Minutes, Paw Paw Planning Commission Regular Meeting, January 5, 2012

1. The regular Planning Commission meeting of Thursday, January 5, 2012 convened at 7:00 p.m. at 114 North Gremps, Paw Paw, Michigan. Chairperson Larson presiding.

Meeting Convened

2. Present: Larson, Bogen, Hildebrandt, Pioch, Reeder, Rumsey, and Thomas. Also present: Village Manager, Larry Nielsen and Village Planning Consultant, Rebecca Harvey.

Members Present

3. Motion by Pioch, supported by Rumsey, to approve the agenda. All members present voting yes. The motion carried.

Approval of Agenda

4. Motion by Pioch, supported by Reeder, to approve the minutes of the regular **Approval of Minutes** Planning Commission meeting of December 1, 2011. All members present voting yes. The motion carried.

5. No public comment regarding non-agenda items was offered. **Public Comment**

6. Larson stated that no public hearing item was scheduled for consideration.

Public Hearing Items

7. Larson stated that, consistent with Board discussion in December regarding zoning options to allow for reduced parking, revised draft text was prepared for Board review. She referenced the January 5, 2012 Memo provided by Harvey and the revised draft text contained therein. The Board noted that the revised text accurately reflected the discussion of the Board in December.

OnGoing Business: Parking Standards

Reeder suggested the addition of language clarifying the review/revocation authority of the Board regarding reduced parking approvals. Following Board discussion, Harvey was directed to revise the draft text accordingly. It was further determined that a public hearing on the proposed text amendment be scheduled for the February 2, 2012 meeting.

8. Larson stated that, consistent with Board discussion in December regarding building design standards that would prohibit large blank walls on commercial buildings, revised draft text was prepared for Board review. She referenced the January 5, 2012 Memo provided by Harvey and the revised text contained therein. The Board noted that the revised text accurately reflected the discussion of the Board in December.

OnGoing Business: Building Design Standards

Board discussion ensued wherein it was confirmed that the requirement for a 'physical break' in the wall would apply to all walls. What constituted a 'physical break' in a wall also received additional discussion. It was then

January 5, 2012 1 noted that the 'corner lot' provision added to the CBD design standards would also appropriately be added to the B-1 and B-2 District standards. Harvey was directed to revise the draft text accordingly. It was further determined that a public hearing on the proposed text amendment be scheduled for the February 2, 2012 meeting.

9. Larson stated that the next matter to be considered is continued discussion regarding the Work Plan Item (#16) requested by the Village Council to reduce the large expanses of two-family zoning within the Village through rezoning to single family land use.

OnGoing Business: Reducing Two-Family Zoning

She noted that following a review of the Master Plan, Future Land Use Map, and Zoning Map in November and lengthy discussion in December, the Board had concluded on many points. She referenced the January 5, 2012 Memo prepared by Harvey for a summary of those points. Harvey noted that, given many of the Board's conclusions, and specifically in light of the Plan's approach to low and medium density residential land use, consideration of amending the R-2 District to remove two-family residential land use was in order. Rumsey noted his objection to eliminating two-family residential land use in the R-2 District. He stated that much of the Village is within the R-2 District and that two-family dwellings are not inherently 'bad' for neighborhoods.

Lengthy discussion ensued regarding the impact of illegal conversions of single family homes (to two-family or multi-family dwellings), enforcement issues with illegal conversions, the purpose of the R-2 District, and the practice of R-2 property being marketed as income property with conversion and rental potential within the Village. It was determined that a revision of the R-2 District so as to clarify the purpose of the District and highlight the standards applicable to two-family dwellings would address all of the concerns raised to date on this topic.

It was noted that Nielsen and Harvey would prepare suggested modifications to the R-2 District consistent with the Board's discussion for review at the February 2, 2012 meeting. Rumsey noted an interest in the Village exercising available options that would provide incentives for owner-occupied housing in the Village (ie. 'village homesteading').

10. Larson stated that the next matter to be considered is discussion regarding the Work Plan Item (#13) requested by the Village Council to develop a standard which would limit the total square footage of retail/commercial floor space (excluding non-retail space) within the B-1, B-2, and CBD Districts. She noted that no standards are currently provided in the Zoning Ordinance that regulate the maximum area of a commercial building.

New Business: Commercial Floor Space

Larson referenced the 1.05.12 Memo prepared by Harvey. Lengthy

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Board discussion ensued regarding existing Ordinance standards that serve to 'limit' the size of commercial buildings on a lot and the purpose of the commercial districts in the Village. It was also noted that area ordinances generally provide building height, lot coverage, and building setback standards but do not address commercial building size.

It was further noted that there are existing commercial buildings in the Village that exceed 50,000 square feet in area and are not considered problematic. The Board expressed concern that any building size standard should be related to health, safety and welfare issues and be applied to all commercial uses. Following discussion, the Board determined to request additional guidance from the Village Council on the matter with a clarification of the objectives of the request.

- 11. No comment was offered at this time.
- 12. Nielsen requested Board direction regarding the appropriate group to take the lead on the 'early work' required to initiate the establishment of a 'historical district. The Planning Commission noted their support of the Historical Commission in that role.

Larson requested that Planning Commission and Village Council meeting minutes be made available to both boards.

13. There being no further business to come before the Commission, the meeting was adjourned at 9:18 p.m.

Member Comments

Village Manager/ Planning Consultant Comments

Adjournment

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Minutes, Paw Paw Planning Commission Regular Meeting, February 2, 2012

1. The regular Planning Commission meeting of Thursday, February 2, 2012 convened at 7:00 p.m. at 114 N. Gremps, Paw Paw, Michigan. Chairperson Larson presiding.

Meeting Convened

2. Present: Larson, Bogen, Pioch, Reeder, Rumsey and Thomas. Also Present: Village Manager, Larry Nielsen and Planning Consultant, Rebecca Harvey.

Members Present

3. Motion by Rumsey, supported by Thomas, to approve the agenda as presented. All members present voting yes. The motion carried.

Approval of Agenda

4. Motion by Pioch, supported by Reeder, to approve the minutes of the regular Planning Commission meeting of January 5, 2012, as presented. All members present voting yes. The motion carried.

Approval of Minutes

5. No public comment regarding non-agenda items was offered.

Public Comment

6. Larson stated that a public hearing was scheduled to consider proposed amendments to Section 42-404 (3) and (8) of the Village of Paw Paw Zoning Ordinance so as to modify the requirements for off-street parking facilities.

