

**Pennfield Charter Township
Planning Commission Meeting
Minutes of January 7, 2008**

Vice-Chairman Brad Messenger called the Planning Commission meeting or order at 6:30 pm. This is the first Planning Commission meeting in the new location at Pennfield Middle School cafeteria.

Present were Paul Anderson, Jon Bartlett, Brad Messenger, Jack Pooler, and Joseph Weiss. Chairman Lindsay Draime and Elaine Walter were excused.

Others present: Rob Behnke, Township Supervisor; Carole Bammer, Township Clerk; Russ Wicklund, Township Planner and Zoning Administrator; Barbara Darlington, Deputy Supervisor; Greg Eberhard, owner of Coney Island Café; Terry Carlson, owner of 962 Capital Avenue, N.E; Sandra Cummings, recording secretary; Tim Smith, Pennfield Fire Chief; Representative of Access Vision, and several residents.

Meeting opened with the Pledge of Allegiance.

Public Comment

Greg Eberhard, owner of Coney Island Café, introduced himself, and commented on his need for the site plan review by the Planning Commission. Further comments will be noted in the "New Business" portion of these minutes. No other public comments were made at this time.

Additions or Deletions to the Agenda

No additions or deletions to the agenda.

Meeting Minutes of September 10, 2007

It was moved by Paul Anderson and seconded by Jon Bartlett to approve the September 10, 2007 meeting minutes. Motion carried.

Unfinished Business

No unfinished business.

New Business

A. Organizational Meeting – Election of Officers for 2008.

Chairman: Joe Weiss moved to elect Lindsay Draime to remain Chairman, seconded by Paul Anderson. Motion carried. Jon Bartlett moved to elect Brad Messenger to remain Vice-Chairman, seconded by Paul Anderson. Motion carried. Paul Anderson moved to elect Joseph Weiss to remain as secretary, seconded by Jon Bartlett. Motion carried.

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B. Proposed Change in Use for 962 Capital Avenue NE: Restaurant Site Plan

A change in use site plan review was requested by the owner of 962 Capital Avenue, Terry Carlson, on behalf of tentative renter, Greg Eberhard, owner of Coney Island Café.

The use change is from retail to restaurant use, with no plans to renovate the exterior of the site. A split of the property had previously been done in 1995, creating an adjacent business for the Quick Lube Oil Change center. This split created a nonconforming building/lot situation with insufficient parking and drive aisle widths to meet the building square footage for retail purposes. There is a small retail business housed in the building at this time, but Mr. Eberhard indicated that the business will be vacating the premises within 30 days at which time the entire building will be used for the Coney Island Café Business, for both restaurant seating and storage area.

Mr. Eberhard has stated that the hours of operation of the proposed restaurant will be 7 am to 8 pm, Monday through Friday, and 7 am to 2 pm Saturday and Sunday. There will be no drive-through facilities, and he feels that the floor size of the building, 5,300 square feet, could accommodate seating for as many as 110 persons. He anticipates that up to 25% of his

business would be "take-out" business. The maximum number of employees during peak hours would be (8) employees.

The site plan submitted has been reviewed by the Township Zoning Administrator, Russ Wicklund and the Township Engineer, Civil Engineers, Inc. (CEI), to determine the requirements within the Township Ordinances. (See attached reviews by CEI and Russ Wicklund). Site limitations for this change of use will be based primarily on the ability of the restaurant use to be supported by required parking. Mr. Eberhard stated that he has entered into verbal agreements for additional parking with Fogg Motors, which is located directly to the south, and Eastside Church of Christ, which is located across the street to the west. This parking would be for his employees only. Based on the site plan submitted the number of usable parking spaces which could be used for patrons would be 18 current spaces and 6 future spaces, for a total of 24 parking spaces. This total would include two barrier free spaces in front of the building. Additional spaces in the front of the building along Capital Avenue could not be counted because they are actually in the road right-of-way. Using a ratio of (1) parking space per every (2) persons, the maximum occupancy would be limited to 48 persons.

It was pointed out that when the 6 future spaces in the back of the building are paved, drainage issues would have to be addressed as no increase in water runoff could be directed to adjacent property owners. The existing pavement has been in place for a number of years with no drainage problems so far. Mr. Eberhard indicated that there is a ravine behind the property which handles the run-off now, and would handle increased water run-off when the un-improved parking area is paved.

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The board members expressed concerns regarding the number of existing parking spaces, run-off of water if and when the future parking area is paved, and whether Mr. Eberhard plans on getting something in writing regarding the extra parking promised to him by Fogg Motors, and Eastside Church of Christ. It was pointed out that if the Planning Commission

approved the site plan review with a limited occupancy of (48) persons, Mr. Eberhard might increase his occupancy limit by appealing to the Pennfield Township Board of Appeals. He would need to ask for an increase of parking space-to-person ratio from (1) parking space per every (2) persons, to (1) space per every (4) persons to increase this to 96 persons.

It was noted that CEI recommended that a revised site plan be submitted with more detailed information of the site and adjacent properties that may be impacted by the drainage issues. Also, there should be assurance that no existing drainage problems currently exist, and that a drainage design is provided for the future parking area.

Motion was made by Paul Anderson, seconded by Jack Pooler, to approve the change of use requested by Terry Carlson, owner of 962 Capital Avenue N.E., on behalf of Greg Eberhard, owner of Coney Island Café, from retail to restaurant use, with a limitation of seating set at 48 persons, based on approved parking spaces available per the site plan submitted. A roll call of members follows:

Paul Anderson - yes Jon Bartlett - yes

Brad Messenger - yes Jack Pooler - yes

Joseph Weiss - yes Elaine Walter – excused

Lindsay Draime – excused

Motion carried to approve the change of use of 962 Capital Avenue from retail to restaurant use, with capacity set at 48 persons.

C. Discussion of Split-Zoned Properties

Russ Wicklund opened a discussion concerning (18) parcels of land located in Pennfield Charter Township which are presently split-zoned. The zoning of each is reflected within the assessment records. A hand-out was provided listing the (18) parcels in question, and identifying the Section that each is located in. For purposes of any new request for land division or site development on any of these properties, the Township's Master Land Use

Plan map will be used as a guideline. The discussion included the need for flexibility in the future development of these properties based on location within the township and the possibility of large developers such as Wal-Mart coming into the area. Further discussion regarding split-zoning will be held at future Planning Commission meetings.

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D. Dates for 2008 Planning Commission Meetings

Motion by Jon Bartlett, seconded by Paul Anderson to accept the following dates for the 2008 Planning Commission Meetings: January 7, February 4, March 3, April 7, May 5, June 2, July 7, August 4, September 8, October 6, November 3, and December 1. Motion Carried.

Public Comment

Rob Behnke welcomed Jack Pooler to the Planning Commission, along with all the newly elected officers of the planning commission, and recording secretary Sandra Cummings.

Commissioners Comments

Joseph Weiss – Likes the new facility at the Pennfield Middle School Cafeteria.

Jack Pooler – commented on the Green Ridge Development, hopes that problems with future developments can be avoided. Commented on the Deep Lake Development, and the seminar they held for local builders regarding the plan to “Build Green”.

Paul Anderson – commented on the approval of the change of use for the Coney Island Café; the restrictions by zoning ordinances, and the hope for their success.

Adjournment

Brad Messenger indicated the next Planning Commission meeting will be February 4. Meeting was adjourned at 8:15 pm