

THE SPECIAL MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, OCTOBER 11, 2022 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/cityofberkeley>

PRESENT: Shiloh Dahlin Lisa Hamameh
Joe Bartus
Lisa Kempner

ABSENT: Greg Patterson, Mike Woods, Matteo Passalacqua

ALSO, PRESENT: Kristen Kapelanski, Community Development Director
Aaron Geyer, Joseph Aiello, Joseph Anderson, Angela Hill

Motion by Commissioner Bartus to excuse the absences of Commissioner Patterson, Commissioner Woods, and Commissioner Passalacqua. Motion supported by Commissioner Dahlin.

Voice Vote to approve the absences of Commissioner Patterson, Commissioner Woods, and Commissioner Hamameh.

AYES: 4
NAYS: 0
ABSENT: Passalacqua, Patterson, Woods

MOTION CARRIED

APPROVAL OF AGENDA

Motion by Commissioner Bartus to approve the agenda with the correction of no minutes supported by Commissioner Dahlin.

Voice vote to approve the agenda

AYES: 4
NAYS: 0
ABSENT: Passalacqua, Patterson, Woods

MOTION CARRIED

COMMUNICATIONS

NONE

CITIZEN COMMENTS

NONE

OLD BUSINESS

NONE

NEW BUSINESS

- 1. PSP-16-22: 3120 W. Eleven Mile – Moses Roses Provisioning Center:** The applicant, Joseph Aiello on behalf of Moses Roses, is requesting a site plan approval for the renovation of the existing building to be a retail marihuana dispensary at 3120 W. Eleven Mile Road, Parcel # 04-25-18-453-031, North side Eleven Mile Road, East of Gardner Avenue and West of Griffith Avenue

Community Development Director Kapelanski provided reference to the staff report dated October 8th, 2022 and staff reviews. Community Development Director Kapelanski noted the specifics of what the Planning Commission must determine.

APPLICANT PRESENTATION

Aaron Guyer
Lead Counsel for Applicant Yellowtail Ventures
Also present is the Project Manager and Project Engineer

The Applicant, Mr. Guyer addressed the concerns from the HRC review of additional soil borings.

The Planning Commission addressed staff with questions about the live wall and how to keep the wall maintenance accountable.

The Planning Commission discussed with the applicant multiple topics including snow removal, excavation, environmental reports, the drive aisle, lighting foot-candles, parking agreements, and green space with the drive aisle.

The applicant agreed to the 24ft drive aisle, a reduction in light levels and continued maintenance of the live wall.

There was discussion amongst the Planning Commission on postponing and the hesitation of this application because of the denial of DPW.

Motion by Commissioner Bartus to approve **PSP-16-22 3120 W. Eleven Mile. Rd. Moses Roses Provisioning Center** with the following conditions:

- Subject to the items in the DPW, HRC, and Carlisle Wortman review letters.
- 24-foot aisle width instead of a 22-foot aisle.
- The lighting foot-candles to be reduced for the existing parking lot lights.
- Sufficient detail of living wall to ensure the City's ability to enforce maintenance consistent with the approved site plan and consultation with the city attorney as to the appropriateness for maintenance agreement either stand alone or included in the storm water maintenance.
- The landscaping is consistent with the Master Plan.

Motion supported by Commissioner Hamameh.

AYES: Bartus, Dahlin, Hamameh
NAYS: Kempner
ABSENT: Patterson, Woods, Passalacqua

MOTION FAILED

There was discussion from staff and Planning Commission on the alternatives for this application, either postpone or deny, or a tweak on the original motion that would pass.

Motion by Commissioner Hamameh to table **PSP-16-22 W. Eleven Mile Moses Roses Provisioning Center** to a date certain.

Motion supported by Commissioner Bartus.

Commissioner Hamameh withdrew her motion to table **PSP-16-22 W. Eleven Mile Moses Roses Provisioning Center** to a date certain supported by Commissioner Bartus.

Chair Kempner motioned to reconsider the motion to **approve PSP-16-22 W. Eleven Mile Moses Roses Provisioning Center** subject to the conditions stated in the original motion:

- Subject to the items in the DPW, HRC, and Carlisle Wortman review letters.
 - 24-foot aisle width instead of a 22-foot aisle.
 - The lighting foot-candles to be reduced for the existing parking lot lights.
 - Sufficient detail of living wall to ensure the City’s ability to enforce maintenance consistent with the approved site plan and consultation with the city attorney as to the appropriateness for maintenance agreement either stand alone or included in the storm water maintenance.
 - The landscaping is consistent with the Master Plan.
- Motion supported by Commissioner Hamameh.

AYES: Bartus, Dahlin, Kempner, Hamameh

NAYS: NONE

ABSENT: Patterson, Woods, Passalacqua

MOTION CARRIED

Motion by Commissioner Bartus to approve PSP-16-22 3120 W. Eleven Mile. Rd. Moses Roses Provisioning Center with the following conditions:

- Subject to the items in the DPW, HRC, and Carlisle Wortman review letters.
- 24-foot aisle width instead of a 22-foot aisle.
- The lighting foot-candles to be reduced for the existing parking lot lights.
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- The landscaping is consistent with the Master Plan.

Motion supported by Commissioner Hamameh.

AYES: Dahlin, Hamameh, Bartus, Kempner

NAYS: NONE

ABSENT: Patterson, Woods, Passalacqua

MOTION CARRIED

LIAISON REPORT

NONE

COMMISSIONER COMMENTS

NONE

STAFF COMMENTS

Regular Meeting on October 25th discussing ordinances and design guidelines.
Discussion on the zoning rewrite.

ADJOURNMENT

Motion to adjourn by Commissioner Dahlin supported by Commissioner Bartus.

Voice vote for adjournment

AYES: 4

NAYS: 0

ABSENT: Patterson, Woods, Passalacqua

With no further business, the meeting was adjourned at 9:16 p.m.