

**Minutes, Paw Paw Planning Commission
Regular Meeting, January 6, 2011**

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| 1. | The regular Planning Commission meeting of Thursday, January 6, 2011, convened at 7:00 p.m. at 114 North Gremps, Paw Paw, Michigan. Acting Chairperson Rumsey presiding. | Meeting Convened |
| 2. | Present: Bogen, Pioch, Rumsey, and Thomas. Also present: Village Planning Consultant, Rebecca Harvey. | Members Present |
| 3. | Motion by Thomas, supported by Pioch, to approve the agenda. 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 December 2, 2010. All members present voting yes. The motion carried. | Approval of Minutes |
| 5. | No public comment regarding non-agenda items was offered. | Public Comment |
| 6. | Rumsey stated that no public hearing item was scheduled for consideration. | Public Hearing
Items |
| 7. | Rumsey stated that, consistent with the 2011 PC Work Plan/Schedule, the Board will consider the matter of home occupation sign standards. He noted that it had been determined that the Ordinance lacked clarity and consistency in the regulation of same. As directed, Harvey presented a review of the current standards, a finding of the issues, and sample language for discussion.

Board discussion ensued wherein the following conclusions were noted: current text should be modified to clearly permit home occupation signs; the content of said signs should be regulated so as to permit reference to the name of the occupant as well as the home occupation; locational sign standards should be established; said signs should be allowed to be freestanding; nameplates and home occupation signs should be permitted the same sign area; only one (1) sign per parcel should be allowed; and, said signs should not be illuminated.

Harvey was directed to prepare draft text incorporating the conclusions of the Board and present same for review in February. It was noted that the proposed timeline was consistent with the 2011 Work Plan Schedule. | New Business:
Text Amendment -
Home Occupation
Signs |
| 8. | Rumsey noted that the 2011 PC Work Plan/Schedule identified Board consideration of a sidewalk requirement. Harvey presented draft text requiring the establishment of sidewalks on nonresidential properties | New Business:
Sidewalks |

for Board review. Harvey stated that information regarding current sidewalk standards and practices in the Village had been provided by John Small, Public Utilities and had been used in the construct of the draft provision. Board discussion ensued wherein support of the proposed text was noted. Harvey was directed to obtain feedback on the draft language from both the Village Manager and the Director of Public Utilities for presentation to the Board in February. It was noted that the proposed timeline would be consistent with the 2011 Work Plan Schedule.

9. General discussion ensued for clarification regarding the recently adopted site plan review provisions and their application to established land uses.
10. Harvey reported on questions raised by Board members at the December Planning Commission meeting regarding requested material and Board vacancies. Harvey also confirmed that the items recommended for approval by the Planning Commission in December were scheduled for consideration by the Village Council in January, 2011.
11. There being no further business to come before the Commission, the meeting was adjourned at 8:00 p.m.

Member Comments

**Village Manager/
Planning Consultant
Comments**

Adjournment

**Minutes, Paw Paw Planning Commission
Regular Meeting, February 3, 2011**

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| 1. | The regular Planning Commission meeting of Thursday, February 3, 2011 convened at 7:03 p.m. at 114 N. Gremps, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Bogen, Pioch, Rumsey and Thomas. Also present: Village Planning Consultant, Rebecca Harvey. | Members Present |
| 3. | Motion by Pioch, supported by Thomas, to approve the agenda, as presented. All members present voting yes. The motion carried. | Approval of Agenda |
| 4. | Motion by Thomas, supported by Rumsey, to approve the minutes of the regular Planning Commission meeting of January 6, 2011, 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 no public hearing item was scheduled for consideration. | Public Hearing
Items |
| 7. | Larson noted that, consistent with the 2011 Work Plan, the Board will continue with consideration of the text amendment regarding home occupation signs. She stated that the existing standards had been reviewed in January and draft text prepared consistent with that discussion for Board review. | New Business:
Text Amendment -
Home Occupation |

Larson stated that she does not support the proposal to permit home occupation signs due to their impact on residential neighborhoods. She noted that enforcement will also be a problem and that the simple approach would be to prohibit them. Larson added that she does not believe the Ordinance intends to permit such signage. She further referenced the memo from Village Manager Nielsen noting his lack of support for the proposed text and suggested feedback from the Village Council on the matter.

Other Board members noted that home occupations are permitted uses within the residential districts and should be permitted signage, just as all other permitted uses within those districts are permitted signage. Concern was expressed that to prohibit signage for home occupations under such circumstances would be to differentiate between uses within a district. It was also felt that the proposed sign standards were so limiting that they would serve to address any concerns regarding the impacts from such

signage. It was further noted that nameplates are permitted within residential districts and are regulated similarly to that proposed for home occupation signs.

General discussion ensued regarding the effect home occupation signs will have on the aesthetics of the residential areas and the concern over the proliferation of such signs. It was noted that many signs are permitted within the residential districts with less restrictive standards than those set forth for home occupations. It was restated that other uses within the residential districts are permitted signage and that home occupations should not be treated differently.

(Nielsen entered the meeting)

After review of the standards applicable to nameplates, it was determined that the effect of a nameplate and a home occupation sign was comparable and that there was merit in applying similar standards. The following points of consensus were noted:

- a home occupation sign should continue to be permitted 216 sq in;
- the size of nameplate permitted should be reduced from 2 sq ft to 216 sq in;
- home occupation signs should be limited in location similar to nameplates;
- mailboxes should not be referenced in the locational standards for nameplates/home occupation signs;
- both a nameplate and a home occupation sign should not be allowed on a single property.

Harvey was directed to revise the draft text in consideration of the discussion for review at the March meeting.

