

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

1. The regular Planning Commission meeting of Thursday, July 6, 2017 convened at 7:00 p.m. at 609 West Michigan, Paw Paw, Michigan. Chairperson Larson presiding. **Meeting Convened**

2. Present: Larson, Bogen, Hildebrandt, Jarvis, Pioch. Rumsey and Thomas. Also present: Village Planning Consultant, Rebecca Harvey and Assistant Village Manager, Sarah Moyer-Cale. **Members Present**

3. **Motion** by Pioch, **supported** by Hildebrandt, to approve the agenda as presented. All members present voting yes. The **motion carried**. **Approval of Agenda**

4. **Motion** by Pioch, **supported** by Bogen, to approve the minutes of the regular Planning Commission meeting of June 1, 2017 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 by Freshwater Community Church for Special Use Permit/Site Plan Review for the establishment of a church/community center within an existing building, including a proposed parking lot expansion and related site improvements. The subject property is located at and in the vicinity of 600 East Michigan/610 East Main and is within the R-1/R-2 Districts. **Public Hearing:
SLU/SPR -
Freshwater Church**

Jason Bull was present on behalf of the application. He explained the mission of the church and outlined the history of their use of the subject property. Bull emphasized that the central location of the site is key to their community service objective.

Bull referenced a rendering of the project, noting the proposed building changes are intended to improve building/site access and flow to allow the church to grow and better serve the community.

Alex Frasier, project engineer, provided an overview of the project, noting the following:

 - : proposed building additions are designed to establish main entries and improve flow within the building;
 - : the new building entries will establish ADA compliance;
 - : proposed site improvements are designed to provide additional parking and improve the safety of parking patterns;
 - : the proposed drop-off drive and sidewalk extensions are intended to improve pedestrian safety in the area.

In response to Commission questions, Frasier confirmed that 100 parking spaces exist on the building site and that the parking lot expansion will provide an additional 57 spaces. He added that the additional parking spaces will assist in reducing the on-street parking that currently occurs on Sunday mornings.

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

The Commission proceeded with a review of the proposal pursuant to Sections 42-366 and 42-367 (8) and noted the following:

- : the proposed building/site improvements will not result in a major change to the appearance of the building or property;
- : the additional sidewalk and landscaping will be consistent with the development of the surrounding properties;
- : though classified in the Master Plan as a residential area, the presence of the bus garage on nearby property was noted;
- : the public services and facilities serving the site are adequate;
- : the proposal meets the Special Use standards applicable to a ‘church’ set forth in Section 42-367 (8);
- : the proposed ‘future drive’ is not being presented for approval at this time;
- : building height and setbacks for the proposed building additions, existing/proposed outdoor lighting, and existing/proposed fencing and landscaping elements should be detailed further for approval.

Bogen questioned if Section 42-404 (4) allows for the proposed 57-space parking lot to be located off site of the church facility. The Commission noted that the proposal complies with Section 42-404 (6) – Parking Areas in Residential Zones. Confirmation that the proposed parking lot complies with Section 42-404 is required.

Motion by Thomas, **supported** by Rumsey, to grant Special Use Permit for the proposed establishment of a church/community center within an existing building, including a proposed parking lot expansion and related site improvements, located at and in the vicinity of 600 East Michigan/610 East Main, 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 a ‘church’ set forth in Section 42-367 (8), and conditioned upon confirmation that the proposed 57-space parking lot complies with Section 42-404. All members present voting yes. The **motion carried**.

Motion by Pioch, **supported** by Jarvis, to recommend Village Council approval of the Site Plan for the proposed establishment of a church/community center

within an existing building, including a proposed parking lot expansion and related site improvements (Freshwater Church), 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. Compliance with building height and setback requirements applicable to the proposed building additions.
2. Establishment of the proposed parking lot screening (fencing; existing vegetation) along the east, west and south boundaries of the 0.7 acre site proposed for parking lot development.
3. Demonstration of compliance with outdoor lighting requirements set forth in Section 42-405.
4. Fire Department review/approval.
5. Village Department of Public Works review/approval of utility extensions/connections and the proposed method of storm water disposal.
6. Proposed signage shall comply with the applicable provisions of Article VI and shall be reviewed/approved through the permit process.
7. Compliance with all applicable Federal, State and Local codes/ordinances.

The **motion carried 6 to 1**, with Bogen dissenting.

7. Larson stated that the next item for consideration was the request by Van Buren County (Building & Grounds Department) for Special Use Permit/Site Plan Review for a proposed storage building pursuant to Section 42-123, Zoning Ordinance. The subject property is located at 753 Hazen Street and is within the R-1 District.

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

A representative of the application was not present.

