

**Minutes, Paw Paw Planning Commission
Regular Meeting, September 6, 2018**

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| 1. | The regular Planning Commission meeting of Thursday, September 6, 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, Palenick, Pioch and Thomas. Also present: Village Manager, Sarah Moyer-Cale and Planning Consultant, Rebecca Harvey. | Members Present |
| 3. | Motion by Pioch, supported by Bogen, to approve the agenda as presented. 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 August 2, 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 by James Prawat to rezone approximately 0.2 acres located at 105 South State Street from the R-2 Single and Two Family Residential District To the RM Multiple Family District. | Public Hearing
Item: Rezoning
- 105 South State
Street |

Larson opened the public hearing.

James Prawat and Deb Maxwell were present on behalf of the application. Prawat gave an overview of the request, noting the following:

- the subject property has been occupied by 3 separate dwelling units since constructed in 1952;
- the applicant has resided in the lower level of the residence; the upper level of the residence and the accessory building have existed as rental units;
- each unit has always been provided a separate building entrance and meter;
- both the existing owner and prospective buyer have a desire to retain the option to have 3 dwelling units on the site;
- the inability to use one of the rental units will devalue the property and limit the ability to sell the property.

Harvey explained that the property is currently within the R-2 District and the 3 dwelling units referenced existed as lawful nonconforming uses. She noted that with the vacancy of the upper level of the residence for the

last 3 years, the upper level has lost its lawful nonconforming use status as a dwelling unit and may not be reinstated.

Maxwell stated that occupancy of the subject site by 3 dwelling units is consistent with the land use in the surrounding area. She referenced the 8-unit building adjacent to the north; the 4-unit building located on the north side of East Main; and the 2-unit building located on the corner lot.

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

In response to Commission questions, it was confirmed that the situation was caused by the cessation of the nonconforming use and not the action of the Village. The 3-year vacancy of the upper level of the residence was confirmed by the applicant.

The Planning Commission proceeded with a review of the rezoning request pursuant to the criteria set forth in Sec 42-33 – Amendment Review Criteria. The following findings were noted:

- In recognition of the vision and classification of East Michigan as a ‘commercial gateway’ corridor, the residential densities allowed within the requested rezoning are interpreted to further the comprehensive planning goals of the Village.
- In consideration of the multiple family zoning/land use adjacent to the north, as well as that located north of East Main Street nearby, the requested rezoning will not constitute a ‘spot zone’ nor be generally inconsistent with surrounding zoning/land use.
- The requested rezoning will recognize the existing development pattern on those few neighborhood ‘front properties’ and will not signal nor support ‘zoning creep’ south into the adjacent single family residential neighborhood.
- The requested rezoning will not allow an increase in the density of development on the property nor allow redevelopment of the site given the standards of the RM District. As a result, the requested rezoning will not allow land use more intense than already exists on the site.

Motion by Thomas, **supported** by Bogen to recommend Village Council approval of the proposed rezoning of the subject 0.2 acres located at 105 South State Street from the R-2 Single Family and Two-Family Residential District to the RM Multiple Family Residential District based upon the conclusions of the rezoning criteria set forth in Sec 42-33 – Amendment Review Criteria. All members present voting yes. The **motion carried**

7. Larson noted that the next item for consideration was a presentation and discussion of proposed amendments to the Village Capital Improvement Plan (CIP). **New Business: CIP**

Moyer-Cale provided an overview of the CIP material provided, highlighting the completed projects, added projects, and revised time frames.

Motion by Pioch, **supported** by Jarvis, to accept and recommend approval of the proposed amendments to the 2020 through 2025 Capital Improvement Plan for the Village of Paw Paw. All members present voting yes. The **motion carried.**

8. Larson stated that the next item for consideration was the review/revision of the residential districts. Specifically, review of Draft #1 - revisions to the R-2 District to provide for accessory dwelling units, smaller home sizes, and pocket neighborhood development. **OnGoing Business: Residential Districts - 'missing middle housing'**

Harvey provided an overview of the draft text. General discussion ensued regarding the elements of the new housing options and how they would be provided for within the R-2 District.

Due to the lateness of the hour, it was agreed that continued discussion of the draft text, as well as discussion of the 'walkable residential' overlay district, would be placed on the next available Planning Commission meeting agenda.

9. Thomas advised that he will be absent at the October Planning Commission meeting. **Member Comments**

Larson inquired regarding the status of the Performance Fieldhouse building. Moyer-Cale advised that the east building wall is to be repainted to match the west wall of the building, as approved.

No further member comments were offered at this time.

10. No staff comments were offered at this time. **Village Manager/ Planning Consultant**

11. There being no further business to come before the Board, the meeting was adjourned at 9:06 p.m. **Adjournment**