General discussion was held regarding the 2011 Work Plan Schedule wherein it was determined that the schedule would be modified to reflect completion of the review of the 'home occupation sign' text amendment, the 'transit-friendly' standards text amendment, and the 'flashing sign limitation in the CBD District' text amendment in March. Further, the public hearing on said text amendments, including the 'sidewalk requirement' text amendment, would be moved up from May to April. The 'form-based' code discussion originally scheduled for April would be rescheduled to May.

8. Larson stated that, consistent with the 2011 Work Plan, the Board will continue consideration of the text amendment regarding a sidewalk requirement for nonresidential development. It was noted that the draft text had been considered in January and presented to the Public Works Department for review. Motion by Pioch, supported by Bogen, to accept the 2.02.11 draft text and schedule a public hearing on same for April.

**New Business:
Text Amendment -
Sidewalk
Requirement**

9. Nielsen explained that the Planning Commission recommendations to

Ongoing Business:

approve the rezoning request application by David Jones and the text amendment for the parking of recreational vehicles were accepted by the Village Council at their January meeting. Further, the Village Council has noted their satisfaction with the Planning Commission 2011 Work Plan/Budget.

**Planning
Commission
Update**

10. Larson noted that she had discovered that the work item raised by the Board in 2008 regarding ‘standards that limit the expanse of blank walls in the downtown’ had not been added to the Work Plan. It was agreed that the Board’s scheduled work on ‘form based zoning’ was designed to address that item.

Member Comments

Rumsey referenced the recent addition of a sidewalk across the bridge in South Haven and inquired about the possibility of Paw Paw making a similar addition. Nielsen stated that he would investigate.

11. Nielsen reported that the DDA is moving forward with their work plan derived from the Master Plan Implementation Items, noting that they are largely ‘street’-related items.

**Village Manager/
Planning Consultant
Comments**

Nielsen referenced the January 31, 2011 Memo to the Planning Commission noting the research conducted regarding ‘sidewalks required as a condition of site plan approval’. It was noted that the effort to add a sidewalk requirement to the Ordinance will remove the apparent inconsistencies in the application of a sidewalk requirement in past site plans.

Nielsen noted that four rezonings have occurred since the printing of the 2003 Zoning Map. He noted that these changes have been submitted to the VanBuren County Land Services Department for amendment to the Map. He also noted that a copy of the Zoning Map is now on display in the Township Board room.

12. There being no further business to come before the Commission, the meeting was adjourned at 8:50 p.m.

Adjournment

**Minutes, Paw Paw Planning Commission
Regular Meeting, March 3, 2011**

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|----|---|--|
| 1. | The regular Planning Commission meeting of Thursday, March 3, 2011, convened at 7:02 p.m. at 114 North Gremps, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Bogen, Reider, Rumsey, and Thomas. Also present: Village Manager, Larry Nielsen and Village Planning Consultant, Rebecca Harvey. Larson welcomed George Reider to the Board. | Members Present |
| 3. | Motion by Thomas, supported by Rumsey, to approve the agenda. All members present voting yes. The motion carried. | Approval of Agenda |
| 4. | Motion by Thomas, supported by Bogen, to approve the minutes of the regular Planning Commission meeting of February 3, 2011, 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 no public hearing item was scheduled for consideration. | Public Hearing Items |
| 7. | Larson stated that an application had been received by Wings of God to amend the Zoning Ordinance so as to identify ‘emergency/transitional residences’ as a Special Land Use within the R-2 District. Judge William Buhl and Dale Kreh were present on behalf of the application. They gave a detailed description of the proposed Wings of God Transition Home. | New Business:
Text Amendment -
‘emergency/
transitional
residences’ |

Harvey noted that the request to add ‘emergency/transitional residences’ as a Special Land Use within the R-2 District requires Board discussion regarding whether same would be consistent with the purpose of the R-2 District and compatible with other uses listed within the District. She added that the specific use proposal would be dealt with at the Special Land Use Permit/Site Plan Review stage.

Board discussion ensued regarding different types of ‘transitional residences’ and the differences in impact. General support was noted for including ‘emergency/transitional residences’ within the R-2 District given the potential for similarity in use – if impacts inherent with different types of transitional residences could be addressed. Following lengthy discussion of the Special Land Use process, it was determined that limiting the proposed use as a Special Land Use offered control of impact-related elements of each specific proposal.

The Board then agreed to schedule for public hearing at the April 7, 2011 Planning Commission meeting the request to amend the Zoning Ordinance so as to identify an 'emergency/transitional residence' as a Special Land Use within the R-2 District.

8. Larson stated that the Village Council has requested Planning Commission consideration of the prohibition of flashing electronic/digital message boards within the CBD District. Nielsen explained the Council's concern for the protection of the character of the downtown area.

**New Business:
Text Amendment -
Flashing Signs in
CBD District**

It was noted that the Zoning Ordinance currently prohibits signs that have 'flashing, moving, oscillating or blinking lights' in any district, but does permit 'time and temperature and digital signs provided their message does not change more frequently than once every 12 seconds.'

The Board expressed their support for the protection of the character of the downtown area and the general prohibition of moving digital signs. Concern was noted, however, regarding the impacts such a prohibition would have on the 'historic' time/temperature sign located on the bank in the downtown area.

Lengthy discussion ensued regarding the problems inherent in attempting to regulate 'flashing' signs based on sign content, what constitutes a 'flashing' sign, and the impacts of rendering existing signs 'nonconforming'.

