

**Minutes, Paw Paw Planning Commission  
Regular Meeting, April 6, 2017**

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| 1. | The regular Planning Commission meeting of Thursday, April 6, 2017 convened at 7:00 p.m. at 609 West Michigan, Paw Paw, Michigan. Chairperson Larson presiding.   | <b>Meeting Convened</b>                   |
| 2. | Present: Larson, Bogen, Hildebrandt, Jarvis, Pioch, Rumsey and Thomas. Also present: Village Planning Consultant, Rebecca Harvey and Assistant Village Manager, Sarah Moyer-Cale.   | <b>Members Present</b>                    |
| 3. | <b>Motion</b> by Pioch, <b>supported</b> by Rumsey, 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 Jarvis, to approve the minutes of The regular Planning Commission meeting of March 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 amendment to the R-1, R-2 and/or RMH Districts so as to allow ‘publicly owned buildings, including government facilities’ as a principal permitted use or special land use. | <b>Public Hearing:<br/>Text Amendment</b> |

Harvey stated that the request was initiated by Van Buren County to facilitate the proposed construction of additional storage buildings on County-owned property located on Hazen Street currently within the R-1 District. She added that the proposed text is similar to language already set forth in the Ordinance. In response to a question, Harvey noted that ‘public buildings’ are currently allowed within the CBD as a special land use and within the RO District as a permitted use.

No public comment was offered on the matter.

Planning Commission discussion of the proposed amendment ensued. It was noted that allowing ‘public buildings’ within the R-1, R-2 and R-3 Districts would open up a lot of residential property within the Village to nonresidential use. Some concern was expressed that such an amendment may be a solution for the County’s property but would also impact the restrictive residential districts within the Village.

Harvey suggested that the Planning Commission consider if ‘publicly owned buildings, including government facilities’ would be more impactful within the residential districts than the nonresidential uses currently allowed within those districts, such as museums, libraries, schools, churches, and

recreational facilities.

Larson stated that ‘publicly owned buildings’ would allow a storage building as a principal use on a lot. She opined that such a use would have more negative impact on the surrounding residential area than storage buildings for schools or churches since they would serve as accessory buildings.

Pioch and Jarvis noted that it is difficult to identify distinctions in impact between a ‘public building’ and the nonresidential uses currently allowed in the residential districts. Rumsey added that such a consideration would support the exclusion of public storage yards as part of ‘government facilities’.

Bogen suggested that ‘public buildings’ are already allowed uses within the CBD and RO Districts and that perhaps the rezoning process is a more practical approach to expanding where they are allowed.

Following lengthy discussion, Thomas stated that the special use criteria and site plan review process provide adequate protection to allow for the placement of ‘public buildings’ in residential areas. He noted further that adding ‘public buildings’ as a special use within the R-1 District would address the Hazen Street property as a whole, as well as other similarly situated property, but would not serve to open up an excessive amount of residential property in the Village

**Motion** was then made by Thomas, **supported** by Jarvis to recommend Village Council approval of an amendment to **Section 42-123 – Uses subject to special use permit (R-1 District)** so as to add: (7) ‘Publicly owned buildings, including government facilities’. The motion **carried 6 to 1**, Larson dissenting.

7. Larson stated that the next item for consideration was the request by Van Buren County for Special Use Permit/Site Plan Review for a proposed storage building on property located at 753 Hazen Street. The subject site is located within the R-1 District.

**Public Hearing:  
SLU/SPR - Van  
Buren County**

In response to the applicant’s request, **motion** by Thomas, **supported** by Pioch, to postpone consideration of the application to the May 4, 2017 Planning Commission meeting to allow for completion of the required site plan. All members present voting yes. The **motion carried**.

8. Larson stated that the next item for consideration was the Application to Rezone approximately .2 acres (66 ft x 132 ft) located at 402 South Niles from the R-2 District to the R-O and/or B-2 Districts.

**New Business:  
Consideration for  
Rezoning – 402  
South Niles**

Harvey stated that the subject property is currently classified as MDR (Medium Density Residential) on the Future Land Use Map (Master Plan) and is surrounded by property within the MXD (Mixed Density) and CC (Corridor Commercial) classifications. She noted that the requested rezoning would be supported by the Future Land Use Map and that an amendment of same will not be required.

Board discussion ensued regarding the existing zoning pattern and the proposed 'future land use' scheme for the area. It was noted that the area represents a mix of commercial and residential zoning/land use and that a discussion of the entire area (4-6 parcels) currently within the R-2 District west of South Niles and south of Berrien is warranted.

Bogen questioned why an expansion of the area to be considered does not include the residentially-zoned properties east of South Niles. It was noted that the 'triangle' identified for consideration represents a transitional or 'buffer' area given its adjacency to areas planned/zoned for commercial and mixed density, whereas the residential area east of South Niles represents a large area of residential zoning currently established as a residential neighborhood.

**Motion** by Rumsey, **supported** by Jarvis, to accept the rezoning Application and to notice the 'triangle' of property located west of South Niles and south of Berrien for rezoning consideration from the R-2 District to the R-O and/or B-2 Districts at a public hearing on June 1, 2017. All members present voting yes. The **motion carried**.

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| 9.  | <b>Motion</b> by Thomas, <b>supported</b> by Hildebrandt, to nominate and elect the following slate of Planning Commission officers for the 2017-2018 fiscal year: Chair – Kathy Larson; Vice-Chair Chuck Rumsey; Secretary – Mike Pioch. All members present voting yes. The <b>motion carried</b> . | <b>New Business:<br/>Election of<br/>Officers</b>  |
| 10. | <b>Motion</b> by Rumsey, <b>supported</b> by Pioch, to adopt by resolution the proposed 2017-2018 meeting schedule of the Planning Commission. All members present voting yes. The <b>motion carried</b> .  | <b>New Business:<br/>Meeting Schedule</b>          |
| 11. | The Commission noted the accuracy and completeness of the 2016 Annual Report prepared by the Chair. <b>Motion</b> by Thomas, <b>supported</b> by Bogen, to accept the 2016 Planning Commission Annual Report as presented. All members present voting yes. The <b>motion carried</b> .                | <b>New Business:<br/>2016 PC Annual<br/>Report</b> |
| 12. | Larson referenced the draft 2017-2018 Planning Commission Work Plan prepared for Commission discussion. The following was noted:<br><br>- The sign ordinance update; action on the proposed Waterfront Overlay District; and the review/update of the Master Plan are in                              | <b>New Business:<br/>PC Work Plan</b>              |

progress and scheduled for public hearing in May/June.

- New work items include: development of a gateway district (#2 Priority); review/revise residential districts (#2 Priority); and revise/clarify definitions of 'lot' and 'lot area' (#1 Priority). It was noted that the additional work items were identified through the Master Plan update and in consideration of applications considered in 2016.
- An additional work item was included: revise/clarify definition and standards for 'restaurants' (Priority #2)

Planning Commission members expressed support for the identified work plan items.

13. Larson stated that the next item for consideration was Board discussion of the revised draft sign ordinance. Harvey stated that the draft text (dated April 6, 2017) reflects revisions made pursuant to the Board's last review. She provided an overview of the modified elements of the proposal.

**OnGoing Business:  
Sign Ordinance**

Planning Commission members expressed support for the modified draft text and agreed that a public hearing on the draft text would be tentatively scheduled for May.

14. No member comments were offered.

**Member Comments**

14. No staff comments were offered.

**Village Manager/  
Planning Consultant**

15. There being no further business to come before the Board, the meeting was adjourned at 9:02 p.m.

**Adjournment**