

**Minutes, Paw Paw Planning Commission
Regular Meeting, April 5, 2018**

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| 1. | The regular Planning Commission meeting of Thursday, April 5, 2018 convened at 7:00 p.m. at 114 North Gremps, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Bogen, Hildebrandt, Jarvis, Pioch, and Thomas. Also present: Village Planning Consultant, Rebecca Harvey. | Members Present |
| 3. | Motion by Jarvis, supported by Hildebrandt, to approve the agenda with the addition of the requested site plan review for 148 East Michigan to New Business. All members present voting yes. The motion carried . | Approval of Agenda |
| 4. | Motion by Pioch, supported by Thomas, to approve the minutes of the regular Planning Commission meeting of March 1, 2018 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 the next item for consideration was the request of Charles Friese (TNT Fireworks) for Special land Use Permit/Site Plan Review for the proposed establishment of an ‘open air business’ (temporary fireworks tent sale) at the existing site of Wal-Mart. Subject site is located at 1013 South Kalamazoo Street and is within the B-2 District. | Public Hearing: TNT Fireworks |

Charles Friese was present on behalf of the application. He provided an overview of the request, noting that Special Land Use Permit/Site Plan Approval had been granted for the proposed operation on June 4, 2015 for a 3-week period for the years 2015, 2016 and 2017. Friese stated that he would like to continue the operation as originally approved for an additional 3-year period, or more as determined by the Village.

In response to questions, Friese confirmed that the elements of the proposal and site plan remain similar to those originally approved in 2015. He further noted that he has not experienced any problems at the site nor received any complaints to date.

No public comment was offered on the matter.

The Planning Commission proceeded with a review of the proposal pursuant to Section 42-366 – Special Use Permit Criteria, Section 42-367 – ‘open air business’, and Section 42-402 – Site Plan Review, with additional reference to the Planning/Zoning Report.

Motion by Pioch, **supported** by Bogen, to grant Special Use Permit based upon a finding of compliance with the Special Use Permit Criteria set forth in Section 42-366 and the Special Use Permit Standards applicable to an ‘open air business’ set forth in Section 42-367 (23), noting the following:

1. **Section 42-367 (23) b. requires a 5 ft fence or wall along the rear and sides of the lot to contain debris;** no fence or wall is required given the following:
 - the tent area is surrounded by the Wal-Mart development and parking lot;
 - the applicant commits to ‘making sure the environment will be kept clean and safe’ and ‘trash will be removed daily from the site’;
2. **Section 42-367 (23) c. requires compliance with Health Department requirements for sanitation;** the applicant’s proposal to use Wal-Mart’s restrooms and not provide portable toilets is accepted;
3. **Section 42-367 (23) d. requires a 500 sq ft building for office use connected with the ‘open air business’;** the proposed 800 sq ft tent is accepted;
4. A performance bond (**per Section 42-367 (23) e.**) is determined to be unnecessary.
5. The Special Use Permit is granted for a 3-week period (June 18 – July 12) for the years 2018, 2019 and 2020.

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

Motion was then made by Jarvis, **supported** by Thomas, to recommend Village Council approval of the Site Plan for the establishment of an ‘open air business’ (temporary fireworks tent sale) at the existing site of Wal-Mart located at 1013 South Kalamazoo Street based upon a finding of compliance with the Site Plan Review Criteria set forth in Section 42-402, and **subject to the following conditions:**

1. The proposed temporary signage shall comply with Section 42-437 (b) and shall require a sign permit.
2. Village Fire Department review/approval.
3. Compliance with all Federal, State and Local Ordinances.
4. The Site Plan Approval is for a 3-week period (June 18 – July 12) for

the years 2018, 2019 and 2020.