In reference to the information provided by Harvey on the request, the Board determined to consider prohibiting 'flashing electronic/digital message boards' only within the CBD District, as requested. Further, the following proposed text would be scheduled for public hearing at the April 7, 2011 Planning Commission meeting:

Section 42-444 (f): *Notwithstanding Sections 42-333 (2) and 42-437 (e), signs shall not contain any flashing, moving, oscillating, blinking or animated parts, including time and temperature signs and digital signs.*

Nielsen noted that he would express the Board's concerns regarding the impact on the existing bank sign to the Village Council.

9. Larson stated that, consistent with the 2011 Work Plan, the Board will consider a text amendment intended to ensure that new development in the Village is designed to incorporate 'transit-friendly' elements.

**New Business:
Text Amendment -
'Transit-Friendly'
Standards**

Referencing information provided by Harvey, Larson noted that the 'Complete Streets' approach supported by the Master Plan sets forth 'transit-friendly' design principles. She further noted that the site plan

review process is recommended as the appropriate mechanism through which to require and review the incorporation of these principles into specific development proposals.

Following Board review of the proposed amendments to Section 42-402 (3) – *site plan information requirements* and Section 42-4-2 (4) – *site plan review standards* for the incorporation of transit-friendly elements, it was agreed to schedule same for public hearing at the April 7, 2011 Planning Commission meeting.

9. Larson stated that the Board considered proposed amendments to the home occupation sign standards at both the January and February meetings. It was noted that modifications to the proposed amendments were identified at the February meeting and a review of the revised text scheduled for March. Following Board review, the revised text was scheduled for public hearing at the April 7, 2011 Planning Commission meeting.

**Ongoing Business:
Text Amendment -
Home Occupation
Signs**

10. Larson noted for the record that the proposed text amendment intended to establish a sidewalk requirement for nonresidential development received final review in February and was also scheduled for public hearing at the April 7, 2011 Planning Commission meeting.

**Ongoing Business:
Text Amendment -
Sidewalks**

11. Larson distributed a draft of the Planning Commission 2010 Annual Report for Board review. She noted the Report would be scheduled for approval at the April meeting. General discussion ensued regarding the noted ‘Ongoing Concerns’.

Member Comments

Larson noted that the Planning Commission meeting dates for 2011 would also be scheduled for approval at the April meeting.

In response to support noted for continued joint meetings between the Village Council, Planning Commission, and Zoning Board of Appeals, Pioch was charged with working with the Council to establish the next joint meeting date.

Larson referenced the 1.31.11 Memo from Nielsen detailing the site plan reviews conducted since 1990 in which sidewalks were required. General discussion ensued regarding the limits on enforcement of same given the wording of the approvals. Nielsen advised that enforcement of the approvals conditioned upon sidewalks would be pursued where viable.

12. Nielsen provided new information on Michigan’s Medical Marijuana Act. He cited the ‘white paper’ developed by MTA/MML and referenced draft Ordinance language developed in response to options outlined in the ‘white paper’. Nielsen advised the Board of the moratorium recently enacted by the Village Council on permits/approvals for the sale or dispensation or use

**Village Manager/
Planning Consultant
Comments**

of medical marijuana in the Village and requested that the Planning Commission reprioritize consideration of an Ordinance amendment addressing same. The Board agreed to schedule consideration of the matter for the June meeting.

Nielsen distributed the Michigan Avenue Enhancement Study prepared by the DDA. He issued an invitation to a presentation of the Study scheduled for Monday, March 21, 2011.

12. There being no further business to come before the Commission, the meeting was adjourned at 9:28 p.m.

Adjournment

**Minutes, Village of Paw Paw Planning Commission
Regular Meeting, April 7, 2011**

REVISED

1. The regular Village Planning Commission meeting of Thursday, April 7, 2011, convened at 7:30 p.m. at 114 S. Gremps, Paw Paw, Michigan. Chairperson Kathy Larson presiding. **Meeting Convened**
2. Present: Kathy Larson, Chuck Rumsey, Mike Thomas, George Reeder, Lou Hildebrandt, and Manager, Larry Nielsen **Members Present**
3. Motion by Thomas, supported by Rumsey, to approve the agenda. All members present voting yes, motion carried. **Approved Agenda**
4. Motion by Rumsey, supported by Thomas to approve the minutes as presented. All members present voting yes, motion carried. **Approved Minutes**
5. Larson introduced Eloise "Lou" Hildebrandt and welcomed her to the Planning Commission. Hildebrandt introduced herself. **New Member Introduced**
6. Larson opened the public hearing at 7:05 p.m. **Public Hearing Opened on Topics**
7. Text Amendment to amend 42-444 prohibiting flashing signs in the CBD District. Larson noted the chapter reference as published was wrong and that there was no Chapter 43. All zoning codes are under Chapter 42. **Flashing Signs prohibited in CBD District**
8. Business owner Dondi Squires requested information regarding the district and types of signs covered by the proposed text amendment. Business owner Courtney Buhl asked about the district boundaries and descriptions of signs that would be prohibited. Buhl indicated the proposal may limit some business owners. Squires also commented the intent to preserve the character of the CBD was appreciated while wishing more could be done such as colors and window decorations. Gary Anspaugh agreed indicating standards for windows, colors and similar characteristics of building would help the overall appearance of the downtown. Squires also inquired about how the information is gotten out to business owners commenting the website is sorely behind date. **Dondi Squires, Courtney Buhl and Gary Anspaugh Comments**
9. Larson and Nielsen responded by outlining the district and giving examples of signs that would be allowed or prohibited. Nielsen agreed the website is outdated and expressed a solution may be forthcoming.
10. Text Amendment to amend 42-143 to allow Emergency/Transitional Homes in R-2 residential districts. **Emergency Transitional Homes**
11. William Buhl and Edie Mills were present to discuss the initial request and indicate the intent was not presumptuous on their part but rather one of **William Buhl, Edie Mills, Dondi Squires**

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banking/closing requirements. W. Buhl described the current neighborhood make up providing a map of the area. He concluded such a home would at least fit in if not improve the neighborhood. Squires commented that she has more concerns about some of the tenant and bus passengers downtown than she would with these residents. C. Buhl commented a home by this group would be an improvement to the neighborhood.

