

**Minutes, Paw Paw Planning Commission
Regular Meeting, November 3, 2022**

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| 1. The regular Planning Commission meeting of Thursday, November 3, 2022 convened at 7:00 p.m. at 114 N. Gremps, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. Present: Larson, Brown, Hickmott, Palenick and Pioch. Also present: Village Manager, Will Joseph and Village Planning Consultant, Rebecca Harvey. | Members Present |
| 3. Motion by Pioch, supported by Palenick, to approve the agenda as presented, noting that the O’Connor special land use request should be listed under ‘Public Hearing Items’ instead of ‘New Business’. All members present voting yes. The motion carried . | Approval of Agenda |
| 4. Motion by Pioch, supported by Palenick, to approve the minutes of the regular Planning Commission meeting of October 6, 2022, as presented. All members present voting yes. The motion carried . | Approval of Minutes |
| 5. No public comment regarding non-agenda items was offered. | Public Comments |
| 6. Larson stated that the next item for consideration was the request of Matt O’Connor for Special Land Use Permit/Site Plan Review for a proposed residential planned unit development (Hazen Street PUD). The proposed housing development will consist of 49 single family lots; 28 townhomes in 7 4-unit buildings; and, 48 multiple-family dwellings in 2 24-unit buildings. | New Business: |

The applicant also requests modification of the following site design standards:

- 30 ft setback requirement from exterior property lines; 20 ft proposed
- 3 stories or 30 ft maximum building height requirement; 42 ft height proposed
- Minimum spacing between buildings equal to height of tallest building required (35 ft – 42 ft); 18 ft – 30 ft proposed

The subject site is located on the west side of Hazen Street, bordered by Paw Paw Elementary School to the west; various County facilities to the north; and, Maple Lake Assisted Living to the south, and is within the R-M District.

Larson opened the public hearing.

Matt O’Connor was present on behalf of the application. He provided an overview of the application, noting the following:

- The final site plan is similar in scope and general design as the preliminary plan presented in October.
- The requested setback, building height and building spacing waivers are supported based on:
 - : the 20 ft exterior property line setback is proposed only along the north and south property boundaries where adjacent to non-residential uses and where required landscape buffers have been increased from 10 ft to 20 ft;
 - : the proposed 3-story/42 ft building height is consistent with the building height standards of districts similar to the R-M District; and
 - : building spacing requirements are related to building height to ensure safety and accessibility; only the townhomes are proposed to have reduced separation and are subject to Fire Department review.

In response to questions, Harvey clarified the density standard for the site, explaining that with the proposal of 30% open space on the site, 10 d.u./acre or 182 dwelling units are allowed; 125 dwelling units are proposed.

Harvey then reviewed the elements of the staff report, highlighting the basis for the review comments regarding site access, landscaping/buffers, the private road, the site condo elements of the proposal, and the phase proposal.

Jessica Diez, neighbor, questioned the nature of the housing proposed and expressed concern with the impact that low-income housing would have on the surrounding neighborhood.

Adam Wattles, neighbor abutting proposed Lots 1-5, questioned the proposed reduction in setbacks.

Lisa King, neighbor, detailed her concern with the impacts of the one access drive for the project and the resulting increase in the traffic congestion that exists in the area due to school traffic. Steve Iott agreed, pointing out that left turn conflicts will be created by the proposed offset driveway in a prime area of congestion.

Dave Jones stated he had no objection to the proposal but felt there should be compliance with the Zoning Ordinance.

Scott Zieskie, neighbor adjacent to the south, expressed concern with the impacts of increased traffic on a road network that already experiences daily gridlock and impacts on the area's already inadequate water pressure. He stated that the trees on the property should be retained and suggested a traffic study and details on the maintenance of the private road are needed.

Further public comment resulted in questions regarding the single-family build-out density for the site; the project construction/phase schedule; and how

pedestrian routes to the adjacent school can be facilitated.