Public Hearing: Text Amendments -Off Street Parking and Loading

Larson noted that the matter has been discussed by the Board at the November 23, 2011, December 1, 2011 and January 5, 2012 Planning Commission meetings. No public comment was offered on the matter.

Following general Board discussion, motion by Rumsey, supported by Thomas, to recommend approval of an amendment to Section 42-404 (3) so as to provide for the 'joint use of facilities' and to Section 42-404 (8) so as to provide a mechanism for reducing parking space requirements. All members present voting yes. The motion carried.

7. Larson stated that a public hearing was scheduled to consider proposed amendments to Sections 42-205, 42-225, and 42-245 of the Village of Paw Paw Zoning Ordinance so as to establish building design standards within the B-1, B-2, and CBD Districts.

New Business: Text Amendments -Building Design Standards

Harvey noted that the text has been revised to reflect Board feedback received during the November 23, 2011, December 1, 2011 and January 5, 2012 Planning Commission meetings.

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Tom King, attorney and Dan Backstrom, architect for the locally proposed Walmart store provided input on the proposed text amendment. King referenced a letter dated January 30, 2012 and suggested revisions to the draft text, noting concerns with the proposed ordinance language as it would apply to larger buildings. No further public comment was offered on the matter.

Lengthy Board discussion ensued regarding dimensions of typical national retail chains and commercial strip centers, typical façade widths of same, how to measure the required 'visual or physical breaks' in the walls, common commercial building designs, and the general objectives of the design standards.

The Board then agreed to the following modifications to the proposed text: to add an exception within the B-2 District for buildings over 30,000 sq ft and walls over 100 ft in length regarding the required distance between 'visual or physical breaks' and the provision of windows on the façade; and, to add a provision that would allow the Planning Commission to deviate from the design standards and consider alternative designs that meet the intent of the requirements.

It was further noted that the proposed design standards for the CBD District would be modified to add a provision addressing upper story windows.

Motion by Thomas, supported by Bogen, to postpone action on the text amendment to the March Planning Commission meeting to allow for the proposed revisions to be incorporated into the draft text. All members present voting yes. The motion carried.

8. Larson stated that the final item to be considered is continued discussion regarding Work Plan Item #16 requested by the Village Council to reduce the large expanses of 2-family zoning within the Village through rezonings to single family land use.

Ongoing Business: Reducing 2-Family Zoning

Larson noted that, following Board discussion in January, Harvey was directed to draft revisions to the R-2 District that would clarify the purpose of the District and highlight the standards applicable to two-family dwellings so as to address the concerns raised to date on this topic. She then referenced the February 2, 2012 Memo provided by Harvey and the draft text contained therein.

The Board noted that the draft text accurately reflects the discussion of the Board in January. Following additional Board discussion, it was suggested that the title of the District be changed to R-2 Single Family District and that the reference to 'Two-Family Residential District' be

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removed from Subsection (a) . .to further clarify the R-2 District as a primarily single family district.

It was determined that a public hearing on the proposed text amendment be scheduled for the March 1, 2012 meeting.

9. Larson stated that no 'New Business' was scheduled for consideration.

New Business

10. Larson queried the status of the Zoning Map. Nielsen noted that the Zoning Map has been updated and will be available to the Board next month.

Member Comments

Larson questioned the status of the revisions to the sign ordinance recently recommended by the Board. Nielsen noted that the Village Council has adopted the proposed amendments to the Zoning Ordinance, with only a minor change.

11. Nielsen provided the Board an update on the following matters: Walmart project; residential rental unit inspections; incentive programs for single family residential developments currently being discussed at the committee level; senior housing project/removal of the required woodland buffer; and removal of a building on Hazen Street.

Village Manager/ Planning Consultant Comments

12. There being no further business to come before the Commission, the meeting was adjourned at 9:25 p.m.

Adjournment



Minutes, Paw Paw Planning Commission Regular Meeting, March 1, 2012

The regular Planning Commission meeting of Thursday, March 1,
 2012 convened at 7:04 p.m. at 114 North Gremps, Paw Paw, Michigan.
 Chairperson Larson presiding.

Meeting Convened

2. Present: Larson, Bogen, Pioch, Reeder, Rumsey, and Thomas. Also present: Village Manager, Larry Nielsen and Village Planning Consultant, Rebecca Harvey.

Members Present

3. Motion by Pioch, supported by Thomas, to approve the agenda. All members present voting yes. The motion carried.

Approval of Agenda

4. Motion by Reeder, supported by Bogen, to approve the minutes of the regular Planning Commission meeting of February 2, 2012. All members present voting yes. The motion carried.

Approval of Minutes

5. No public comment regarding non-agenda items was offered.

Public Comment

6. Larson stated that a continuation of the February 2, 2012 public hearing on proposed amendments to Sections 42-205, 42-225, and 42-245 of the Village of Paw Paw Zoning Ordinance so as to establish building design standards within the B-1, B-2 and CBD Districts was scheduled.

Public Hearing: Text Amendment-Building Design Standards

Harvey noted that the text had been revised to reflect Board feedback received on the matter during the February 2, 2012 Planning Commission meeting. Tom King, attorney for the locally proposed Walmart store, noted that he had no objection to the revised text.

Following general Board discussion, motion by Rumsey, supported by Thomas, to recommend approval of the proposed amendments to Sections 42-205, 42-225, and 42-245 so as to establish building design standards within the B-1, B-2 and CBD Districts. All members present voting yes. The motion carried.

7. Larson stated that a public hearing was scheduled to consider proposed amendments to Section 42-141 (a) and (b), Section 42-142, and Section 42-143 of the Village of Paw Paw Zoning Ordinance so as to clearly set forth the standards applicable to a two-family dwelling within the R-2 District.

Public Hearing: Text Amendment-R-2 District

Larson noted that the matter has been discussed by the Board at the January 5, 2012 and February 2, 2012 Planning Commission meetings. No public

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comment was offered on the matter.

In response to Board questions, Nielsen noted that the Village Council supports the Planning Commission's approach to addressing the issues raised regarding the amount of two-family zoning in the Village through amendments to the R-2 District.

