

**Minutes, Paw Paw Planning Commission
Regular Meeting, August 5, 2021**

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| 1. | The regular Planning Commission meeting of Thursday, August 5, 2021 convened at 7:00 p.m. at 114 N. Gremps, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Brown, Nottingham, Palenick, and Pioch. Also present: Village Planning Consultant, Rebecca Harvey. | Members Present |
| 3. | Motion by Pioch, supported by Palenick, to approve the agenda as presented. All members present voting yes. The motion carried . | Approval of Agenda |
| 4. | Approval of the minutes of the regular Planning Commission meeting of July 1, 2021 was postponed to the September meeting. | Approval of Minutes |
| 5. | No public comment regarding non-agenda items was offered. | Public Comment |
| 6. | Larson stated that the next item for consideration was the request of Jim Degroff, Paw Paw Fire Department, for Site Plan Review of the Paw Paw Fire Station and related site improvements on approximately 4 acres located on South Gremps Street. Subject property is specifically located on the west side of South Gremps Street, directly opposite Fadel Street, and is within the VRA-PUD District. | Public Hearing:
Site Plan Review -
PPFD |

Larson opened the public hearing.

Jim DeGroff and Kris Nelson, project architect, were present on behalf of the application. Nelson noted that the site plan is fundamentally the same as what was presented for Preliminary Plan Approval. He gave a brief overview of the project, summarizing the key design elements:

- Designed to function as a ‘landmark space’
- Building materials: textures/colors/glass
- Front setback deviation:
 - : the proposed building setback (78 ft from South Gremps) is guided largely by fire truck access needs and safety considerations
 - : the location of the property on the ‘edge’ of the PUD allows the impact of the greater setback to be minimal
 - : the front yard area resulting from the necessary building setback has been established as a public plaza/gathering space and has received a landscaped emphasis
- Parking lot layout:
 - : proposed parking has been reduced slightly and reconfigured to reduce paving
 - : the side yard parking arrangement was reconfigured to meet frontage

- and screening requirements
- Stormwater management plan
- Landscaping/Screening:
 - :the plan proposes the retention of the existing vegetative buffer along the north and south property boundaries
 - : the open space proposal provides 30% of the required open space between the building and South Gremps Street, as required
- Training structure: the structure remains shown on the site plan for approval in case funding is received
- Floor plan: building/site operations

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

Larson suggested a coordination of the ‘street furniture’ for the site with the styles recently selected for the downtown. Nelson acknowledged.

Following review of the application and the applicable provisions of the Zoning Ordinance, **motion** by Pioch, **supported** by Palenick, to recommend Village Council approval of the Site Plan based upon a finding that the proposal meets the VRA-PUD review criteria set forth in Section 42-349 (7) and the criteria for site plan approval set forth in Section 42-402 (4), conditioned upon the following:

1. Approval of an exception to the 0 ft front setback standard (to allow for a 78 ft setback from South Gremps Street) in recognition of fire truck operational safety and the ‘public gathering area’ proposed within the front setback.
2. Existing vegetation/tree lines along the west and north property lines shall be retained to provide the required parking area screening.
3. Compliance with the proposed landscape plan, determined to be in compliance with the landscaping requirements of Section 42-406.
4. Approval of modifications to the following architectural requirements based on a finding that the proposal meets the criteria of Section 42-347 (c):
 - The main building entrance shall be provided on the ‘front’ of the building.
 - Garage doors are not allowed on the front façade.
 - Each wall shall be constructed of not less than 60% brick, stone or glass (excluding doors/windows); the remaining wall area may include wood or fiber cement siding.
5. Any proposed signage shall be subject to review/approval through

the sign permit process.

6. Village Fire Department review/approval.
7. Village Department of Public Works review/approval of the grading plan, proposed method of on-site storm water disposal, and utility connections.
8. Compliance with all applicable Federal, State and Local codes/ordinances.

The **motion carried** 4 – 0, with Nottingham abstaining.

