



## MINUTES OF THE PLANNING COMMISSION

The regular meeting of the Plainfield Charter Township Planning Commission was held at Township Hall on January 22, 2008.

Members present: Vic Matthews, Chair; David Ridout, Vice Chair; Ray Holland, Secretary; Scott Corder, Gary Gerber, Robert Heindricks and Charles Jylha. Also present was Peter Elam, Staff Planner.

### 1. Approve Agenda

Chair Matthews called the meeting to order at 7:00 pm and introduced the Agenda.

Commissioner Heindricks, supported by Commissioner Ridout, moved to approve the Agenda as presented.

Motion carried unanimously.

### 2. Approve Minutes of January 8, 2008

Commissioner Corder, supported by Commissioner Heindricks, moved to approve the minutes of January 8, 2008 subject to minor corrections in spelling and grammar.

Motion carried unanimously.

### 3. Avis Car Rental, Public Hearing Special Use Permit, and Site Plan Approval, 5365 Plainfield Avenue, Innovative Design, C-2 Commercial District, Mark Tomasik

Chair Matthews requested that Secretary Holland read the application submitted by Innovative Design, Architect, Mark Tomasik, on behalf of Avis Car Rental for the property addressed as 5365 Plainfield Avenue. The applicant is requesting a Special Use Permit to operate a car rental business (Avis Car Rental) in an existing building zoned C-2, Commercial.

Chair Matthews recognized Mr. Elam who explained that the agenda should have shown that site plan approval was being requested for each Special Use Permit application.

Chair Matthews recognized Mr. Tomasik who presented the site plans and explained that Avis desires to move into the corner space of the existing 8,000 square foot building, of which they would occupy approximately 1,900 square feet. Mr. Tomasik also explained that a maximum of fifteen vehicles would be parked in the rear parking lot as shown on the plan and only automobiles and passenger vans will be offered for rent from this facility. A new garage overhead door will be added to the building allowing the rental vehicles to be cleaned inside of the building. There would be no on-site vehicle repair, automotive service work or any on-site parking of inoperable vehicles. The rental vehicles will be no more than three years old and no advertising materials including signs, banners, or flags and signage, will be on the vehicles. Avis will comply with all of the Township's ordinances.

Mr. Tomasik explained that the property has a new owner, Mr. Rick Brown, who was not familiar with the Township rules and regulations. Mr. Tomasik indicated that he spoke with Mr. Brown about the floodlights located on the corner of the building that shine onto Plainfield Avenue and those lights will be removed, shielded or significantly adjusted per staff's approval.

Chair Matthews opened the public hearing and finding no one who wished to speak on the issue, closed the public hearing and returned discussion to the Planning Commissioners and staff.

Mr. Elam stated that staff had one specific issue, which Mr. Tomasik has addressed and that was the lighting issue. Landscaping, including trees, were added along the street frontage the summer of 2006 which was a challenge given the limited area between the parking lot pavement and Plainfield Avenue. This landscaping was done when Mr. Tomasik owned the building and he applauded Mr. Tomasik for installing the trees. Additionally, parking the rental vehicles in the rear of the site allows for ample parking spaces in the front and side of the building for staff and customers. Mr. Elam stated that staff was happy to see the site reused as the building was vacant for sometime.

Commissioner Heindrichs noticed that none of the landscaping was shown on the prepared plans. He asked if additional landscaping could be provided and if the existing could be shown on the plans. Mr. Tomasik explained that he had owned the building previously and had put a lot of money into repairs. Every square inch of unpaved area was landscaped and presently under snow banks. Mr. Tomasik explained that the only way new landscaping could be added would

be by taking out existing asphalt and using that area for additional landscaping at a considerable cost factor. The building is old and has had extensive repairs over the years. The lot is irregularly shaped and portions of the front parking lot are in MDOT's (Michigan Department of Transportation) road right-of-way. The highway curve that was created by MDOT did not help the landscaping efforts on this particular lot or those adjoining.

Commissioner Ridout stated that he was not opposed to the proposed project, but was concerned that Avis may need cars parked in the front parking lot to show its potential customers what they have to offer similar to other rental car companies along Plainfield Avenue. Mr. Tomasik confirmed that it would not be a problem. He reminded Commissioner Ridout that the parcel is an oddball shaped site and the parking in the rear was a good use of that area and would allow the front parking for customer parking.

Commissioner Ridout led discussion about the Township's pylon signs not having street numbers on them identifying the individual businesses. He asked that staff look into changing the sign regulations requiring readable street numbers be placed on pole signs, thereby making businesses and areas easier to find for customers and emergency vehicles. Mr. Tomasik agreed that would be helpful and noted that the proposed building had numbers and names on the front and rear doorways, but those were not readable from the roadway.

Commissioner Holland brought up the fact that there was not a lot of space between the property lines of First Class Auto and Mr. Brown's property. The location of the dumpster was also discussed. Mr. Tomasik confirmed that the neighbors needed each other as far as traffic flow was concerned and that there had not been any problems in the past. However, there was no formal cross access agreement between the property owners at this time.

Commissioner Corder suggested that this is a perfect opportunity to ask for a formal cross access agreement from each property owner whose addresses were 5355 and 5365 Plainfield Avenue to clean this issue up. He further stated that he did not want to cause hardships on either property owner but all would be served better in the long run if the access agreement were recorded and remained with the properties. Different owners may purchase the property and they may not get along. Mr. Tomasik confirmed that if the cross access agreement were needed, he would get it.

Commissioner Corder continued and asked that the cross access and location of the dumpster be placed on the plan prior to issuance of a Building Permit. Since the lot is such an unusual shape and size, he indicated that he was willing to live without a dumpster enclosure.