Following general Board discussion, motion by Thomas, supported by Reeder, to recommend approval of the proposed amendments to Division 3. so as to remove the reference to 'two-family' in the Section title; Section 42-141 (a) and (b) so as to clarify the purpose of the R-2 District; Section 42-142 so as to remove 'two-family dwellings' as a permitted use in the R-2 District; and Section 42-143 so as to allow two-family dwellings as a special use in the R-2 District and reference the standards applicable to two-family dwellings currently set forth in the Ordinance. All members present voting yes. The motion carried.

8. Larson stated that the next item to be considered is Work Plan Item #14 - Vacant Buildings/Work Plan Item #7 - Vacant Commercial/Industrial Buildings. She noted that the two (2) work plan items are similar in that they both request consideration of the development of ordinance standards for the decommissioning of non-residential buildings. It was agreed that they would be considered as a single work item.

New Business: Vacant Buildings

Harvey noted that no standards are currently provided in the Zoning Ordinance that speak to the decommissioning of buildings or require 'end plans' or 'exit plans'. She then provided the Board an overview of the options available for the regulation of vacant non-residential buildings and a review of area ordinances. Handout materials were distributed.

General Board discussion ensued wherein the application of existing codes was explored. Larson directed the Board to review the material provided on the matter in preparation for continued discussion at the April 5, 2012 meeting.

9. Larson noted that the Board considered the matter of developing a standard which would limit the total square footage of retail/commercial floor space within the B-1, B-2 and CBD Districts (Work Plan Item #13) at the January 5, 2012 meeting. She noted that, following lengthy Board discussion, the Board had determined to request additional guidance from the Village Council on the matter with clarification as to the objectives of the request.

OnGoing Business: Retail Floor Space

Nielsen noted that the Village Council has not discussed the matter further to date and that the Planning Commission should continue to proceed through the remaining Work Plan items.

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10. Larson reviewed the 2011-2012 Planning Commission Annual Report. General Board discussion ensued wherein revisions were made to the draft report. The Planning Commission accepted the report as revised.

Member Comments

Pioch noted that the Village Council has expressed concern regarding the potential for metal buildings to be constructed along the Village's major commercial corridors, specifically as it relates to the construction material used on the building elevation facing the abutting street. He noted that the Council has requested Planning Commission review of the matter. The Planning Commission placed the item on the 2012 Work Plan.

Village Manager/
Planning Consultant
Comments

11. Nielsen noted that the site plans for the proposed Walmart Store have been submitted and the item is scheduled for Board consideration in April.

Adjournment

12. There being no further business to come before the Commission, the meeting was adjourned at 8:38 p.m.



March 1, 2012

Minutes, Paw Paw Planning Commission Regular Meeting, April 5, 2012

1. The regular Planning Commission meeting of Thursday, April 5, 2012 convened at 7:00 p.m. at 114 North Gremps, Paw Paw, Michigan. Chairperson Larson presiding.

Meeting Convened

2. Present: Larson, Bogen, Hildebrandt, Reeder, Rumsey, and Thomas. Also present: Village Manager, Larry Nielsen and Village Planning Consultant, Rebecca Harvey, Village Director of Public Works, John Small

Members Present

3. Motion by Rumsey, supported by Bogen, to approve the agenda. All members present voting yes. The motion carried.

Approval of Agenda

4. Motion by Bogen, supported by Reeder, to approve the minutes of the regular Planning Commission meeting of March 1, 2012. All members present voting yes. The motion carried.

Approval of Minutes

5. No public comment regarding non-agenda items was offered.

Public Comment

6. Larson stated that a public hearing was scheduled to consider a Special Use Permit/Site Plan Review application for the proposed establishment of a 119,500 sq ft Walmart Store, including a Garden Center, Tire/Lube Center, and a Seasonal Sales Area. The subject property consists of approximately 41 acres and is situated on the south side of I-94, with frontage on M-40.

Public Hearing: Walmart

Mike Mott of Atwell, Dan Backstrom of SGA Design Group, and Tom King of Kreis, Enderle, Hudgins & Borsos, P.C. were present on behalf of the application. Mott proceeded with a presentation of the site plan, noting existing site features and elements of the proposed site design. Specific reference was made regarding building size/orientation, site access designs/traffic impact study findings, parking layout, stormwater system and wetland conservation easement proposal, issues related to the extension of utilities to the site (water, sewer, electric), and the 'zeroscape' landscape proposal set forth on the plan. Mott also noted the proposed establishment of two 'outlots' or building sites in the proposal and the proposed provision of frontage through the main access drive as a private road.

In response to Board questions, Mott noted that there were no confirmed occupants of the two proposed outlots but that a restaurant and bank were identified as uses for purposes of the traffic impact study prepared for the site. He further noted that the proposed LaGrave access would be for fire department /emergency access only. Mott acknowledged that the proposed parking layout

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represented a reduction in parking from the 2007 proposal for the site.

Backstrom then proceeded with a review of the building elevations and proposed building design, as well as proposed building materials and color scheme. He specifically noted the design elements of the pharmacy drive-thru, garden center, tire/lube center, loading area/truck bays, and screening enclosures.

No public comment was offered on the matter and the public comment portion of the public hearing was closed.

Harvey referenced the April 5, 2012 Planning & Zoning Review of the application, specifically noting the following items: the proposed outlots must have a minimum of 66 ft of frontage on a public or private road to be recognized as separate building sites; footcandle levels at the project boundaries for the proposed outdoor lighting should be shown to confirm compliance with lighting standards; and the proposed sidewalk should be extended along M-40 the width of the property frontage consistent with Village sidewalk policy. She further noted that the site plan submission requirements had been satisfied and that all remaining site plan standards had been met.

Mott responded that the access drive into the site will be established on a dedicated right-of-way and the drive will be constructed to public road standards to meet the private road requirement and provide frontage to the two proposed outlots. He also referenced a footcandle layout for the project site and noted that the footcandle levels along the property boundaries do not exceed .8, with the exception of the two points of access into the site (M-40/LaGrave).

King stated that the applicant objects to the requirement for the extension of a sidewalk, noting the following: there is no adopted ordinance standard for the construction of a sidewalk; the sidewalk requirement constitutes an off-site improvement which is not legally supportable; the requested sidewalk will not connect to anything; there is inadequate space on the property to safely locate a sidewalk out of the wetlands and separated from the abutting 55 mph highway; the proposed use (Walmart) does not generate pedestrian traffic and is not considered to be a 'destination' store; and, a sidewalk will serve to encourage pedestrian traffic on the bridge over I-94 on which there is no existing sidewalk nor means to establish one.

