

VILLAGE OF PAW PAW PLANNING COMMISSION
DRAFT MINUTES
REGULAR MONTHLY MEETING
THURSDAY, March 7, 2024, 7:00 pm

1 The regular monthly meeting of the Paw Paw Planning Commission was held at the Paw Paw Township
2 Hall Chamber located at 114 N. Gremps Street, Paw Paw, Van Buren County, Michigan.

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4 **I. CALL TO ORDER:**

5 The meeting was called to order by Chair Larson at 7:00 pm.

II. ROLL CALL:

6 MEMBERS PRESENT: KATHLEEN LARSON – CHAIR
7 EMILLY HICKMOTT – SECRETARY
8 TOM PALENICK
9 MICHAEL PIOCH

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11 NOT PRESENT: JEFF BROWN (EXCUSED)
12 DAVID BOGEN (EXCUSED)
13 ASHLEY NOTTINGHAM (RESIGNATION)

14 OTHERS PRESENT: TRICIA ANDERSON, VILLAGE PLANNER, WILLIAMS & WORKS
15 ED HELLWEGE, INTERIM VILLAGE MANAGER

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17 **III. APPROVAL OF THE AGENDA: MOTION**

18 Commissioner Pioch moved, with support from Commissioner Palenick, to approve the agenda as
19 proposed for the March 7, 2024, regular Planning Commission Meeting.

20 Motion carried unanimously.

21 **IV. FEBRUARY 2, 2024 MINUTES: MOTION**

22 Commissioner Palenick moved, with support from Commissioner Pioch, to approve the meeting
23 minutes from February 2, 2024, subject to the spelling error on line 163.

24 Motion carried unanimously by voice vote.

25 **V. PUBLIC COMMENT** – No public comments.

26

27 **VI. NEW BUSINESS** – No new business.

28 **VII. OLD BUSINESS**

29 **A. Site Plan Review – 715 Kalamazoo St. – Auto Zone – Wesley Berlin (Tabled January 4,**
30 **2024)**

31 Chair Larson recognized Mr. Wesley Berlin, who was present on behalf of the applicant,
32 Auto Zone. He was accompanied by Auto Zone’s legal counsel, Mr. Jeff Oudsema.

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34 Chair Larson asked Ms. Anderson to provide her comments in relation to the updated site
35 plans. Ms. Anderson highlighted the revisions that were made by the applicant and noted
36 whether the revision met the site plan approval requirements and standards. She provided
37 the following updates:

- 38 ▪ She noted that the dimensional requirements were all met for the B-2 General Business
39 District.
- 40 ▪ The revised building façade design met the requirement as set forth by the Planning
41 Commission at the January 4 meeting.
- 42 ▪ The Planning Commission expressed their opinion on the recommendation pedestrian
43 pathway from the sidewalk on Kalamazoo Street to the door of the proposed building at
44 the January 4, 2024 meeting and deemed it unnecessary.
- 45 ▪ The revised plan continues to comply with off-street parking, outdoor lighting, and
46 landscaping.
- 47 ▪ The revised submittal contained the updated Letter of Map Amendment (LOMA) from
48 FEMA, thus, the condition to that effect can be removed.
- 49 ▪ Her report contains a description of each reviewing agency, including FEMA, EGLE,
50 USACE, Van Buren County Drain Commission, and their role in the review of the
51 proposed Auto Zone site plan. She added that representatives from EGLE confirmed
52 that permits would not be required for Part 303 (Wetlands Protection) or Part 31,
53 (Water Resources Protection), and that a joint permit between the USACE and EGLE
54 under Part 301 is not likely required. She also added that the Van Burent County Drain
55 Commission has jurisdiction over the soil and erosion permitting and that he applicant
56 has provided the required permit. Ms. Anderson indicated that all the requirements of
57 the other reviewing agencies appear to have been met.
- 58 ▪ She outlined the Village of Paw Paw’s role in the review of stormwater management.
59 She added that the Zoning Ordinance has expressly written discretionary statements as
60 it relates to some site plan requirements, but that Section 42-402(3)q does not. She
61 reminded the Planning Commission that the topic of stormwater management being
62 required was discussed at the January 4, 2024 meeting, and confirmed that it is a

63 requirement. Ms. Anderson indicated that Article IV, Boards and Commissions, Division
64 2, Planning Commission, gives the authority for the Village Planning Commission and
65 Village Council to consult with professional planners, architects, and engineers to assist
66 in the reviews it performs. And that Mr. Joseph, former Village Manager, approved the
67 recommendation to have Williams & Works review the stormwater plan for Auto Zone.
68 She explained that a recommended condition for the Planning Commission's
69 recommendation to the Village Council would allow the project to move forward to the
70 Village Council, but that before any building or zoning permits are issued, the applicant
71 must submit a revised plan that complies with Section 42-403(3)q.

