

**Minutes, Paw Paw Planning Commission  
Regular Meeting, January 4, 2018**

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| 1. The regular Planning Commission meeting of Thursday, January 4, 2018 convened at 7:00 p.m. at 609 West Michigan, Paw Paw, Michigan. Chairperson Larson presiding.  | <b>Meeting Convened</b>                                 |
| 2. Present: Larson, Bogen, Jarvis, Pioch, and Thomas. Also present: Village Planning Consultant, Rebecca Harvey and Village Manager, Sarah Moyer-Cale.  | <b>Members Present</b>                                  |
| 3. <b>Motion</b> by Thomas, <b>supported</b> by Jarvis, to approve the agenda as presented. All members present voting yes. The <b>motion carried</b> .   | <b>Approval of Agenda</b>                               |
| 4. <b>Motion</b> by Thomas, <b>supported</b> by Bogen, to approve the minutes of the regular Planning Commission meeting of November 2, 2017 as presented. All members present voting yes. The <b>motion carried</b> .      | <b>Approval of Minutes</b>                              |
| 5. No public comment regarding non-agenda items was offered.  | <b>Public Comment</b>                                   |
| 6. Larson stated that the next item for consideration was the proposed rezoning of approximately .2 acres located at 604 S. Gremps Street from the RO Restricted Office District to the R-2 Single and Two-Family District. | <b>Public Hearing:<br/>Rezoning – 604 S.<br/>Gremps</b> |
- Kevin Coughlin was present on behalf of the application. He stated that he has requested rezoning of the property to R-2 to support the existing residential use of the property.
- No public comment was offered on the matter and the public comment portion of the public hearing was closed.
- The Board proceeded with a review of the proposed rezoning pursuant to Section 42-33 – Amendment Review Criteria. The following conclusions were noted:
1. The proposed rezoning is consistent with the intent and purpose of the R-2 District (ie. *located in older localities of the Village; residential character is mainly urban, single family homes of earlier construction on individual lots*)
  2. The proposed rezoning is consistent with the Village of Paw Paw Master Plan.
  3. The Revitalization Area Plan supports the proposed R-2 zoning.

4. The proposed rezoning will remove the only RO zoning in an area of R-2 zoning and support single family residential use of the property.
5. The requested rezoning will eliminate an existing ‘spot zone’.
6. The proposed rezoning will remove an inconsistent zoning pattern and will not serve to stimulate similar requests.
7. The proposed rezoning is consistent with the zoning of the surrounding area and will support the existing use of the property.
8. A division of the property would not be viable within the R-2 District, but the lot is adequate in size to meet development standards.
9. The proposed rezoning will allow continued use and future redevelopment of the site for single family residential.
10. The proposed R-2 District will not allow land use more intense than the existing RO District. Instead, the rezoning will prevent the introduction of nonresidential (and potentially more intense) land use into this established residential area.

**Motion** by Thomas, **supported** by Jarvis, to recommend Village Council approval of the proposed rezoning of 604 S. Gremps Street from the RO Restricted Office District to the R-2 Single Family and Two-Family District based upon the conclusions of the rezoning criteria set forth in Section 42-33 – Amendment Review Criteria. All members present voting yes. **The motion carried**

7. Larson stated that the next item for consideration was a request by Mark Lipson for the reissuance of Site Plan Approval for the proposed Performance Fieldhouse. The subject property is located at 1027 East and is within the B-2 General Business District.

**New Business: SPR-  
Performance  
Fieldhouse**

Harvey explained that on January 4, 2017, the Planning Commission granted Special Land Use Permit and recommended Site Plan Approval for the removal of an existing building and one ball field on the site and the construction of a 31,200 sq ft indoor recreation facility with related site improvements. She noted that, to date, the existing building has been removed and site work commenced.

Harvey stated that Section 42-402 (7) requires that approved site plans commence construction within 1 year after the date of approval by the Village Council . . . and that site plans failing to comply are deemed expired.

She noted that the site plan for Performance Fieldhouse was approved by the Village Council on January 9, 2017. Accordingly, the site plan approval for Performance Fieldhouse will expire on January 9, 2018.

Harvey advised that the applicant requests that Site Plan Approval for the proposed project be 'reissued' to avoid expiration of the approval granted on January 9, 2017 . . and to facilitate the start of construction in January, 2018.

