES <input type="checkbox"/> NO	<u> </u> Date
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3338 Coolidge Hwy.
 Berkley, MI 48072
 248-658-3300
 Fax: 248-658-3301
 www.berkleymi.gov

CITY OF BERKLEY, MICHIGAN

COMMUNITY SPECIAL EVENT APPLICATION

Name of Event: Berkley PRIDE Festival

Organization / Contact:

Name of Organization: Berkley DDA Contact's Name: Nate Mack
 Address: 3338 Coolidge City: Berkley State/zip: MI/48150
 Telephone: 2487520589 24 Hour Emergency Contact: 2487520589

If event will be on private property owned by someone else, then a letter of permission from the property owner must be submitted with the application.

Event Location: If the event involves city streets or sidewalks, include a map showing the location. A petition from affected businesses may be required.
Dates and Hours of Event: June 28, 2026 - 1:00 - 5:00 PM
How many employees or volunteers? 1 employee, 42 volunteers
How will site be secured during off-hours? No setup or materials will remain beyond the event hours.
What type of merchandise will be sold? Branded "Berkley Pride" shirts and hats.
If you are selling food, include a copy of your receipt from Oakland County Health Department.
Will there be any electricity outside the building (e.g., extension cords, heaters, lights)? If yes, an electrical inspection by the City will be required after set up and before opening. Yes - DJ booth
Include a Site Plan showing where merchandise will be sold, how pedestrian and vehicular traffic will circulate on the site.
What are your plans for set up and removal? Handled by DDA employee and volunteers on the day of the event.
Tax Exempt Status (as defined by the US Internal Revenue Service): Non-Profit <input type="checkbox"/> 501.C3 <input type="checkbox"/> Other (specify) Public Authority - DD.
Include the following documents: <ul style="list-style-type: none"> • Internal Revenue Service tax exempt documentation for the organization. • Organization's financial report for the preceding fiscal year. • Proof of Commercial Liability Coverage on an "occurrence basis", naming the City of Berkley as additional insured, with no less than \$1,000,000 per occurrence and/or combined single limit, Personal injury, Bodily injury, and Property Damage. • Liquor Liability, \$500,000 per occurrence and \$500,000 aggregate. (if applicable) • Special Event Hold Harmless Agreement signed by an authorized representative

By Ordinance, each Community Special Event is limited to a maximum of 7 days.

Applications must be received at least 45 days prior to the event. Events involving the public right of way will require City Council approval. I understand that a representative of the organization will need to attend the City Council meeting. The City will notify me of the meeting date and time.

An application will be denied or an event shut down if complete and accurate information is not provided.

Nathan Mack
 Signature of Applicant

3/23/26
 Date

APPROVALS

DEPARTMENT	Approve (YES/NO)	Signature	Date
Planning/Building	Yes		
<i>Comments:</i>			
Public Safety	Yes	<i>Matt Kosko</i>	Mar 27, 2026
<i>Comments:</i> Notify SMART, ambulance, and waste collection of any road closures.			
Public Works:	Yes	<i>Adam Wozniak</i>	Mar 27, 2026
<i>Comments:</i>			
Parks/Recreation	Yes	<i>Dan McMinn</i> <small>Dan McMinn (Mar 27, 2026 11:58:33 EDT)</small>	Mar 27, 2026
<i>Comments:</i>			
City Clerk	Yes	<i>Victoria Mitchell</i> <small>Victoria Mitchell (Mar 27, 2026 11:56:12 EDT)</small>	Mar 27, 2026
<i>Comments:</i>			
City Manager		<i>Crystal VanVleet</i>	Mar 27, 2026
<i>Comments:</i>			

For City Use Only:

Date Application Received _____ Receipt Number _____

Received	Receipt Number	Date Received
Application Fee (\$200.00) <input type="checkbox"/>		
Clean up Bond (\$100.00) <input type="checkbox"/>		
Fee Waived <input type="checkbox"/>	City Manager's approval required	

City Manager's Signature: _____ Date: _____

IF APPLICABLE:

Motion Number: _____

Conditions (if any): _____

Is fee to be reimbursed? _____



CITY OF BERKLEY COMMUNITY SPECIAL EVENT HOLD HARMLESS AGREEMENT

This Hold Harmless Agreement is between Berkley DDA, (the Organization) and the City of Berkley, Michigan, (City) for the date(s) specified below.

Organization Name Berkley Downtown Development Authority
 Address 3338 Coolidge Highway
 City Berkley State MI Zip 48150 Phone (248) 752-0589
 Event Name Berkley Pride Block Party
 Event Location(s) Robina, South of 12 Mile Event Date(s) June 28, 2026
Griffith, South of 12 Mile
Municipal Lot between those streets

To the fullest extent permitted by law, the Organization expressly agrees to indemnify and hold harmless the City of Berkley, its elected and appointed officials, its employees and volunteers and others working on behalf of the City, from and against all loss, cost, expense, damage, liability or claims (whether groundless or not) arising out of bodily injury, sickness or disease (including death resulting at any time there from) which may be sustained or claimed by any person or persons participating in the above named event.

This includes damage or destruction of any property (including loss of use) based on any act or omission (negligent or otherwise) of the Organization or anyone acting on its behalf in connection with or incidental to this agreement. The Organization shall, at its own cost and expense, defend any such claim and any suit, action, or proceeding which may be commenced hereunder. In the event of any suit, action or proceeding, the Organization shall pay:

- Any and all judgments which may be recovered.
- Any and all expenses, including, but not limited to, costs, attorneys' fees and settlement expenses which may be incurred.

The Organization shall not be responsible to the City on indemnity for damages caused by or resulting from the City's sole negligence.

Authorized Representative Nathan Mack Title DDA Director
 (Please print)
 Signature *Nathan Mack* Date March 27, 2026

CITY OF BERKLEY MICHIGAN

TEMPORARY TRAFFIC CONTROL ORDER

(TCO NUMBER)

In accordance with the duly adopted Uniform Traffic Code for Cities, Townships, and Villages, the Traffic Engineer hereby issues the following Temporary Traffic Control Order.

Film Permit Applicant: *Please provide the information requested in the shaded area. Submit this page with your application.*

PROJECT NAME:	Berkley Pride Block Party
Location	Robina, S of 12 Mile Rd., Griffith, S of 12 Mile Rd., Municipal Lot between two roads.
DATE/S/TIMES:	June 28, 2026, 1:00 - 5:00 PM
RESPONSIBLE PARTY:	Berkley DDA
Name:	Nate Mack
Street Address:	3338 Coolidge Hwy
City/State/ZIP:	Berkley, MI 48072
Contact Phone:	(248) 752-0589
Email address:	nmack@berkleymi.gov

For Official Use Only:

Action required by City :	
<i>(Attach additional pages if needed)</i>	

Approved by: (Print name and title below)	Signature:	Date:
Public Safety		
Public Works		
Building Official		

****Original – Traffic Control File**

Return copy of completed form to City Clerk's Office

BERKLEY PRIDE

FOOTPRINT 2026

Robina and Griffith closed south of 12 Mile
and the parking lot in between