Signage was discussed and it was confirmed by Mr. Elam that there were several non-conforming signs located on the parcel and these signs will be evaluated when permits for changes were requested. Since the pole signs were very old there would be a need for the footings to be checked. The size, structural engineering and today's requirements would all be looked into on a case-by-case basis.

Commissioner Gerber indicated that he liked the idea of adding a little more landscaping on the corner if possible without sacrificing any of the parking. He concurred that the proposed use was a good use.

Chair Matthews agreed that even though the two owners are good friends at this point, putting a formal cross access agreement into place would be a benefit to all concerned. He also explained that he was not overly concerned about the additional landscaping, it would be nice if it were feasible and not overly expensive, but to have the applicant tear up asphalt to put in a tree, he preferred not to make that decision.

Commissioner Jylha suggested placing the dumpster in the corner of the lot. If it were moved along the edge of the building, lining up with the vehicles, the dumpster would be visible from Mr. Burger's. Mr. Tomasik indicated that he would look at the situation and work with staff on the best placement of the dumpster.

Mr. Elam reminded the commissioners that the extra requirement for automobile rental facilities could be found in Section 27.05 Y of the Special Uses Chapter.

Chair Matthews requested that Secretary Holland read the conditions of approval for the Special Use and Site Plan as follows:

1. The site lighting shall be modified as approved by the Community Development Department.
2. A cross access agreement shall be provided between the property owners of the building, which house First Class Auto, and Avis Car Rental (5355 and 5365 Plainfield Avenue).
3. The dumpster location and enclosure shall be approved by the Community Development Department.
4. The location of the existing landscaping, and any additional proposed by the developer, shall be provided on the plans as approved by the Community Development Department prior to the issuance of a building permit.

Commissioner Heindrichs, supported by Commissioner Gerber, moved to approve the requested Special Use Permit and site plan for 5365 Plainfield Avenue to allow for Avis Car Rental.

Motion carried unanimously.

4. **Kidz Club House, Public Hearing, Special Use Permit, and Site Plan Approval, 4735 West River Drive, Nicholas Kokx**

Chair Matthews announced the Kidz Club House Special Use request and requested that Secretary Holland read the application submitted by West River Land Development Co., LLC, 333 West River NW, Grand Rapids, Michigan for the property addressed as 4735 West River Drive. The applicant is requesting a Special Use Permit to allow a childcare center to operate in an existing building located in the C-1, Commercial zoned district.

Chair Matthews recognized Dr. Nicholas Kokx who explained he was one of the owners of the 2.83 acre site on which was built a 7,144 square building in 1993. Suite A consisted of 4,144 square feet and has been occupied by Kent Pediatrics and Suite B is 3,000 square feet and has never been occupied. The proposed suite improvements are detailed on the floor plan and the design has been reviewed and approved by the Child Care Section, Fire Marshall Division, Michigan Department of Labor and Economic Growth.

Dr. Kokx further explained that the proposed improvements illustrate 6,800 square feet of outdoor play area with a four-foot high chain link fence with compliant setbacks. The project shall be fully compliant with Chapter 27, Special Use rules for Child and Adult Care Centers found in the Township Ordinances.

Chair Matthews opened the public hearing and finding on one who wished to speak on the issues closed the public hearing and returned discussion to staff and the commissioners.

Chair Matthews recognized Mr. Elam who had previously reminded the commissioners that the agenda should have shown that site plan approval was being requested for each Special Use Permit. Therefore, Kidz Club House is requesting a Special use Permit and site plan approval at this time. He also explained that it is not necessary that the public hearing notice show that site plan approval would be discussed.

Mr. Elam explained that the property is zoned C-1, Commercial, and daycare facilities are permitted in the C-1 district as a special use. The extra requirements for this special use can be found in Section 27.05 S (pages 27-11 and 27-12) in the Special Use chapter. The applicant provided an excellent

narrative and information package illustrating how each of the seven requirements provided in the Special Use chapter would be addressed. He was glad to see that the suite would be occupied as it had been empty for a long time. The proposed play area will be fenced and well screened by trees on the adjacent Brook Haven Trailer Park parcel. Mr. Elam disclosed that Dr. Kokx was his daughter's pediatrician but he does not feel that he has a conflict by reporting on the application. He stated that he felt the proposed use was appropriate.

Commissioner Gerber agreed that the proposed use was appropriate and led discussion regarding the location of the fenced play area, and the location of the dumpster enclosure. Dr. Kokx explained that the site plan shows there was ample room for the required 5,000 square foot play area and that the actual location of the fence was not shown on the drawing due to its size.

Commissioner Corder admitted that his family was very happy having their children treated at Dr. Kokx's location. He concurred that the proposed use was absolutely appropriate, and led discussion regarding the existing signage and proposed signage for the daycare facility.

Commissioner Holland had visited the site and found everything in order. He led discussion regarding the fence for the play area and it was confirmed that the outdoor play area shall be enclosed by a chain link fence not less than four feet in height. The existing dumpster enclosure is enclosed with 6 foot high vertical slat boards which the fence would connect to.

Commissioner Ridout led discussion regarding the traffic on West River Drive and the traffic signal located at the intersection of West River Business Center and West River Drive, a short distance from the entrance to the 4735 parcel. Dr. Kokx agreed that the traffic on West River Drive seems to be out of control quite often; however, it had improved immensely with the addition of the traffic signal. He did not think the traffic issue would be a problem for the day care facility.

Commissioner Jylha stated that overall the proposed project was worthwhile and in a good location. He asked about barrier free parking spaces and if there were parking spaces available for barrier free vans. It was confirmed that the spaces were available.

Commissioner Heindrichs found the site appropriate and the service provided served the surrounding residential community.

Chair Matthews complimented the applicant on the excellent job of preparing the application that was provided for the commissioners.