She further noted that the following modifications to the previously approved site plan are also proposed:

- construction of the approved 31,200 sq ft building in 2 phases: Phase 1 - 15,840 sq ft (132 ft x 120 ft); Phase 2 – 15,360 sq ft (128 ft x 120 ft)
- establishment of required parking in 2 phases
- redesign of the approved fabric covered steel building to a proposed metal building

John Howe, Delta Designs, was present on behalf of the applicant. He provided a detailed overview of the request, highlighting the elements of the new building design.

Lengthy Planning Commission discussion ensued regarding building height and size; building materials; and, the design of the building walls and entry. The following conclusions were noted:

- The proposed phase-approach in the construction of the building does not involve a change in the location or orientation of the approved building and is acceptable.
- The proposed phase-approach in the construction of the building will reduce the parking requirement for Phase 1 to 85 spaces. The proposed reduction in pavement will provide 111 spaces, in compliance with parking standards.
- The proposed modification to the parking lot in Phase 1 will not significantly alter approved access or site circulation.
- Pursuant to the building design standards set forth in Section 42-225,
  - : the proposed use of color every 30 ft in length of the building is an acceptable means by which to provide a 'visual break' in the faces of the walls;
  - : the entry is proposed to incorporate glass and include a small roof . . which is generally in keeping with the standard, but the size of the wall requires that additional attention be paid to the

entry in order to render it 'prominent',

**Motion** by Pioch, **supported** by Bogen, to recommend Site Plan Approval based upon a finding that the proposal meets the Site Plan Review Criteria set forth in Section 42-402 (4) and substantially conforms to the site plan approved on January 9, 2017, **subject to the following conditions:**

1. Substantial landscaping shall be established near the building entry to assist in rendering it 'prominent', as required by Section 42-225, and shall be shown on the required landscape plan.
2. Construction of Phase 2 shall begin within 1 year of occupancy of Phase 1 . . . or the site plan shall be deemed expired.
3. Compliance with the conditions of site plan approval granted on January 9, 2017.

*January 9, 2017 Conditions of Site Plan Approval*

1. The provision of required parking lot screening along the east boundary.
2. Compliance with outdoor lighting requirements set forth in Section 42-405.
3. Compliance with applicable building design requirements.
4. Submission of a final landscape plan that meets applicable landscape requirements.
5. Fire Department review/approval.
6. Village Department of Public Works review/approval of utility extensions/connections and the proposed method of storm water disposal.
7. Proposed signage shall comply with the applicable provisions of Article VI and shall be reviewed/approved through the permit process.
8. Compliance with all applicable Federal, State and Local codes/ordinances.

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

8. Larson stated that the Planning Commission considered the request to allow the keeping of bees and chickens in the Village and,

**Ongoing Business:  
Text Amendment**

following review of how other communities are currently regulating same, expressed support for the general approach and requested the preparation of similar draft text for consideration.

**Request – Keeping of Animals**

She noted that draft text had then been considered in November wherein minor revisions were requested and text accepted for public hearing.

Harvey stated that the draft text had also been reviewed by Village staff and a series of questions/comments have been presented for Planning Commission consideration. Planning Commission review of the highlighted elements ensued wherein the following was noted:

- there is support to retain the ‘owner-occupied’ limitation;
- the revisions made to clarify the lot size standards are acceptable;
- the revisions made to clarify the fencing and setback standards are acceptable;
- there is not support to prohibit the ‘keeping of animals’, specifically bees and chickens, on waterfront lots;
- chicken enclosures will be subject to the size and height standards applicable to accessory buildings;
- there is support to require consent by occupants of neighboring properties.

**Motion** was then made by Thomas, **supported** by Pioch to revise the draft text as discussed and to schedule same for public hearing in February. All members present voting yes. **The motion carried.**

9. Larson stated that the next item for consideration was the proposal to develop/clarify the existing definitions of ‘restaurant’ and to revise the standards applicable to ‘drive in restaurants’. She noted that draft text had been considered in November and that Harvey had been directed to revise the draft text pursuant to the Planning Commission’s discussion and remove the ‘strike-out’ text for final consideration in January. Harvey referenced draft text dated January 4, 2018 and reviewed the modifications made in response to Commission review.

**New Business  
Text Amendment -  
Restaurants**

**Motion** by Pioch, **supported** by Bogen to accept the draft text as modified and to schedule same for public hearing in February. All members present voting yes. **The motion carried.**

10. Larson noted a card of thanks received from Chuck Rumsey.
11. Moyer-Cale advised that an ad has been placed seeking applicants for the recently vacated seat on the Planning Commission.
12. There being no further business to come before the Board, the meeting was adjourned at 8:45 p.m.

**Member Comments  
  
Village Manager/  
Planning Consultant  
Adjournment**