King stated that Walmart desires to be cooperative but does not support any action that will require the construction of a sidewalk that is not safe, is not related to their use, is in a bad location, and is not required by ordinance. He stated that Walmart does, however, propose a contribution of \$75,000 to the Village sidewalk budget to assist the Village in the development of sidewalks in the community. He stated that the Village would be free to use the funds for sidewalks to improve connectivity in other parts of the community or

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could use it toward the establishment of a sidewalk on the site as envisioned.

Larson stated that the Planning Commission had drafted an ordinance in 2011 setting forth sidewalk requirements and had recommended same for adoption. Nielsen noted that the Village Council had reviewed the proposed ordinance but had placed it on hold for adoption to allow for completion of the 'sidewalk program' for the Village and its related budget.

Nielsen suggested that the sidewalk proposal be submitted in writing to the Village so that it could be reviewed by legal counsel and direction on same provided. Larson suggested that the item could be tabled to allow for that consideration. Mott opined that a delay in action on the project would likely affect their ability to have the project ready for construction in the Fall . . and if that were the case, it would result in the project not moving forward.

Larson queried the estimated cost for the construction of the requested sidewalk. Mott stated that a definite cost proposal had not been developed but that a cost of \$175,000 could be considered a 'worst case' scenario.

King requested that the Planning Commission proceed with a review of the Special Use Permit and Site Plan and allow the proposal to continue through to the Village Council for a decision on the sidewalk matter. This would allow time for further study of the issues presented.

Following Board discussion, it was determined that it would be reasonable to continue review of the request and proceed with a recommendation to the Village Council, where the sidewalk matter could be resolved.

Following Board review of the proposed site plan and with reference to the Planning & Zoning Review, motion by Thomas, supported by Reeder, to grant approval of the Special Use Permit for the garden center, tire/lube center, and seasonal sales area related to the proposed Walmart Store based upon a finding of compliance with the Special Use criteria set forth in Section 42-366. All members present voting yes. The motion carried.

Motion by Thomas, supported by Hildebrandt, to recommend approval of the Site Plan for the project, based upon a finding that the proposal meets the criteria for Site Plan Approval set forth in Section 42-402 (4), conditioned upon the following:

- 1. Review/approval of the Village Fire Department;
- 2. Village Council approval of the proposed public road <u>or</u> of the proposed private road with public access and constructed to Village standards;
- 3. Extension of a sidewalk along M-40 the width of the property frontage consistent with Village sidewalk policy;
- 4. Any proposed signage shall be subject to compliance with Ordinance

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- standards and shall require a sign permit;
- 5. MDOT review/approval of the proposed improvements to M-40;
- 6. Van Buren County Road Commission review/approval of the proposed improvements to LaGrave Street;
- 7. MDEQ review/approval of the proposed conservation easements and overall wetland proposal;
- 8. Village and County Drain Commissioner review/approval of the grading and stormwater management proposal; and
- 9. Village review/approval of all proposed utility extensions and connections.

All members present voting yes. The motion carried.

7. Larson stated that due to the lateness of the hour, Board discussion of Work Items #14/#17 would be postponed to the May meeting.

OnGoing Business: Vacant Buildings

8. Larson stated that pursuant to the Planning Commission By Laws, the election of officers of the Board is scheduled to take place at the regular meeting in April. Motion made by Thomas, supported by Reeder to nominate and elect the following slate of officers of the Planning Commission for 2012/2013:

New Business: Election of Officers

Chair: Kathy Larson
Vice-Chair: Chuck Rumsey
Secretary: Mike Thomas

All members present voting yes. The motion carried.

9. Larson stated that pursuant to the Planning Commission By Laws, the schedule of regular meetings for 2012/2013 is scheduled for adoption by resolution. Motion by Rumsey, supported by Hildebrandt, to adopt the Resolution Setting Planning Commission Regular Meeting Schedule for the 2012-2013 Fiscal Year. All present voting yes. The motion carried.

New Business: Meeting Schedule

10. Larson noted that the 2011 Annual Report had been reviewed by the Board at its March meeting and that a revised copy had been prepared and submitted to the Village Council.

Member Comments

Rumsey expressed his concern regarding the arguments made by Walmart about the sidewalk requirement. He was disappointed that a recommendation had been made by the Planning Commission last year that would have addressed this issue but that it had not yet been adopted.

Larson noted receipt of the Wings of God Annual Report. She questioned if the actions reported in the Annual Report were consistent with the 'house' rules that were submitted with the application at the time of approval. Harvey was

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directed to confirm compliance.

11. No comments were offered at this time.

Village Manager/ Planning Consultant Comments

12. There being no further business to come before the Commission, the meeting was adjourned at 8:54 p.m.

Adjournment

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Minutes, Paw Paw Planning Commission Regular Meeting, May 3, 2012

1. The regular Planning Commission meeting of Thursday, May 5, 2012 convened at 7:00 p.m. at 114 N. Gremps, Paw Paw, Michigan. Chairperson Larson presiding.

Meeting Convened

2. Present: Larson, Bogen, Hildebrandt, Pioch, Rumsey and Thomas. Also Present: Village Planning Consultant, Rebecca Harvey.

Members Present

3. Motion by Thomas, supported by Bogen, to approve the agenda as presented. All members present voting yes. The motion carried.

Approval of Agenda

4. Motion by Bogen, supported by Thomas, to approve the minutes of the regular Planning Commission meeting of April 5, 2012, with the following correction: Page 1, Agenda Item 6, second paragraph – correct the spelling of 'zeroscape' to 'xeriscape'. All members present voting yes. The motion carried.

Approval of Minutes

5. No public comment regarding non-agenda items was offered.

Public Comment

6. Larson stated that no public hearing item was scheduled for consideration.

Public Hearing Item

7. Larson stated that the next item of business was review and prioritization of the 2012 Planning Commission Work Plan. Harvey referenced the 2012 Work Plan draft dated April 5, 2012 and provided the following update: Item #3 – 'Big Box' Commercial Development has largely been addressed as a result of recent Ordinance amendments regarding building design/form, parking, and landscaping; Items #4 and #6 – Vacant Commercial/Industrial Buildings were discussed in March and conclusions noted that the existing property maintenance code and nuisance ordinances are sufficient to address concerns raised; Items #1 and #2 are similar in scope and can be combined into a single work effort.