- 72
- 73 ■ The revised plan provides for one loading space as required, thus this requirement has
74 been satisfied.
 - 75 ■ She added that the Fire Department should review the plan to ensure the proper
76 hydrant spacing and access around the building is adequate, and so that condition will
77 stay.
 - 78 ■ Safe pedestrian circulation, as required in Section 42-255(c), was satisfied as proposed
79 without the sidewalk or pedestrian crossing delineation on the parking surface, as this
80 was deemed unnecessary and waived by the Planning Commission at the January 4,
2024 meeting.

81 Commissioner Palenick asked how it works with the “engineer enlisted by the planning
82 commission”. Ms. Anderson responded by saying that it could just say “The Village selects
83 an engineer” That way it is not up to the Planning Commission. The Planning Commission
84 agreed to this change.

85 Ms. Anderson went through the list of recommended conditions and indicated that some
86 may be removed because the revised plan submittal addressed those items. The condition
87 related to all federal state and local requirements being met could be reduced to eliminate
88 specific permits issued by EGLE related to wetlands. She added that the previous condition
89 to address the items from the Williams & Works engineer’s review letter dated December
90 28, 2023 could be removed, as it was replaced with a different condition that addresses
91 stormwater management compliance.

92 Chair Larson asked if there was any further discussion or comments from the applicant or
93 Planning Commission. There being none, she asked for a motion.

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95 Commissioner Pioch moved, with support from Commissioner Palenick, to forward a
96 favorable recommendation to the Village Council for the plan for an automotive parts
97 retailer and supplier (Auto Zone), located at 715 Kalamazoo Street (PPN: 80-47-161-007-00)
98 in the B-2 General Business District, based on the findings that the minimum requirements

99 and standards for site plan approval have been substantially met, and subject to the
100 following conditions:

- 101 1. Prior to the issuance of any permits, the applicant shall have paid all application,
102 permit, reimbursable escrow, and other fees related to the request.
- 103 2. The proposed site plan shall comply with all applicable federal, state, and local
104 requirements,
- 105 3. No construction activity shall occur until zoning and building permits have been
106 issued, including demolition and earthwork.
- 107 4. The Village Fire Department shall review all plans and approve the parking lot access
108 design for compliance with the Fire Code, prior to the issuance of any zoning or
109 building permits.
- 110 5. The applicant shall provide a revised plan that complies with the stormwater
111 management requirements of Section 42-402(3)q., as determined by a professional
112 engineer chosen by the Village, prior to the issuance of any zoning or building
113 permits for the building or parking lot.
- 114 6. The applicant shall obtain a valid sign permit from the Village before the installation
115 of any signage on site.

116 Motion carried unanimously by voice vote.

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118 Chair Larson asked Mr. Hellwege when Auto Zone would be on the Village Council agenda
119 for final approval. Mr. Hellwege noted that the Village Council meets on Monday, March
120 11th and he will try his best to get it placed on that agenda.

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122 Mr. Hellwege asked Ms. Anderson to summarize the conditions and send them to him in an
123 email. Ms. Anderson indicated she planned on doing that.

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125 **VIII. PLANNING COMMISSION MEMBER COMMENTS** – Chair Larson asked about getting the public
126 hearings scheduled for the Food Truck Ordinance and the Short-Term Rental Ordinance. Mr.
127 Hellwege asked for clarification on how many public hearings needed to be scheduled. Chair
128 Larson noted that they can be scheduled for one public hearing, and the ordinances for
129 consideration would both be presented at that hearing.

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131 Chair Larson noted that she drafted the Annual Report, as required by the Planning Enabling Act,
132 which includes the items the Planning Commission considered throughout the past year in 2023.
133 She provided a copy to Ms. Anderson, Mr. Hellwege, and the other Planning Commissioners and
134 welcomed comments.

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Chair Larson noted that since money is now available from the grant awarded to the Village by the Michigan State Housing Development Authority, she would like to get started on the Master Plan process as soon as possible. She asked Ms. Anderson about her discussions with Mr. Joseph, the former Village Manager. Ms. Anderson noted that Mr. Joseph informed the Village Council of the Planning Commission’s desire to update the Master Plan and that her last correspondence with him, he indicated that the Village Council would like to ask for bids from multiple planning firms, and that he may need some assistance with writing an RFP, or Request for Proposals. She added that the Planning Commission would need to determine the scope of the project and then the Village could advertise that they are requesting proposals for the Master Plan Update. Chair Larson was curious how much this update would cost the Village. Ms. Anderson noted that when Brad Kotrba from Williams & Works performed an audit of the existing Master Plan, he noted in his report that many good components are worth carrying over into an update and that the structure of the document is solid. She added that some typical things that are updated are population demographics, housing trends, etc. She noted that if the Zoning Ordinance is planned for a full update, that would likely be more costly than the Master Plan update.

Mr. Hellwege asked Ms. Anderson if she would send him the audit report performed by Mr. Kotrba.

IX. STAFF/CONSULTANT COMMENTS – No comments.

X. ADJOURNMENT – 7:55 pm

 4-11-24

Tricia Anderson, AICP – Williams & Works
Recording Secretary