**and Courtney Buhl
comment**

12. Nielsen explained this amendment would allow an emergency/transitional home by special land use request not 'by right.' The difference being a party would have to seek special permission to use the property for this purpose. Once requested, neighbors would be notified and a public hearing would be held. A special land use could contain specific conditions that must be followed for the use to be granted and continued. If not followed, the permission could be revoked.

13. Text Amendments to amend Home Occupation and Nameplate sign standards. Larson explained the intent of the proposed amendment and that it is more restrictive than currently allowed. The proposed amendment would allow only one sign per property that could contain the name and/or occupation/business. The proposed amendment establishes a maximum size of 216 square inches and indicates the sign can only be placed on the structure, on a fence, or on a gate.

**Home Occupation
and Nameplate signs**

14. Squires questioned how sign information is communicated and asked if home occupations pay personal property taxes on their fixtures and equipment. Dawn Glass-Hulbert asked if her property would fall under this amendment. Anspaugh also asked about the changes may be noticed.

**Squires, Anspaugh
and Glass-Hulbert
comment**

15. Larson thanked Squires for the question regarding personal property taxes as that had not been brought up before. Nielsen commented regarding how information about the change would be noticed. Nielsen added the Assessor – done by the Township – is the one that would decide about personal property taxes.

16. Text Amendment to amend sidewalk requirements in new development. Larson explained the intent is to make the addition of sidewalks a requirement for new any developments in the Village. This would be accomplished by adding sidewalks as part of site plan requirements. There was general agreement from the audience that this would be a good thing. A few developments were discussed where sidewalks would have been helpful.

**Sidewalks required
with new
development**

17. Text Amendment to establish a requirement for transit friendly development. It was explained the intent was to require new develop to plan for bicycle and public transit spaces with their developments. This would be accomplished by adding the requirement to the site plan review process.

**Transit friendly
development**

18. There being no further discussion, the Public Hearing was closed at 8:03 p.m.

Hearing closed

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19. The Planning Commission considered the first topic, prohibiting digital, animated, flashing signs in the CBD district. The discussion included design standards with people commenting they could indeed be helpful in improving the image of the downtown. Thomas suggested the Chamber may want to get involved and approach people on a business to business basis. Hildebrandt and Larson noted the Planning Commission can set standards that protect the community.
- Discussion on CBD sign amendment**
20. Following discussion, Thomas moved and Hildebrandt supported a motion to recommend the Village Council amend 42-444 as presented. All members present voting yes. Motion carried.
- Motion to recommend 42-444 for approval**
21. The Commission considered the second item, amending text to allow Emergency Transitional Homes by special land use in R-2 residential districts. Members agreed the operational standards the Wings of God transitional home proposed help maintain the health, safety and general welfare of the neighborhood and community. Such could be a good starting point should others wish to pursue similar types of operation in the Village. Based on the information and comments presented during the public hearing the amendment did not appear harmful to the community. Larson brought up two points people had mentioned to her; that the home should be in the country and the property will not likely pay taxes.
- Discussion on R-2 District amendment**
22. Larson voiced a concern regarding setting high enough standards for potential future application other than Wings of God. Larson praised the ‘house rules’ of Wings of God will follow. This makes it easier to consider granting a special land use for them – when they make application. Rumsey and Thomas both noted the Commission has flexibility in setting standards and conditions on a case-by-case basis should applicants come forward. Both noted the operation guidelines of a group, like those of the Wings of God program, could be considered when setting standards and conditions. Nielsen agreed and noted this group is more motivated to keep up the quality of the home, and property than many or most landlords. Mills added the program wants to establish a “pride of Home” ethic in the women who stay at the home.
- Standards for granting special land use**
23. Following discussion, Rumsey moved and Thomas supported a motion the Commission recommend the Village Council adopt the text amendment to 42-444 and allow emergency/transitional homes in the R-2 residential districts. All members present voting yes. Motion carried.
- Motion to recommend 42-143 for approval**
24. The Commission considered amending sections related to home occupation and nameplate sign standards to limit one non-illuminated sign per property, not more than 216 square inches in size and which must be attached to the structure, a fence or gate on the property.
- Discussion on home occupation and nameplate sign amendments**
25. Larson stated her opposition to allowing home occupation signs as did Nielsen.

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Both noted their reasons. Reeder noted the proposal is more restrictive than current standards. Thomas noted it will be difficult to determine what the future may bring with regard to home occupations. Larson noted her objection was not in regard to nameplate signs. Squires noted that if personal property taxes were collected on such, there may be less. Rumsey noted the size, number and location changes and concluded the amendments were Okay.