7. Larson stated that next item for consideration was the request of Bob Parshall for Site Plan Review of a proposed Mini-Storage Facility. Applicant also requests Special Land Use Permit for fencing within the Mini-Storage Facility that does not meet the fence standards required by Section 42-405 (c)(1). Subject property is located at 280 CR 665 and is within the B-2 District.

**Public Hearing:
SPR – Mini-Storage
Facility
SLU/SPR - Fencing**

Larson opened the public hearing.

Bob Parshall and Andrew Rossell, project engineer, were present on behalf of the application. Rossell provided an overview of the proposal, highlighting the following project elements:

: the proposed mini-storage facility is an allowed use in the B-2 District; the special land use permit is requested only as it relates to the on-site fencing proposal

: the design of the site is largely dictated by existing grades – 2 grade levels of buildings proposed; a portion of the site is unbuildable

: 10 buildings proposed to be developed in 3 phases (when 1 phase is completely occupied, the next phase will be constructed)

: proposed drives are located similarly to the existing drives on the site; the drive on the southern (lower) level currently exists as the access road to the adjacent cell tower; the lower-level drive will provide access to the southern 2 buildings and serve as an emergency access

Parshall distributed building elevations and provided a detailed overview of the building materials, noting they are the ‘Cadillac’ of pre-manufactured storage buildings.

In response to Commission questions, the applicant discussed the following site elements:

: no sidewalks are present in the area; storage units are not generally

accessed by pedestrians; adjacent land uses are not pedestrian destinations; any foot traffic in the area will likely be on the north side of CR 665 related to Bronson and the proposed gas station; extensive site frontage will make compliance with sidewalk standards extremely costly

: the pre-manufactured storage buildings will not meet the 'window' design standard of the B-2 District but the access doors should provide the 'physical breaks' required

: a 6 ft black vinyl chain-link fence is proposed to extend around the perimeter of the site; the limitations for fencing in the front yard will not provide the required security; a special land use permit is requested to allow for the proposed deviation in fence height and style; the use of barbed wire on top of the fence is also desired

: the site surrounded is by B-2 zoning, except for the R-1 zoning adjacent to the south (Prospect Hill Cemetery); the existing fence/vegetation along the southern property line is largely on the site of the cemetery but will agree to retain that present on the site

: no building lights will be provided, only pole lighting is proposed; a lighting plan was recently submitted to the Village

: trash refuse containers are not proposed to be located on the site; on-site dumpsters attract excessive and unapproved use by storage space renters; a service is hired to empty abandoned storage units

: a 3-phase development plan is proposed; the use of un-developed phases for temporary outdoor storage (vehicles) is proposed; use for outdoor storage will cease as buildings are constructed

: use of the office parking area and abutting drive aisle for the parking of U-Haul vehicles is proposed

The applicant acknowledged that the U-Haul parking (open air business) and outdoor storage proposals will require special land use permits that have not been noticed for public hearing at this time.

Marilyn Murphy stated that the proposal makes sense for the site given the surrounding land use, noting that there is a demand for self-storage units in the area. She added that the subject site is currently an eyesore and the project will improve the aesthetics of the area.

Blake Murchett noted that he is related to the applicant's storage/U-Haul facility in Mattawan . . explaining that the facility has a good reputation for maintenance and cleanliness. He expressed agreement that the proposal

is a good use of the property . . . and that a U-Haul operation is a natural accessory use of a storage facility.

Dan Burkett, broker for the property, stated that the subject site is not practical for sidewalks, noting that there are no reasons for pedestrian traffic in the area and that a sidewalk will likely become a liability.

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

Following review of the application and the applicable provisions of the Zoning Ordinance, **motion** by Brown, **supported** by Pioch, to recommend Village Council approval of the Site Plan 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. Compliance with the Sidewalk Policy of the Village of Paw Paw.
2. Approval of a deviation from Sec 42-225 (b) – Building Design Requirements to allow buildings without windows on the front façade.
3. Compliance with the fence standards set forth in Sec 42-405 (c), unless a special land use permit is granted allowing an alternate fence arrangement.
4. The existing vegetation/tree line along the south property line shall be retained to provide the required buffering/screening from the adjacent R-1 zoning.
5. Administrative review/approval of a lighting plan that demonstrates compliance with Sec 42-405 (a).
6. Administrative review/approval of a construction/development phase boundary plan.
7. Any proposed signage shall be subject to review/approval through the sign permit process.
8. Village Fire Department review/approval.
9. Village Department of Public Works review/approval of the grading plan and proposed method of on-site storm water disposal.
10. Compliance with all applicable Federal, State and Local codes/ordinances.