New Business: 2012 Work Plan

Harvey noted that an updated 2012 Work Plan would include the following 3 work items: #1/#2 – review/revise the Zoning Ordinance to better implement the Master Plan; #5 – Stormwater management standards; #7 – Building material standards. She then provided the Board with an outline of Zoning Ordinance amendments recommended for consideration to better implement the objectives of the Master Plan.

General Board discussion ensued wherein the updated elements of the Work Plan were accepted with consensus regarding the remaining 3 work items. The

May 5, 2012

following was also noted: review of DDA boundaries; status of the Historic Commission, the Subcommittee work with the DDA on furthering the objectives of the Master Plan, and 'form based' code approach vs. 'historic commission' approach in the downtown area.

It was determined that Board members would review the memo provided by Harvey regarding Work Items #1/#2 for continued discussion in June. It was noted that items from that memo would then be prioritized and selected for Board work to be performed simultaneous with consideration of Work Items #5 and #7.

8. Larson noted that Work Plan Items #4 and #6 – Vacant Commercial/ Industrial Buildings scheduled for continued discussion has been resolved with the previous discussion of the 2012 Work Plan. Ongoing Business: Vacant Buildings

9. Larson informed the Board that Reeder has recently stepped down from the Planning Commission in that he will soon be moving out of the Village. She noted that applications for membership are requested.

Member Comments

Larson stated that she is in the process of confirming a joint meeting between the Village Council and the Planning Commission. She noted that the meeting will again be held prior to a regular Village Council meeting and will likely be in July or August. Larson requested that Planning Commission members consider possible meeting agenda topics and provide them to her within the next 2 to 3 weeks.

Pioch provided the Board an update on the status of the Walmart sidewalk requirement/proposal.

Larson requested an update on the status of Wings of God (ie. compliance of annual report activities with conditions of approval). Harvey noted that an update on same would be provided at the June meeting.

Larson inquired as to the status of the updated Zoning Map and updated pages to the Zoning Ordinance. Harvey will confirm in June.

10. No comments were offered at this time.

Village Manager/
Planning Consultant
Comments

11. There being no further business to come before the Commission, the meeting was adjourned at 8:20 p.m.

Adjournment

May 5, 2012

Minutes, Paw Paw Planning Commission Regular Meeting, June 7, 2012

The regular Planning Commission meeting of Thursday, June 7,
 2012 convened at 7:00 p.m. at 114 North Gremps, Paw Paw, Michigan.
 Chairperson Larson presiding.

Meeting Convened

2. Present: Larson, Hildebrandt, Pioch, Reeder, Rumsey, and Thomas. Also present: Village Planning Consultant, Rebecca Harvey.

Members Present

3. Motion by Pioch, supported by Rumsey, to approve the agenda. All members present voting yes. The motion carried.

Approval of Agenda

4. Motion by Pioch, supported by Hildebrandt, to approve the minutes of the regular Planning Commission meeting of May 3, 2012. All members present voting yes. The motion carried.

Approval of Minutes

5. No public comment regarding non-agenda items was offered.

Public Comment

6. Larson stated that a public hearing was scheduled to consider the request of The Gathering Place Church for Special Land Use Permit/Site Plan Review for the proposed temporary occupancy of an existing 60 ft by 100 ft vacant commercial building (Max 10) by their youth centered ministry (rooTs). The subject site is located at 400 South Kalamazoo Street and is within the B-2 General Business District.

Public Hearing: The Gathering Place Church

Larson noted that she owns property within 300 ft of the subject site and so will abstain from participating in the public hearing. Larson then exited the room. Acting Chair Rumsey proceeded in conducting the public hearing. Dan Foster was present on behalf of the application and stated that the application was complete and that he had no information to add.

No public comment was offered on the matter.

In response to Board questions, Foster noted the following: many attendees don't drive so the parking facilities should be adequate; the building will be staffed with at least four (4) adults when in use; the building will be used for the youth to gather and talk; light refreshments will be served; use of the building will generally be from 6:00 pm to 8:30 pm; the building is only proposed to be used temporarily until a new site is located that can accommodate both the church and the youth program.

Harvey stated that the proposal to use the subject building as a 'church' requires compliance with the standards set forth in Section 42-367 (8) for 'churches'.

June 7, 2012

She noted that the site is not of adequate size to meet lot size, lot width, and parking standards applicable to 'churches'. Variances from these standards will be required. Harvey noted further that the missing site plan elements required by Section 42-402 (4) should be shown on the site plan and can be referenced as conditions of approval.

Lengthy Board discussion ensued regarding Section 42-367 (8) wherein it was determined to be applicable to the proposed use. Pursuant to Section 42-402 (4), the Board proceeded to review the site plan wherein the location of the drive, parking layout, on-site sidewalks, site lighting, and screening/landscaping were confirmed.

Motion by Thomas, supported by Reeder, to grant Special Land Use Permit and recommend approval of the Site Plan based upon a finding of compliance with the Special Land Use Permit criteria set forth in Section 42-366, the Site Plan Review standards set forth in Section 42-402 (4), and the standards of Section 42-367 (8) – 'churches', subject to the following conditions:

- 1) Submission of a revised site plan with the addition of the missing elements discussed by the Board;
- 2) Compliance with the elements of the proposal set forth in the 5.03.12 Application Letter;
- 3) The Special Land Use Permit shall be issued for a time period of 6 months;
- 4) Subject to compliance with the lot size, lot width, and parking requirements applicable to 'churches'.

All members present voting yes. The motion carried.

The applicant was advised that the ZBA would be meeting on 7.02.12 and that a variance request could be considered at that time if an application were filed in a timely manner so as to meet noticing requirements.

- 7. Larson noted that no 'New Business' was scheduled for consideration.
- 8. Larson stated that the next item to be considered was continued discussion regarding Work Plan Items #1/#2 Review/Revise Zoning Ordinance for Implementation of the Master Plan. She referenced the 5.03.12 Memo prepared by Harvey wherein the objectives of the Plan that can be accomplished through zoning are identified and the zoning ordinance revisions required to implement those objectives are detailed. Larson noted that, following Board discussion in May, members were directed to review the Memo and prioritize the suggested Zoning Ordinance revisions for discussion in June.