26. Following discussion, Thomas moved with Reeder supporting, the Commission recommend the Village Council approve the amendments to 42-3; 42-434; 42-435; 42-440 and 42-441 as presented. Roll call vote with Thomas, Reeder, Hildebrandt and Rumsey voting yes. Larson voting no. Motion carried. **Motion to recommend 42-3; 42-434; 42-435; 42-440 and 42-441 for approval**
27. The Commission discussed the amendment to 42-405 which would require sidewalks become a part of the site plan requirements for all new development within the Village. **Discussion sidewalk requirement amendment**
28. Following discussion, Thomas Moved with Reeder supporting the Commission recommend the Village Council approve the text amendment to 42-405 as presented. All members present voting yes. Motion carried. **Motion to recommend 42-405 for approval**
29. The Commission discussed text amendment to 42-402 (3) and (4) to require transit friendly development requirements with all new developments in the Village. **Discussion transit friendly development**
30. Reeder moved and Hildebrandt supported a motion the Commission recommend the Village Council approve amending section 42-402 (3) and (4) as presented. All members present voting yes. Motion Carried. **Motion to recommend 42-402 (3) & (4) for approval**
31. Larson asked Nielsen to discuss the next meeting topic – form based codes. Nielsen did and noted that other commissions were invited to hear the presentation, for a fee. **Form based Codes topic next meeting**
32. The Commission was presented a plan by Paw Paw Brewery that would allow for outdoor seating. The plan requires amending their site plan and will be scheduled for a future meeting. **Paw Paw Brewery amended site plan**
33. Larson commented on the June meeting topic, amending the zoning code to comply with the Michigan medical marijuana Act noting a few places where the draft may wish to be amended. Nielsen will review. **MMMA for June meeting**
34. Larson and Nielsen discussed home occupation approval process concluding the Village’s zoning code allows home occupation but does not have any permitting requirements. Such makes enforcement difficult. **Existing Home Occupation**

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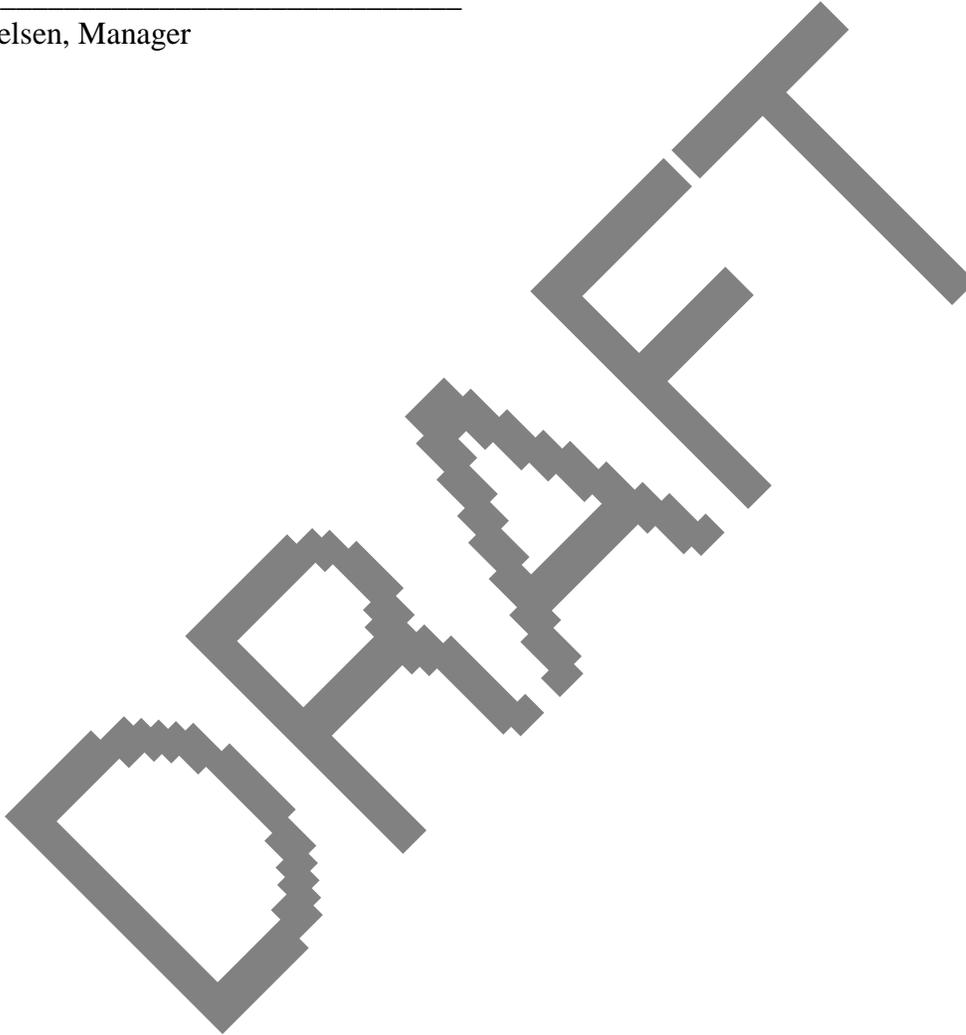
REVISED

35. Larson adjourned the meeting at 9:22 p.m.

Adjournment

Respectfully submitted:

Larry Nielsen, Manager



**Minutes, Village of Paw Paw Planning Commission
Regular Meeting, May 10, 2011**

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|---|---|
| 1. The Special Meeting of the Village Planning Commission meeting of Tuesday May 10, 2011, convened at 7:03 p.m. at 114 S. Gremps, Paw Paw, Michigan. Chairperson Kathy Larson presiding. | Meeting Convened |
| 2. Present: Kathy Larson, Chuck Rumsey, Dave Bogen, Mike Pioch and Manager, Larry Nielsen. A quorum was present. Also present were a number of residents and other persons. | Members Present |
| 3. Motion by Thomas, supported by Bogen, to approve the agenda noting that the only Public Hearing item was the request for a Special Land Use Permit from the Wings of God organization. The other items listed – B) through – E) were to be listed under New Business. All members present voting yes, motion carried. | Approved Agenda |
| 4. Minutes of May 5, 2011 Regular Meeting minutes were held for the next regular meeting of the Planning Commission. | Minutes 5-5-11 |
| 5. Larson opened the Public Hearing at 7:05 PM. | Public Hearing Opened |
| 6. William Buhl presented the Special Land Use (hereafter referred to as SLU) permit request on behalf of the Wings of God (hereafter referred to as WOG) organization which seeks to operate a transitional home at 310 N. Kalamazoo Street (Lot 3, Block 5 of the Original Plat of the Village). | William Buhl presents request and responds to letter |
| 7. Buhl noted the criteria the Planning Commission (hereafter referred to PC) must consider and addressed those points. Buhl also noted the five points in the letter from Mr. and Mrs. Pardike provided the PC and published as a letter to the editor in the local weekly paper. Buhl addressed property values, traffic, location, and a feared domino affect. He concluded there is no detriment to the surrounding neighborhood. | |
| 8. Courtney Buhl, a resident in the neighborhood and related to William Buhl, spoke in favor of the request noting, among other things, her opinion the care and maintenance of the property, along with the planned oversight of the property will enhance the neighborhood. She concurred this would be an asset rather than a detriment. | Courtney Buhl speaks in favor |
| 9. Edward Springer, a resident a few doors away, spoke in opposition to the request stating his opinion that parking will be a problem, property values would decline, and that WOG residents may deal drugs or engage in otherwise bad behavior. | Edward Springer speaks against |
| 10. Jennifer Thornton, next door neighbor to subject property, spoke in favor of the request. Thornton was initially opposed but is now supportive of the request after meeting with representatives of the WOG. She indicated there are far worse problems in the neighborhood and that this property will be good | Jennifer Thornton speaks in favor, raises questions |

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neighbors. Thornton noted she was worried about the potential of the property to cause neighboring property values to decline. However, she said she, as a savvy internet researcher, could find no study or report which documented any decline in property values due to similar uses. She questioned the rules and conditions the PC may place to assure the property is operated as planned and stated by the WOG organization. She stated she wants to see the WOG succeed. She noted the WOG would be an improvement to the neighborhood.

11. Blain Thornton, neighbor and husband to Jennifer, spoke in favor and reiterated concerns regarding rules and conditions which may be placed with the SLU permit which would help protect their property values and assure their safety. He was concerned the group might not maintain the high standards they espouse now.

**Blain Thornton
speaks in favor, and**

12. Rev. Ron Parker, First Christian Church, spoke in favor of the SLU permit request and stated, as Jail Chaplain he would help recommend which persons may be eligible to reside at the transitional home. He stated he and his church support this SLU permit request. Rev. Parker noted his Church is 2 blocks from the proposed location. He said he and his congregation are familiar with the neighborhood and assured all the WOG home would be an asset to the neighborhood. Rev. Parker cited his personal experiences as well as adding comments about those that may be in the WOG program.

**Rev. Parker speaks
in favor**

13. Rev. Tom Abbott, Presbyterian Church, spoke in favor of the SLU permit. Rev. Abbott addressed parking noting the WOG organization has permission to use the Church parking lot at any time. The church is across the street from the proposed location. He also commented the WOG home would be a neighborhood improvement. Rev. Abbott also spoke to the location noting that as the County seat and the home of the jail, Paw Paw will have these people in community and it would be better to have a transitional home rather than have some released people wander through community. He concluded that the community as well as the individuals in the WOG program would benefit from the supervised religious based program.

**Rev. Abbott speaks
in favor**

14. Larson offered to read letters received by the PC. A letter from Pat Peters (supportive), who lives in the neighborhood, was read. The letter from the Pardike's was not read as it was published and formed much of the discussion of the hearing. The Thornton letter was not read as M/M Thornton was presented and covered their points in their presentations. Letters are filed with the SLU permit application.

**Letters read into
record**

15. Public Hearing Closed at 8:37 PM.

Public hearing closed

16. Larson opened discussion on the request for a SLU permit by the WOG organization for a transitional home at 310 N. Kalamazoo Street.

**PC discussion and
consideration opened**

17. Larson went through site plan and zoning requirements.

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| 18. Parking requirements were reviewed. The WOG property has parking for eight (8) spaces. The parking requirement was exceeded by 1 space. Further, the Presbyterian Church will provide a letter indicating WOG may use their parking spaces and lot when it may be necessary (letter received and on file). | Parking requirement met |
| 19. During the discussion, there was some back-and-forth between PC members, WOG representatives and audience regarding: participant rules; WOG operation; the number, size and type of rooms; planned on-site/live-in supervision; and, the other items addressed above. William Buhl and other representatives (whose names were not provided) provided direct response. The exchange determined the WOG transitional home would meet zoning and SLU permit requirements. These included the following” | Back-and-forth discussion answer questions, explores requirements |
| 20. ** Bedroom requirements were met as all are 125 sq feet or larger in size. | Bedrooms |
| 21. ** A question by Blain Thornton regarding on-site supervision was raised. On-site manager’s unit met requirements. Dale Kreh, WOG, noted that on-site staff would be present at times when participants are there. | Blain Thornton re: supervision |
| 22. ** Edward Springer asked how many women would participate. Larson noted not more than 8 at any one time. Springer asked how many supervisors with Larson responding 1. | Edward Springer re: participants |
| 23. ** A gentleman, a relative of one of the Pardike’s, was present on their behalf and raised questions about the type of people in the program. He stated the Pardike’s opposition to the SLU permit. He questioned how women are selected. W. Buhl responded that each are screened & reviewed, non-violent, non-dangerous, and agree to study the word of God. | Pardike’s relative re: participants |
| 24. ** Scott Fillberant (sp?), county law enforcement officer, noted there are no like homes in the county. But to his knowledge, the closest home in neighboring community has had no calls for police service. He spoke in favor of the need and the SLU permit. | Scott Fillberant speaks in favor |
| 25. ** Dawn Glass, resident, noted the program is supervised and that all participants did their time and volunteer to be in the WOG program. Kreh agreed stating participants must request to be a part of the program and are screened before being placed. This assures there are no violent persons in the Program. | Dawn Glass speaks in support, women request |
| 26. ** William Buhl invited people to visit drug court and see the type of people that may be in the program. Buhl indicated that if the program doesn’t succeed, they won’t get donations and will fail/close. | William Buhl |
| 27. ** In response to questions, Larson read hi-lights from the rules. Bogen stated the rules should be part of the record and the standard for considering other | Rules as part of record |