The **motion carried** 4 – 0, with Nottingham abstaining.

Motion by Brown, **supported** by Nottingham to postpone action on the special land use permit to allow a 6 ft chain link fence within the front yard of the subject site to the September meeting. The motion **carried unanimously**. Larson suggested the applicant consider the option of protective measures fencing to support the height and front yard location proposal.

The applicant advised he will also seek special land use permit approval for the proposed U-Haul vehicle parking (open air business) and outdoor storage elements at the September meeting.

8. Larson stated that the next item for consideration was the request of Paw Paw Venture LLC (Village View Estates) to rezone approximately 4.92 acres located at 288 CR 665 from the B-2 District to the RMH District.

**Public Hearings:
Rezoning – 288
CR 665**

Larson opened the public hearing.

Karen Kovak, Manager of Village View Estates, was present on behalf Of the application. She stated that the subject property was previously used for sales operations but is now desired for the development of 8 additional mobile home sites.

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

Following review of the application and the applicable provisions of the Zoning Ordinance, **motion** by Brown, **supported** by Palenick, to recommend Village Council approval of the proposal to rezone approximately 4.92 acres located at 288 CR 665 from the B-2 District to the RMH District, based upon the conclusions of the rezoning criteria set forth in Section 42-33, with specific reference to the following findings:

1. Both the intent of the RMH District and the Village of Paw Paw Master Plan support the requested rezoning of property adjacent to the only area in the Village planned and zoned for manufactured home development.
2. The rezoning will respond to the growing demand for manufactured housing within the Village in an area planned/zoned for manufactured home development.
3. RMH zoning is adjacent to the south of the subject site and nearby on property north of M-140. The proposed rezoning from B-2 to RMH will not alter the existing zoning/land use pattern in the area.

4. The requested rezoning will not significantly alter the status of the property, nor its impact on traffic or public facilities, but rather constitute an expansion of an existing use and allow for additional manufactured housing development, for which there is a growing demand and limited area planned/zoned to support such demand.

The **motion carried** 4 – 0, with Nottingham abstaining.

9. Larson stated that the next item for consideration was consideration of an amendment of Section 42-3 of the Village of Paw Paw Zoning Ordinance so as to amend the definitions of ‘building’ and ‘structure’.

**Public Hearing:
Text Amendment -
Definitions**

Larson opened the public hearing.

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

Motion by Palenick, **supported** by Brown, to recommend Village Council approval of the proposed amendment of Section 42-3 – Definitions to revise the definitions of ‘building’ and ‘structure’ as presented, based upon the following:

1. The proposed amendments are intended to provide a definition of ‘fence’ and clarify how zoning standards will be applied.
2. The proposed amendment to the definition of ‘structure’ will clarify that a ‘fence’ is a ‘structure’ under the terms of the Zoning Ordinance.
3. As such, a ‘fence’ will not be subject to any standard that is indicated to apply only to ‘buildings’ . . . such as setbacks.

The **motion carried** 4-0, with Nottingham abstaining.

10. Larson stated that no New Business was scheduled for consideration.
11. Larson stated that the next item for consideration is discussion of amending the Zoning Ordinance to address ‘short-term rentals’ in the Village.

New Business:

**Ongoing Business:
STRs**

Harvey referenced the Discussion Outline and literature review provided to the Planning Commission to assist in the discussion.

Due to the lateness of the hour, the scheduled discussion was postponed to the September meeting.

12. No member comments were offered.

Member Comments

13. No staff comments were offered.

**Village Manager/
Planning Consultant**

12. There being no further business to come before the Commission, the meeting was adjourned at 9:58 p.m.

Adjournment

DRAFT