Following lengthy discussion, general consensus was noted that the Board desired to receive the results of the visioning session held regarding the

New Business

OnGoing Business: Zoning Ordinance Review

June 7, 2012

'old industrial area' of Paw Paw (scheduled to be presented the following week) with an interest in then proceeding with Zoning Ordinance revisions necessary to implement the resulting plan for that area. The Board also noted a desire to begin a review of the sign ordinance in response to the Plan objectives related to the downtown area, wayfinding signage needs, and the 'gateway' corridors.

Board discussion of the results of the visioning session ('old industrial area' of Paw Paw) was then scheduled for July.

Larson requested an update on the status of Wings of God (ie. compliance of Member Comments 9. annual report activities with conditions of approval). Harvey stated that she had conducted a review of the matter and will contact the applicant to confirm compliance.

Larson inquired as to the status of the updated Zoning Map and updated pages to the Zoning Ordinance. Harvey distributed new Zoning Maps to Board members. She noted that Chris Tapper, Village Clerk has advised that members may bring their Zoning Ordinance into the Village Office and he will provide them with updated pages.

Larson stated that no topics have been suggested to date for the joint meeting between the Village Council and Planning Commission. She suggested that holding the joint meeting at such time as the Historical Commission can participate would be prudent given recent interest in and efforts related to development in the downtown area. Board members agreed.

10. No comment was offered at this time. Village Manager/ **Planning Consultant Comments**

11. There being no further business to come before the Commission, the meeting was adjourned at 8:48 p.m.

Adjournment

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Minutes, Paw Paw Planning Commission Regular Meeting, July 5, 2012

The regular Planning Commission meeting of Thursday, July 5,
 2012 convened at 7:15 p.m. at 114 North Gremps, Paw Paw, Michigan.
 Chairperson Larson presiding.

Meeting Convened

2. Present: Larson, Bogen, Pioch, and Reeder. Also present: Village Planning Consultant, Rebecca Harvey

Members Present

3. Motion by Pioch, supported by Bogen, to approve the agenda. All members present voting yes. The motion carried.

Approval of Agenda

4. Motion by Pioch, supported by Reeder, to approve the minutes of the regular Planning Commission meeting of June 7, 2012. All members present voting yes. The motion carried.

Approval of Minutes

5. No public comment regarding non-agenda items was offered.

Public Comment

6. Larson stated that no public hearing item was scheduled for consideration.

Public Hearing Item

7. Larson stated that no 'New Business' was scheduled for consideration.

New Business

8. Larson stated that the next item to be considered was continued discussion regarding Work Plan Items #1/#2 – Review/Revise Zoning Ordinance for Implementation of Master Plan. She noted that the Board had reviewed the summary prepared by Harvey outlining recommended Zoning Ordinance revisions required to implement the Plan in June. As a result of that review, the Board had concluded that the 'Old Industrial Area of Paw Paw' was a priority item. Accordingly, the Board had noted a desire to receive the results of the recent visioning session held regarding the area with an interest in then proceeding with Zoning Ordinance revisions necessary to implement the resulting plan(s) for that area.

Ongoing Business: Brownfield Re-Development

Referencing the 'Scenario Plans' and 'Concept Sketches' developed from the visioning session, Board discussion ensued regarding the results of that session and the redevelopment ideas generated. General Board consensus of the proposed 'redevelopment scenarios' was noted.

Using the discussion outline prepared by Harvey, a review of the Master Plan, specifically Element H of the Future Land Use section of the Plan, ensued. It was determined that Element H should be expanded to encompass the area addressed in the 'redevelopment scenarios'. Further, Element H should be rewritten as a 'subarea plan' with a single/separate Plan classification for the

July 5, 2012

area and specifically incorporate the elements and scenarios created from the Brownfield Visioning Session.

Lengthy Board discussion then ensued regarding how the 'subarea plan' for the area could be implemented. Board support was noted of the recommendation to modify the zoning pattern in the area through the creation of a 'new district' designed to use the 'planned unit development' approach to encourage development consistent in overall use/design with the 'redevelopment scenarios'.

The Board reviewed how such a 'new district' would be constructed and applied and the value in its application within the area. The Board specifically noted the following: a 'pud' approach would provide for a more marketable approach, especially if the area is big enough; a single zone would be easier to work within and make the area more attractive to developers; and, the flexibility of using design parameters characteristic of a 'pud' approach is a win-win for the developer and the community.

The Board then determined to continue discussion of the topic at the August meeting to allow for the full Board to review/discuss the boundaries of the 'redevelopment area' and the suggested planning/zoning approach to the area. Harvey was directed to prepare a draft of a revised Element H as discussed by the Board.

9. Larson requested an update on the status of Wings of God (ie. compliance of annual report activities with conditions of approval). Harvey stated that she has conducted a review of the matter and is in the process of making contact with the applicant to confirm compliance.

Member Comments

10. No comments were offered at this time.

Village Manager/ Planning Consultant Comments

11. There being no further business to come before the Commission, the meeting was adjourned at 9:03 p.m.

Adjournment

July 5, 2012

Minutes, Paw Paw Planning Commission Regular Meeting, August 2, 2012

1. The regular Planning Commission meeting of Thursday, August 2, 2012 convened at 7:03 p.m. at 114 N. Gremps, Paw Paw, Michigan. Chairperson Larson presiding.

Meeting Convened

2. Present: Larson, Hildebrandt, Pioch, Rumsey and Thomas. Also Present: Village Manager, Larry Nielsen and Village Planning Consultant, Rebecca Harvey.

Members Present

3. Motion by Thomas, supported by Pioch, to approve the agenda as presented. All members present voting yes. The motion carried.

Approval of Agenda

4. Motion by Pioch, supported by Hildebrandt, to approve the minutes of the regular Planning Commission meeting of July 5, 2012 as presented. All members present voting yes. The motion carried.

Approval of Minutes

5. No public comment regarding non-agenda items was offered.

Public Comment

6. Larson stated that a public hearing was scheduled to consider the request of Multani Petroleum for Special Land Use Permit/Site Plan Review for the proposed reconstruction and expansion of the existing Multani Marathon Mart. The subject site is located at 180/186 West Michigan and is within the B-2 General Business District.