**Minutes, Village of Paw Paw Planning Commission
Regular Meeting, May 10, 2011**

requests. Larson asked that the rules be a part of record and would be part of consideration in maintain a SLU permit, if granted.

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| 28. ** Pioch asked if the WOG could supply and annual report and Buhl responded one would be supplied. | Annual report |
| 29. Larson summed up the PC understanding that WOG would supply a site plan and lot diagram, a letter from the church okaying parking, copies of any changes in the rules or governing of the WOG organization, and annual report. She noted the criteria the PC must consider when considering a SLU permit, a site plan and requirements for emergency/transitional residences appear to be met. | Larson summary |
| 30. Larson praised the ‘house rules’ of Wings of God will follow. This makes it easier to consider granting a special land use for them. Larson noted she would not mind this home being next door to her. Rumsey noted the WOG was a great second chance that, with the program guidelines, would not fail. Pioch and Bogen had similar comments. | PC members
comment on WOG
SLU permit request |
| 31. Based on the finding of compliance with all requirements of the Village of Paw Paw zoning code (Section 42-366 special land use standards, Section 42-402 site plan standards, and Section 42-367 (11) emergency/transitional residences) Pioch moved with support from Rumsey to approve the application and grant a Special Land Use Permit for the Wings of God organization to operate a Transitional/Emergency Home at 310 North Kalamazoo Street. All members present voting ‘Yes’, motion carried. | Motion to grant SLU
permit approved |
| 32. Following motion, there was a recess while people left. M/M Springer approached the Commissions to discuss the matter further. Notes were not taken of this conversation as it sounded as a rehashing of the prior discussion. | Springers approach
Commissioners |
| 33. Bob Higgs was present regarding a site plan determination for the Pizza Hut. Pizza Hut plans a small addition which does not affect Access, Circulation, Parking, Drainage, Landscaping or Standard Dimension Requirements (set back). Therefore, the site plan met criteria for approval administratively. Nielsen is to see to the administrative approval. | Pizza Hut
addition |
| 34. Paw Paw Brewing Company plans a small patio in front of their building. The company plans a small addition which does not affect Access, Circulation, Parking, Drainage, Landscaping or Standard Dimension Requirements (set back). Therefore, the site plan met criteria for approval administratively. Nielsen is to see to the administrative approval. | Paw Paw Brewing
Co. patio addition |
| 35. A request to operate a season long commercial fruit stand was received. It was determined the venture would need to comply with the Village’s Special Land Use permit process to establish an ‘open air’ business. No action can be taken until applicant makes application. | Tomato Man Stand |

**Minutes, Village of Paw Paw Planning Commission
Regular Meeting, May 10, 2011**

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| 36. Architect Jim Schneberger presented preliminary site plans for the Marathon Station. Nielsen explained that Schneberger was to meet with Planning Consultant Harvey and himself prior to the PC meeting to review the completeness of the submittal but the architect was unable to keep the appointment. Thus, the agenda item tonight is at the applicant's request. | Marathon Gas Station |
| 37. All thanked him for being resent but noted the review needed to take place before the PC would consider the site plan. | |
| 38. Two potential topics for Text Amendments were presented by Nielsen. Following discussion, it was decided Harvey should review and present information to the PC regarding same. This is expected at the next meeting. | Text Amendments by Nielsen |
| 39. Larson noted the planned work agenda for the June meeting. | Next meeting agenda |
| 40. Pioch gave a report from the Village Council. These points included: | Report from Council |
| 41. ** Council was happy with concept of sidewalk development but had a question if such a requirement was to apply to residential districts as well. Two thought yes and two thought no. A review of the minutes reflected an open recommendation with all new development. More at the next meeting. | Sidewalks required with new development |
| 42. ** Council was supportive of the concept but asked for some other examples. This will be presented to Harvey for follow-up and reporting at the next meeting. | Transit friendly development |
| 43. ** Council believed this recommendation may need further study. Discussion included whether the movie theatre could put up a historically correct marquee under the ordinance. Some questioned whether the standards should be reflective of the character of the building rather than by zoning district. More discuss at both the PC and the Council is likely. | CBD sign amendment |
| 44. ** Council adopted an amendment regarding nameplate signs but choose to ban home occupation signs altogether. | Nameplate and home occupation signs |
| 45. ** The Council briefly discussed Form Based Codes and were receptive to the concept. Bogen indicated he was interested in pursuing Form Based Codes on a small scale as a starting point. Others agreed. May continue discussion at next meeting. | Form based Codes topic next meeting |
| 46. Larson thanked Pioch for the report. There being no further business, Larson adjourned the meeting at 9:24 PM; | Adjournment |