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

The Commission proceeded with a review of the proposal pursuant to Sections 42-366 and noted the following:

- : the proposed 32 ft x 64 ft storage building represents an additional storage building on the site; no building demolition is proposed;
- : building elevations have not been provided to demonstrate building height or design;
- : the building is proposed for storage;
- : plans for the shipping containers currently stored outdoors on the site

are unknown;

: the existing fence along the south property line does not provide adequate screening;

: the public services and facilities serving the site are adequate;

Motion by Pioch, **supported** by Thomas, to grant Special Use Permit for the proposed 32 ft x 64 ft storage building for Van Buren County Building & Grounds Department to be located at 753 Hazen Street, based upon a finding of compliance with the Special Use Permit Criteria set forth in Section 42-366. All members present voting yes. The **motion carried**.

Motion by Pioch, **supported** by Rumsey, to recommend Village Council approval of the Site Plan for the proposed storage building for Van Buren County Building & Grounds Department to be located at 753 Hazen 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. Compliance with applicable building height requirements.
2. Fencing along the south property line shall comply with Section 42-405 (c) – *Fences*.
3. Establishment of screening in compliance with Section 42-405 (b) along the south property line, extending west from Hazen Street to the west end of the proposed storage building.
4. Any proposed outdoor lighting shall comply with Section 42-405 (a).
5. Extension of a sidewalk along Hazen Street, the width of the subject property, in compliance with the Village of Paw Paw Sidewalk Ordinance.
6. Village Fire Department review/approval.
7. Village Department of Public Works review/approval of the proposed method of storm water disposal.
8. Compliance with all applicable Federal, State and Local codes/ordinances.

8. Larson stated that the next item for consideration were the proposed amendments of the Zoning Ordinance associated with the establishment of the Waterfront Overlay District.

**Public Hearing:
Waterfront
Overlay District**

Larson noted that the public comment portion of the public hearing was held at the June 1, 2017 Planning Commission meeting, however, it was agreed that additional public comment would be received at this meeting given the presence of four (4) interested Village residents. Larson read

into the record correspondence received from Dale Wills and Ron Bartlett noting their objections to the proposed amendments.

The Commission then proceeded with a review of the draft Waterfront Overlay District. The following was noted:

Purpose – no objections noted; no modifications suggested

Applicability – no objections noted; no modifications suggested

Definitions – no objections noted; no modifications suggested

Development Requirements:

Allowed Uses – no objections noted; no modifications suggested

Dimensional Requirements – the 35% lot coverage standard represents an existing Zoning Ordinance standard; the 35 ft waterfront setback requirement represents an increase in the existing 30 ft waterfront setback requirement

Shoreline Vegetative Buffer – this proposed standard has received the most resistance; the following objections have been voiced:

- takes up too much land area on small lots;
- is not an effective way to improve/protect water quality;
- will be difficult to enforce;
- who decides what can be planted in the buffer area;
- no support for a mandate . . . only for education efforts

Lengthy discussion ensued regarding the vegetative buffer requirements and the input received to date. It was agreed that research shows that the proposed 15 ft vegetative buffer width is considered a minimum . . . and that Michigan recommends a greater width to be effective. It was further noted that the proposed text provides clarity as to what constitutes ‘natural vegetative cover’, which includes all natural vegetation except a lawn. Commission members further referenced the numerous ‘buffer strip’ examples that were presented at the June meeting demonstrating ease of compliance and effectiveness in shoreline protection. Moyer-Cale reminded that the Conservation District will also provide assistance on recommended plants.

The Commission noted that the proposed Waterfront Overlay District primarily reinforces the lot coverage and shoreline setbacks that already exist; provide better use restrictions; and establish minimum parameters and some guidance for shoreline development that will manage storm water discharge, minimize shoreline erosion, improve water quality, and protect/increase the value of

waterfront properties to the community.

It was questioned if more education on the elements of the Waterfront Overlay District are needed or if there simply is disagreement on the idea of a ‘vegetative buffer’ requirement.

Mike Pine, Brenda Wills, and Ron Bartlett questioned if the draft text could be modified to apply a vegetative buffer requirement that is proportionate to the size of the lot as a solution to the concerns expressed.

Motion by Thomas, **supported** by Pioch, to further postpone the public hearing on the proposed WF Overlay District to the September meeting to allow for continued consideration of the vegetative buffer requirement and the remaining provisions of the draft text. All members present voting yes. The **motion carried**.

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| 9. | Larson stated that consideration of the proposed amendments to the sign standards for the Downtown Overlay District set forth in Section 42-259 will be postponed to the August meeting. | New Business:
Text Amendment -
DOD Sign
Standards |
| 10. | Larson noted that no Ongoing Business was scheduled for consideration. | Ongoing Business: |
| 11. | No member comments were offered. | Member Comments |
| 12. | No staff comments were offered. | Village Manager/
Planning Consultant |
| 13. | There being no further business to come before the Board, the meeting was adjourned at 9:15 p.m. | Adjournment |