Public Hearing: Multani Marathon Mart

Larson noted that she owned property within 300 feet of the subject property and that she would be abstaining from any Board consideration of the application. Larson left the Board room.

Jim Schneberger, project architect, reviewed the proposal to relocate an existing West Michigan driveway and the proposed retaining wall system. He noted that he is currently working with the Village regarding the utilities and proposed stormwater system.

No public comment was offered on the matter.

Harvey presented the Planning/Zoning Report on the site plan proposal and reviewed the recommendation for action.

In response to Board questions, Schneberger noted the canopy is existing and is not proposed for expansion and that a new (3rd) pump is proposed. In further Board discussion, it was noted that details are missing regarding lighting and landscaping and that the revised driveway proposal and related curbing should be

August 2, 2012

shown on the plan.

Following lengthy Board discussion and review, it was noted that a revised site plan providing the missing information noted in the Planning/Zoning Report was necessary to complete the review of the special land use permit and site plan. Motion by Thomas, supported by Hildebrandt, to table action on the Special Land Use Permit/Site Plan Review for Marathon Mart to the September 6, 2012 Planning Commission meeting with direction that a revised site plan be submitted that provides all noted missing information prior to the meeting. All members present voting yes. The motion carried.

Larson re-entered the Board room.

7. Larson stated that a public hearing was scheduled to consider the request of Educational Community Credit Union (ECCU) for Site Plan Review of proposed site improvements, including landscaping, sidewalks, parking lot layout, teller design, and utilities. The subject site is located at 315/317 East St Joseph Street and is within the R-O Restricted Office District.

Public Hearing: ECCU

Dave Lapp, construction manager and Dan Lewis, Prein & Newhof were present on behalf of the application. Lewis reviewed the elements of the proposed site improvements and design revisions. Harvey noted that the site plan was complete and reviewed the recommendation for action. She noted that screening is required to be established along the south and east property lines due to abutting residential land use. She noted further that any proposed changes to the sign would require that the sign be brought into compliance with Ordinance standards.

No public comment was offered on the matter.

Following Board review of the site plan, motion by Pioch, supported by Rumsey, to recommend approval of the site plan for the proposed site improvements at the site of the Educational Community Credit Union at 315/317 East St Joseph Street based upon compliance with the provisions of Section 42-402, and subject to the following conditions:

- 1. Village Public Utilities Department review/approval of all proposed utility extensions/connections and the stormwater disposal plan.
- 2. Village Fire Department review/approval.
- 3. Any proposed signage shall be subject to compliance with Ordinance standards and shall require a sign permit.
- 4. Screening shall be established along the south and east property lines in accordance with the natural buffer standards set forth in the Ordinance.

All members present voting yes. The motion carried.

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Larson stated that the next item to be considered was continued discussion 8. regarding the 'Old Industrial Area of Paw Paw (Brownfield Area). Harvey summarized the discussion of the Board in July regarding the results of the visioning session held on the area, the 'scenario plans' and 'concept sketches' developed from the visioning session, the suggested modifications to the Master Plan to incorporate the results of the visioning session, and the ideas presented for changes to the Zoning Ordinance to implement the vision.

Ongoing Business: Brownfield Area

Lengthy Board discussion of the elements presented followed wherein the Board expressed support for the ideas generated and the desire to promote redevelopment and use in the area. Assisted by Nielsen, options for plan boundaries were reviewed.

It was determined that the Board would proceed with a review of the summary of the visioning session prepared by Lisa Phillips and continued discussion of plan boundaries.

Larson requested an update on the status of Wings of God (ie. compliance of Member Comments 9. annual report activities with conditions of approval). Harvey noted that an update on same would be provided at the September meeting.

10. Nielsen reminded Board members of the Walkability Audit to be conducted by Dan Burden on August 12, 2012.

Village Manager/ **Planning Consultant** Comments

There being no further business to come before the Commission, the 11. meeting was adjourned at 9:25 p.m.

Adjournment

3 August 2, 2012

Minutes, Paw Paw Planning Commission Regular Meeting, October 4, 2012

1. The regular Planning Commission meeting of Thursday, October 4, 2012 convened at 7:02 p.m. at 114 North Gremps, Paw Paw, Michigan. Chairperson Larson presiding.

Meeting Convened

2. Present: Larson, Hildebrandt, Rumsey, and Thomas. Also present: Village Planning Consultant, Rebecca Harvey

Members Present

3. Motion by Rumsey, supported by Thomas, to approve the agenda. All members present voting yes. The motion carried.

Approval of Agenda

4. Motion by Thomas, supported by Hildebrandt, to approve the minutes of the regular Planning Commission meeting of September 6, 2012. All members present voting yes. The motion carried.

Approval of Minutes

5. No public comment regarding non-agenda items was offered.

Public Comment

6. Larson stated that a public hearing was scheduled to consider the request of John Tapper for Special Land Use Permit/Site Plan Review for the proposed occupancy of an existing building and related site improvements for the Tapper Ford Auto Dealership. The subject site is located 816 Kalamazoo Street and is within the B-2 General Business District.

Public Hearing: Tapper Ford

John Tapper was present on behalf of the application. He noted that the site plan proposal included the demolition and remodeling of portions of the existing building on the site. He produced four (4) sketches illustrating the proposed building design and building materials. Tapper described the proposed site improvements and reviewed the site access and circulation patterns. He noted that some vehicle prep work will be conducted off site at a different facility.

No public comment was offered on the matter.

In response to Board questions, Tapper stated that the stormwater proposal has been submitted to the Village for review/approval and has been designed to contain all stormwater runoff on site. He noted further that the proposed open area to the rear of the site is to remain open and retained in a 'park-like' setting. Tapper explained that vehicle display areas are proposed for the front and side areas of the site. The Board noted that the proposed open area to the rear of the site is being used to meet open space requirements and cannot be used for parking.

Harvey referenced the Planning/Zoning report and noted that a lot split is

October 4, 2012

proposed in conjunction with the development proposal but is in compliance with applicable Ordinance standards. In reference to the Recommendation and proposed conditions, she noted that a sidewalk currently extends along Kalamazoo Street and Gremps along the frontage of the subject site and is proposed to remain. She noted that a sidewalk does not currently exist along either side of Industrial Street.