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

7. **Motion** by Thomas, **supported** by Hildebrandt, to nominate and elect the following slate of Planning Commission officers for the 2018-2019 fiscal year: Chair – Kathy Larson; Vice-Chair – Mike Pioch; Secretary - Dave Bogen. All members present voting yes. The **motion carried**. **New Business: Election of Officers**
8. **Motion** by Pioch, **supported** by Hildebrandt, to adopt by resolution the proposed 2018-2019 meeting schedule of the Planning Commission. All members present voting yes. The **motion carried**. **New Business: Meeting Schedule**
9. The Planning Commission noted the accuracy and completeness of the 2017 Annual Report prepared by the Chair. **Motion** by Pioch, **supported** by Hildebrandt, to accept the 2017 Planning Commission Annual Report as presented. All member present voting yes. The **motion carried**. **New Business: 2017 PC Annual Report**
10. Larson referenced the draft 2018-2019 Planning Commission Work Plan prepared for Commission discussion. The following was noted: **New Business: PC Work Plan**
 - Priority Work Item #1 – ‘Waterfront Overlay District’ – recommendation made to Village Council on 10.05.17
 - Priority Work Item #1 – Revise Residential Districts – initiated on 3.01.18
 - Priority Work Item #2 – Develop ‘Gateway Zoning District’ – in progress by WMU Planning Studio Class
 - Priority Work Item #2 – review standards for ‘open air businesses’ – added to Work Plan
 - Priority Work Item #3 – Adaptive Reuse of Vacant Buildings – initiated on 4.05.18

Planning Commission members expressed support for the identified Work Plan Items.

11. Larson stated the next item for consideration was the request of Holly and Keith Dorgan for Site Plan Review of the establishment of a rooftop deck and fencing at 148 East Michigan.

Harvey provided an overview of the proposal, referencing the Planning/ Zoning Report and application material submitted on the matter. Lengthy Planning Commission discussion ensued wherein the following was noted:

- an overall height of the stairway enclosure is not given . . nor is it clear if it will extend above the parapet
- the height of the fence above the parapet is missing
- the height of the parapet is missing
- the information on the plans is small and difficult to read
- east and north elevations would be helpful in determining what will be visible from the street
- there is support for the proposed use of the rooftop and fencing . . there is only concern that a few key details are missing
- it is important that this first decision regarding rooftop use is complete and consistent w/ the Ordinance

Motion by Pioch, **supported** by Jarvis, to postpone action on the proposal until the May Planning Commission meeting in light of the questions noted with a request that the applicant (or a representative) be in attendance to answer questions. All present voting yes. The **motion carried**.

12. Larson stated that the next item for consideration was Planning Commission discussion regarding the review/revision of the residential zoning districts. She noted that the matter had been placed on the Planning Commission Work Plan in recognition of the need to review current residential zoning standards to
- 1) determine if they implement the residential policies set forth in the Master Plan, and
 - 2) provide for ‘missing middle housing’ within the Village.

**OnGoing Business:
Residential Districts
- ‘missing middle
housing’**

Larson stated that Harvey had prepared a memo on the topic outlining suggested amendments to the Zoning Ordinance that would respond to the residential policies/conclusions set forth in the Master Plan.

Harvey referenced the March 1, 2018 Planning Commission Memo: *Implementation of Residential Policies (and ‘Missing Middle Housing)* and reminded of the Planning Commission’s consensus on two approaches that would allow for more ‘missing middle’ housing in the community:

- 1 – create a new district (or overlay district) for application to existing ‘walkable residential areas’ to the downtown that would allow for ‘missing middle’ housing types/densities; also, tighten up remaining residential districts so as to direct new development in close proximity to the downtown.
- 2 – provide for accessory dwelling units, smaller home sizes, and pocket neighborhood development within the R-2 District . . which would allow increased densities in existing residential areas and promote infill development.

Harvey distributed sample ordinance text and background information related to ‘accessory dwelling units’ and ‘cottage housing’ in preparation for Planning Commission consideration of the suggested amendments to allow accessory dwelling units, pocket neighborhoods, and cottage housing within pocket neighborhoods within the R-2 District.

Planning Commission members agreed to study the information for continued discussion in May. It was noted that desired elements of the two approaches would be identified and discussed in May to allow Harvey to move forward with the development of draft text.

13. Larson noted that the next item for consideration was Planning Commission discussion of the recent article in Planning/Zoning News regarding available options to communities for addressing ‘vacant buildings’. Following discussion of the matter, it was determined that there was no support for pursuing the topic at this time. **New Business:
Vacant Buildings**
14. Bogen questioned if the east wall of the Performance Fieldhouse building was in compliance with the Building Design Standards and the approved site plan. Harvey noted the inquiry would be given to the Zoning Administrator. **Member Comments**
- Jarvis noted that she will be absent at the May Planning Commission meeting.
15. Harvey advised that the Planning Studio class presentation to the Village and Townships is scheduled for April 17 at 6:00 at Paw Paw Township Hall. **Village Manager/
Planning Consultant**
10. There being no further business to come before the Board, the meeting was adjourned at 8:47 p.m. **Adjournment**