O'Connor advised that the Hazen Street PUD is proposed to be a market-rate housing development. He further responded that:

- project density is well below that allowed, reducing concern over lot sizes;
- the site plan demonstrates the proposed retention of the trees along the west property boundary;
- the water pressure in the area is low but the project and Village engineers are in conversation about a resolution;

Pioch noted support for the establishment of the second project access proposed to extend to the north, as well as a sidewalk layout on the site that ties in with the pedestrian movement associated with the adjacent school. He inquired about the project schedule. O'Connell noted a desire to work on site the thorough the winter to facilitate construction in the spring.

Larson stated that the Village is in need of new/additional housing stock and that the proposed PUD design addresses many of the concerns expressed. Namely, reduced density, a healthy percent of open space, increased buffer widths and plantings, the retention of vegetation and the native habitat, underground utilities, and service by public infrastructure.

Palenick noted his continued concern with traffic but acknowledged that the traffic situation in the area is largely dictated by the school's use of the Van Buren County private drive as a connecting road. He appreciated the applicant's proposal to begin with the single-family sites as Phase 1 to give the applicant/Village time to work out questions of ownership, access and improvement.

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

Following review of the application material and applicable provisions of the Zoning Ordinance, **motion** by Pioch, **supported** by Hickmott, to grant Special Land Use Permit and recommend approval of the Site Plan for the Hazen Street Planned Unit Development (PUD), including the 49-unit site condominium element of the PUD.

The recommendation for Site Plan Approval includes support of the following requested waivers:

- 30 ft setback requirement from all exterior property lines; 20 ft setback proposed
- 3 stories or 30 ft maximum building height requirement; 3 stories (35 ft/42 ft building heights) proposed
- Minimum spacing between buildings equal to height of tallest adjacent building required (35 ft/42 ft); 18 ft – 30 ft building separation

proposed, subject to Village Building Department and Village Fire Department review/approval.

Site Plan Approval is recommended based upon a finding of compliance with the PUD standards set forth in Section 42-403 and the Site Plan Review Criteria set forth in Section 42-402, **subject to the following conditions:**

1. The 'private road' proposed to serve the single-family site condominium element of the PUD shall comply with Section 42-367 (24) – Private Streets & Roads and *Chapter 16 – Land Divisions, Subdivisions and Development*.
2. The sidewalk proposal within and along the Hazen Street frontage of the proposed PUD shall comply with the Sidewalk Policy of the Village of Paw Paw.
3. Approval of a lighting plan demonstrating compliance with light intensity, shielding and light spillage standards.
4. Approval of an outdoor trash/dumpster proposal for the multiple-family development areas demonstrating compliance with Sec 42-406 (9).
5. Approval of a buffer landscape plan that provides vegetation retention and landscaping details within the proposed '20 ft no disturb/landscape enhancement area' denoted on the site plan.
6. Village Attorney approval of the site condominium master deed for adequacy of the proposed arrangements for private ownership, improvement, operation and maintenance of all proposed common elements, such as the private road, sidewalks, street trees, open space, and landscape buffer areas, and including any public easements on common property as may be required for public purpose.
7. If a phased development approach is proposed, Village approval of the phase boundaries and a general development schedule.
8. Any proposed signage shall be subject to review/approval through the sign permit process.
9. Village Fire Department review/approval.
10. Village Department of Public Works review/approval of the grading plan, proposed method of on-site storm water disposal, and water/

sewer systems proposed to serve the development.

11. Compliance with all applicable Federal, State and Local codes/ordinances, including Article IV – Site Condominium Development.

All members present voting yes. The **motion carried**.

7. Larson stated that the next item of consideration is continued discussion of the regulation of ‘short-term’ rentals in the Village.

**Ongoing Business:
STRs**

Larson noted that the Planning Commission completed the review of the draft general ordinance for STRs in October. A review of the suggested modifications to the draft text ensued. It was then determined that Harvey would make the requested changes to the ordinance and provide same to Commission members for a final review before submission to the Village Manager/Village Council.

8. No member comments were offered.

Member Comments

9. 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 9:08 p.m.

Adjournment