Following extensive Board discussion of the site access and circulation pattern, the vehicle display arrangement, the landscaping proposal, and the stormwater management proposal, motion by Rumsey, supported by Hildebrandt, to grant Special Land Use Permit and recommend approval of the Site Plan dated July 6, 2012 based upon a finding of compliance with the Special Land Use Permit criteria set forth in Section 42-366 and the Site Plan Review criteria set forth in Section 42-402 (4), subject to the following conditions:

- 1) Village Fire Department review/approval.
- 2) A revised lighting proposal that provides footcandle levels at the project boundaries to confirm compliance with lighting standards set forth in Section 42-405; provides safe and adequate lighting at the rear of the site; and details proposed building lighting.
- 3) A landscape plan that demonstrates compliance with the landscape requirements set forth in Section 42-406 (c) to be submitted within 90 days after final approval of the site plan.
- 4) Any proposed signage shall be subject to compliance with Ordinance standards and shall require a sign permit.
- 5) Village Public Utilities Department review/approval of all proposed utility connections and the stormwater management proposal.

All members present voting yes. The motion carried.

7. Larson stated that a public hearing was scheduled to consider the request of Marty Webber for Site Plan Review for the proposed occupancy of approximately 1400 square feet of vacant commercial space by Art and Soul Tattoo. The subject site is located at 238 East Michigan and is within the CBD Central Business District.

Public Hearing: Art and Soul Tattoo

It was noted that the applicant was not present. No public comment was offered on the matter.

In response to Board questions, Harvey noted that Section 42-404 (5), Zoning Ordinance requires that any use change proposed subsequent to site plan approval must be approved through a site plan amendment by the Planning Commission (and Village Council).

Board discussion ensued wherein it was noted that the application

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represents a 'change in use' of existing building space and that no building exterior or site changes are proposed/required. It was further noted that all required information has been satisfactorily provided and that applicable site plan standards have been met.

Motion by Thomas, supported by Rumsey, to recommend approval of the site plan for the proposed occupancy of the vacant commercial space located at 238 East Michigan by Art and Soul Tattoo based upon a finding of compliance with the Site Plan Review criteria set forth in Section 42-402(4), subject to the following conditions:

- 1) Village Fire Department review/approval.
- 2) Any proposed signage shall be subject to compliance with Ordinance standards and shall require a sign permit.
- 8. Larson stated that the next item to be considered was continued discussion regarding the 'old industrial area' of Paw Paw (brownfield area). She noted that the Board had determined to proceed with a review of the summary of the visioning session prepared by Lisa Phillips and continued discussion of plan boundary scenarios.

Ongoing Business: Brownfield Re-Development

The Board determined to postpone discussion on the matter to the November meeting to allow for participation by the full Board.

9. Larson stated that the next item to be considered was a review and discussion New Business: of Section 42-402 (8) – Site plan requirements for incidental and minor variations of the approved site plan. Harvey reviewed the elements of the recently adopted Ordinance provision and provided clarity as to the application of the standard. Harvey responded to questions regarding the review process, permit process, follow-up site inspections, and stormwater reviews for projects that qualify for administrative review.

Section 42-402 (8)

10. Larson requested an update on the status of Wings of God (ie. compliance of annual report activities with conditions of approval). Harvey stated that the Village has contacted the Wings of God representative requesting confirmation of compliance.

Member Comments

11. In response to Board questions, Harvey provided an update on the status of the Walmart project (sidewalk extension, signage, and estimated construction start date) and the ECCU sign proposal.

Village Manager/ **Planning Consultant** Comments

12. There being no further business to come before the Commission, the meeting was adjourned.

Adjournment

October 4, 2012

Minutes, Paw Paw Planning Commission Regular Meeting, November 1, 2012

1. The regular Planning Commission meeting of Thursday, November 1, 2012 convened at 7:10 p.m. at 111 East Michigan, Paw Paw, Michigan. Chairperson Larson presiding.

Meeting Convened

2. Present: Larson, Bogen, Pioch, Rumsey and Thomas. Also Present: Village Planning Consultant, Rebecca Harvey.

Members Present

3. Motion by Thomas, supported by Bogen, to approve the agenda as presented. All members present voting yes. The motion carried.

Approval of Agenda

4. Motion by Thomas, supported by Rumsey, to approve the minutes of the regular Planning Commission meeting of October 4, 2012 as. presented. All members present voting yes. The motion carried.

Approval of Minutes

5. No public comment regarding non-agenda items was offered.

Public Comment

6. Larson stated that no public hearing item was scheduled for consideration.

Public Hearing Items

7. Larson stated that the next item to be considered was continued discussion regarding the 'Old Industrial Area of Paw Paw (Brownfield Area). Harvey summarized the 'planning' work accomplished to date regarding the 'Brownfield Area', noting the May 12, 2012 Visioning Workshop, the June 12, 2012 Follow-Up Session, and the development of the vision and four scenario plans for the area. She explained that the implementation element of that process will include the Planning Commission, as well as other entities within the Village (ie. Village Council, DDA, Historic Commission, etc.)

Ongoing Business: Brownfield Redevelopment Area

Harvey then reviewed the Planning Commission's discussion to date on appropriate steps of implementation. She referenced the Board's consensus on the proposal to amend the Master Plan so as to include a 'big picture' concept for the area, a composite scenario plan of the 'brownfield redevelopment area', an incorporation of the vision/goals/objectives derived from the planning workshops, and specific action items of implementation.

To that end, the Board engaged in a lengthy work session discussing and developing a 'big picture concept' for the area. Harvey will use the sketch/plan created to enlist the development of a 'formal' concept plan and composite scenario plan.

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Harvey was then directed to develop draft amendments to the Master Plan to appropriately incorporate the planning work done to date for the 'brownfield redevelopment area' for Board review.

8. Larson stated that no 'New Business' was scheduled for consideration.

New Business

9. Larson requested an update on the status of Wings of God (ie. compliance of annual report activities with conditions of approval). Harvey noted that contact with the applicant had been accomplished and that compliance with the conditions of approval have been confirmed.

Member Comments

In response to questions from Board members, Harvey provided updates on the Tapper Ford and Multani Marathon approvals/projects.

Larson invited input from Board members on potential applicants for the existing Planning Commission vacancy.

10. No comments were offered at this time.

Village Manager/ Planning Consultant Comments

11. There being no further business to come before the Commission, the meeting was adjourned at 9:15 p.m.

Adjournment

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