1. **PUBLIC HEARING:** Matter of Conducting a Public Hearing to review application SU-01-19 for special land use for a daycare center to be located at 1695 Twelve Mile Rd, within the Office District.

   Community Development Director Schlutow summarized the proposed application for a day care facility to
be located in the existing Beaumont medical office building at 1695 Twelve Mile Rd. The proposed use for a
day care facility is permitted by special land use in the Office District. The applicant, 814 LLC is proposing to
redevelop the first floor of the existing structure for KinderCare and general office use. The second floor is
proposed to remain as medical office use. The proposed KinderCare would provide daytime care for up to
124 children, ranging in ages from infant to pre-kindergarten.

Applicant Mark Kellenberger introduced himself and the project to the Planning Commission.

Public Hearing opened at 7:06pm.

Maria Ward, 1838 Rosemont, lives behind the subject property and was notified of the public hearing through
direct mailing. Ms. Ward felt the day care facility would be better suited to be located near a school or church,
rather than in a busy area such as Twelve Mile. Ms. Ward was concerned about the number of medical
offices would remain in place once the KinderCare opened and including a day care use in a building that
has long been used for medical purposes.

Public Hearing closed at 7:09pm.

2. **SPECIAL LAND USE: PSU-01-19** 814 LLC, 1695 Twelve Mile Rd, north side of Twelve Mile Rd west of Brookline
St, is requesting special land use approval for a daycare facility in the Office District.

Chair Kapelanski addressed the concerns of the public in permitting day care facilities in the Office District.
The Zoning Ordinance was amended to permit day care facilities in the Office District, but was done so as a
special land use to ensure that the surrounding properties would not be negatively impacted by the use.

Commissioner Smith motioned to recommend approval of PSU-01-19, KinderCare day care facility located
at 1695 Twelve Mile Rd. to City Council. Motion supported by Commissioner Campbell.

AYES: Patterson, Richardson, Smith, Trotto, Buckler, Campbell, Kempner, Murad, Kapelanski
NAYS: None
ABSENT: None

3. **SITE PLAN: PSP-07-19** 814 LLC, 1695 Twelve Mile Rd, north side of Twelve Mile Rd, west of Brookline St, is
requesting site plan approval for site improvements.

Commissioner Richardson inquired about the licensing requirements and outdoor play areas. The applicant
explained that the outdoor play area and occupancy levels are dictated by the State of Michigan and KinderCare
will be in compliance with all state requirements.

Chair Kapelanski asked Community Development Director Schlutow to discuss the parking arrangement for the
proposed use. Director Schlutow detailed the shared parking agreement between the subject property and
adjacent properties. The subject property will share parking spaces with adjacent property at 1949 Twelve Mile.
The reciprocal parking agreement runs with the land and is requested to be reviewed by the City Attorney.

The applicant addressed Planning Commission questions regarding the location of the entrance to the building
and drop-off areas, photometric plan, and dumpster location.

Commissioner Smith inquired about future improvements to the parking area. Applicant Kellenberger agreed that
they are discussing future plans for the parking area, as well as the masonry wall.

Chair Kapelanski inquired about landscaping of the property. Applicant Kellenberger noted that they would be
happy to work with City staff to maintain or beautify the subject property.

Commissioner Trotto inquired about the responsibility and state of the sidewalks along Twelve Mile Rd. Applicant
Kellenberger noted that they are looking to create a curb or greenbelt area along Twelve Mile Rd.

Commissioner Smith motioned to approve PSP-07-19, KinderCare day care facility located at 1695 Twelve
Mile Rd., with the following conditions:

1. Submission of timeline for parking lot improvements that is acceptable to City staff.
2. Submission of Photometric plan
3. Additional landscaping surrounding dumpster enclosure and within parking lot
4. Painted and signed direction arrows for parking area.
5. Review and approval of final site plan by Fire Marshal and Department of Public Works.

Motion supported by Commissioner Patterson.

AYES: Richardson, Smith, Trotto, Buckler, Campbell, Kempner, Murad, Patterson, Kapelanski
NAYS: None
ABSENT: None

4. **DISCUSSION**: Matter Of Discussing draft ordinance to permit marihuana businesses in the City of Berkley.

Community Development Director Schlutow summarized the previous zoning ordinance discussion and public hearing that included a recommendation for marihuana businesses to be permitted by special land use to the City Council. The Council reviewed the recommendation of the Planning Commission that included a public notice component for neighboring property owners. City Council made additional revisions that limited the type of permitted marihuana businesses to medical provisioning centers and adult-use retail businesses. The City Council determined that substantive changes would be required and determined that the proposed ordinance should be returned to Planning Commission for discussion and subsequent public hearing before returning to City Council.

Director Schlutow noted that under the new ordinance marihuana businesses would be permitted as principal uses in the Industrial, Local Business, Downtown, Gateway, Coolidge, Twelve Mile, Eleven Mile District. The Office District has been removed and will not be permitted for marihuana businesses. The Woodward District was excluded from the ordinance language, as businesses permitted by right within the Local Business District are already permitted in the Woodward District.

Director Schlutow detailed the public notice and site plan approval requirements prior to issuance of the marihuana business license from City Council.

No public comment.

The Planning Commission discussed the revised language and also the process of applications that include site plan review and approval. City Attorney Staran was available to answer questions and advise on the process of applications and approvals.

Commissioner Murad motioned to set the public hearing to amend the zoning ordinance to permit marihuana businesses in the City of Berkley. Motion supported by Commissioner Kempner.

AYES: Smith, Trotto, Buckler, Campbell, Kempner, Murad, Patterson, Richardson, Kapelanski
NAYS: None
ABSENT: None

5. **DISCUSSION**: Matter of discussing Planning Commission volunteers for the Master Plan Steering Committee.

Community Development Director Schlutow provided background on the role and responsibility of the Master Plan Steering Committee, as well as a summary of Carlisle Wortman’s review memo of the Downtown Master Plan.
Commissioners Lisa Kempner, Tim Murad and Mark Richardson volunteered to serve on the Master Plan Steering Committee. Lisa Kempner and Tim Murad volunteered to serve as representatives of the Planning Commission and Mark Richardson volunteered to serve as the representative to the Environmental Advisory Committee.

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LIAISON REPORTS
Commissioner Murad noted that the State of the City address would take place October 25, 2019 and the Chamber of Commerce would welcome any members of the public who would be interested in volunteer opportunities.

Commissioner Richardson noted Electronics Recycling Day would be taking place in the community center parking lot. Residents can drop off old electronics, such as televisions, radios, etc.

Commissioner Patterson was unable to attend the Parks and Recreation Board meeting but noted that Boo Fest would be taking place Monday, October 28, 2019 at 5pm. Tickets available online.

Commissioner Trotto was unable to attend the October DDA meeting. Natalie Price attended the DDA meeting and provided a summary of the meeting. A new DDA Executive Director was selected and offered a contract.

Chairperson Kapelanski attended the City Council meeting and inquired on the RRC status. Community Development Director Schlutow noted that a major component is the update and adoption of the Master Plan.

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STAFF/COMMISSIONER COMMENTS
Commissioner Smith asked about the status of projects and properties of interest in Berkley.

Commissioner Richardson expressed concerns regarding the lack of public comment or input in regards to the marihuana ordinances that are being discussed at Planning Commission meetings.

Commissioner Murad inquired about the status of the La Salette redevelopment project. Community Development Director Schlutow reported that the applicant was working through engineering site issues and is hoping to submit the revised plans for the November Planning Commission meeting.

With no further business, the meeting was adjourned at 9:31pm.