

THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, DECEMBER 17, 2024 AT BERKLEY CITY HALL BY CHAIR LISA KEMPNER.

The minutes from this meeting are in summary form capturing the actions taken on each agenda item. To view the meeting discussions in their entirety, this meeting is broadcasted on the city's government access channel, WBRK, every day at 9AM and 9PM. The video can also be seen, on-demand, on the city's YouTube channel: <https://www.youtube.com/user/cityofberkley>

PRESENT: Joe Bartus Josh Stapp
Shiloh Dahlin Mike Woods
Lisa Kempner
Eric Arnsman

ABSENT: Lisa Hamameh

ALSO PRESENT: Kristen Kapelanski, Community Development Director

Motion by Commissioner Woods to excuse the absences of Commissioner Hamameh. Motion supported by Commissioner Dahlin.

Voice Vote to excuse the absence of Commissioner Hamameh.

AYES: 6
NAYS: 0
ABSENT: Hamameh

MOTION CARRIED

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APPROVAL OF AGENDA

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

Voice vote to approve the agenda

AYES: 6
NAYS: 0
ABSENT: Hamameh

MOTION CARRIED

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APPROVAL OF THE MINUTES

Motion by Commissioner Bartus to approve the minutes of the November 26, 2024 regular Planning Commission meeting and supported by Commissioner Dahlin.

Voice vote to approve the meeting minutes of November 26, 2024.

AYES: 6
NAYS: 0
ABSENT: Hamameh

MOTION CARRIED

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COMMUNICATIONS

NONE

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CITIZEN COMMENTS

NONE

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OLD BUSINESS

NONE

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NEW BUSINESS

1. **PUBLIC HEARING PSU-03-24:1818 Mortenson Blvd.:** The applicant, Christina DelPizzo, is requesting special land use approval for a child care center for 7-12 children at 1818 Mortenson Blvd. in the Single-Family Residential R-1D District, on the east side of Mortenson Blvd., north of Princeton Rd.

Community Development Director Kapelanski presented the proposal noting a similar request was considered for this address earlier this year. This is a new request that includes two additional conditions proposed by the applicant and should be considered as such.

The Planning Commission asked several clarifying questions.

Richard Rassel, the applicant's attorney, gave the Planning Commission an overview of the proposal and the operations proposed at 1818 Mortenson, including how the impacts of this use meet the standards of the special land use considerations. He noted there have been two significant changes to the application from how it was previously presented. The applicant has proposed that all drop-offs and pick-ups will take place on Princeton and that six of the twelve children would be 'walkers' only.

The applicant confirmed that the two proposed conditions would be part of the contracts required to be signed by users of the day care.

Community Development Director Kapelanski confirmed street parking is available on Princeton and Mortenson.

Chair Kempner opened the public hearing at 7:25PM.

Colleen Estep, 1721 Princeton, opposed the proposal citing traffic issues and parking concerns.

Cathy VanWagner, 1862 Columbia, supported the proposal noting that she has seen zero to three cars in her daily walks across the street from 1818 Mortenson and any drop-offs are very quick.

Paul Baldess, 1862 Columbia, supported the proposal stating it provides a needed service in the community.

Shelby (no last name provided), resident of 1818 Mortenson, stated her husband and her do now use the garage for parking.

Marco DelPizzo, joint owner of 1818 Mortenson, stated profit margins for the business are slim in this situation and that he and his wife made extensive updates to the house.

Chair Kempner read the written correspondence received into the record.

No one else wished to speak and there were no other written comments received. Chair Kempner closed the public hearing at 7:43PM.

Chair Kempner opened up discussion to the Commission.

The applicant's attorney confirmed that if the conditions proposed were not followed, the City would have the right to withdraw their approval.

Commissioner Woods expressed skepticism that the proposed conditions were enforceable or would be followed and concerns with traffic.

Community Development Director Kapelanski confirmed that the Public Safety Department has not expressed any concerns with traffic or speeding in this area.

Commissioners Arnsman and Bartus agreed there were not any specific concerns related to traffic at this location. Commissioner Bartus stated he lived in that neighborhood. Both supported the request.

Commissioner Dahlin thought the corner lot was problematic.

Commissioners Dahlin and Stapp and Chair Kempner were concerned about enforcement.

The applicant's attorney, Richard Rassel, did not think it was reasonable to assume the applicant would not conform to the conditions they have proposed. He said the applicant would be happy to come back for a check-in with Council or the Planning Commission if they were interested in that.

Motion by Commissioner Bartus and supported by Commissioner Arnsman to recommend approval of PSU-03-24 1818 Mortenson for a special land use citing that it meets the five conditions of Section 138-653 and with the following conditions: that pick-ups and drop-offs would be limited to Princeton only and that six of the twelve children under the applicant's care would be walkers and would not be permitted to be dropped off or picked up via car.

Roll call vote on the motion recommending approval of PSU-03-24.

AYES: 2

NAYS: 4 (Dahlin, Kempner, Stapp, Woods)

ABSENT: Hamameh

Motion by Commissioner Dahlin and supported by Commissioner Woods to recommend denial of PSU-03-24 1818 Mortenson for a special land use because it does not comply with Section 138-653(4): The proposed use is designed so that the public health, safety and welfare shall be protected because of traffic and parking concerns.

Roll call vote on the motion recommending denial of PSU-03-24.

AYES: 4

NAYS: 2 (Arnsman, Bartus)

ABSENT: Hamameh

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LIAISON REPORT

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

City Council Member Patterson provided an update on City Council's last meeting.

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COMMISSIONER COMMENTS

NONE

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STAFF COMMENTS

NONE

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ADJOURNMENT

Motion to adjourn by Commissioner Dahlin supported by Commissioner Woods.

Voice vote for adjournment

AYES: 6

NAYS: 0

ABSENT: Hamameh

With no further business, the meeting was adjourned at 8:27 p.m.