Respectfully Submitted: Larry Nielsen Larry Nielsen, Manager

**Minutes, Paw Paw Planning Commission
Regular Meeting, June 2, 2011**

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| 1. | The regular Planning Commission meeting of Thursday, June 2, 2011, convened at 7:01 p.m. at 114 North Gremps, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Bogen, Hildebrandt, Pioch, Rumsey, and Thomas. Also present: Village Manager, Larry Nielsen and Village Planning Consultant, Rebecca Harvey. | Members Present |
| 3. | Motion by Thomas, supported by Pioch, to approve the agenda. 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 May 5, 2011. All members present voting yes. The motion carried. | Approval of Minutes |
| | Motion by Rumsey, supported by Bogen, to approve the minutes of the special Planning Commission meeting of May 10, 2011, with the following corrections: page 5 – Mike Pioch should be referenced; not Mike Thomas; page 5 (line 38) – the topic should be listed. All members present voting yes. The motion carried. | |
| 5. | No public comment regarding non-agenda items was offered. | Public Comment |
| 6. | Larson stated that a public hearing was scheduled to consider the request by John Mohny, Director, Paw Paw District Library for Site Plan Review of the proposed construction of a 17,219 sq ft building and removal of the existing building for Paw Paw District Library. The subject site is located at 609/701 West Michigan and is within the R-O/B-2 Districts. | Public Hearing:
Site Plan Review -
Paw Paw District
Library |
| | Harvey stated that the project site consists of two (2) parcels – the current site of the library (R-O District) and the parcel adjacent on the south (B-2 District). ‘Libraries’ are a permitted use within the ‘B-2’ District but are not currently allowed within the R-O District. She noted that to accommodate the proposed construction of the library, a text amendment allowing ‘libraries’ as a permitted use within the R-O District is required. Harvey stated that the suggested text amendment could be scheduled for a public hearing at the regular July meeting or an earlier special meeting, if desired. Following a recommendation on the proposed text amendment, the Board could then proceed with a recommendation on the site plan, subject to Village Council adoption of the text amendment. To that end, Harvey suggested that the | |

Board proceed with a review of the site plan tonight as scheduled and then table action on the request until after the text amendment is considered.

Nielsen provided the Board with background information regarding the text amendment wherein 'libraries' were allowed as permitted uses within the B-1/B-2 Districts; the history of the library project to date based upon their understanding that 'libraries' were permitted in the R-O District; the cooperative steps taken by the Village in the review process; and the options available in responding to the library proposal.

The applicant noted that a text amendment to resolve the matter is preferable to a request to rezone the subject property to B-2. Board discussion ensued wherein consensus was reached that consideration of a text amendment to the R-O District so as to allow 'libraries' as a permitted use was appropriate. It was noted that the discussion held in consideration of the text amendment to the B-1/B-2 Districts was applicable and that similar language would be considered (ie. 'museums, libraries, and art galleries'). A public hearing on the requested text amendment was scheduled for a special Planning Commission meeting on June 23, 2011.

Dave Clark and Steve Tietsma, FTC&H (architects), were present on behalf of the application. They provided an overview of the project, detailing the shared access arrangement; the removal of the paved surfaces and provision of open/green space on the site; the stormwater disposal design; LEED elements of the building/site; and the staging plan for the project.

Referencing the Planning/Zoning Report, they noted the following: lighting specifications and a footcandle plan will be submitted; the parking layout will be revised to show compliance with requirements without the 'future addition' and with the 'future addition'; the screening proposal will be detailed on the plan in reference to the screening requirements of Section 42-404/42-405; a landscape plan will be provided to demonstrate compliance with landscaping requirements; stormwater calculations will be added as required; and a time schedule for the staging plan will be provided.

Clark/Tietsma further noted that the site plan has been submitted to the Fire Department and is pending approval. It was also noted that the sign proposal has been set forth on the plan and is well within Ordinance standards.

Board discussion ensued regarding the site plan with specific reference to on-site access and circulation, the proposed patio, the design/function of the proposed rain garden, the sidewalk route, and the presence of 'transit-friendly' design elements.

Following Board discussion, motion by Pioch, supported by Bogen, to table action on the site plan to the special Planning Commission meeting on

June 23, 2011, following the public hearing on the text amendment. All members present voting yes. The motion carried. The applicant stated that a revised plan reflecting the points of discussion will be submitted by June 17, 2011 for review and distribution to the Planning Commission for the June 23, 2011 meeting.

Clark stated that the attorney for the library has rendered an opinion that a text amendment is not necessary to facilitate the establishment of the library within the R-O District in that provisions exist within the R-O District that would permit the library. It is further the opinion of the attorney that action on the site plan tonight is feasible and does not need to be delayed until after the public hearing on the text amendment. Clark noted that he was requested to present said statements for the record.

7. Larson stated that the Village Council has requested that the Planning Commission reprioritize consideration of an amendment to the Zoning Ordinance ‘to establish reasonable regulations to control the sale and dispensation of medical marijuana’.

**New Business:
Michigan Medical
Marijuana Act**

Referencing the June 2, 2011 PC Memo, Harvey noted the background material previously provided and earlier consideration of same by the Board. She stated that a review of the draft home occupation provision prepared in response to the request for an Ordinance amendment has been completed and is ready for Board consideration. The Board directed Harvey to prepare a written review of the draft ordinance for consideration at the July meeting.

8. Larson introduced for discussion the option of using ‘overlay districts’ and form-based development districts as a means of implementing elements of the Master Plan. Referencing the June 2, 2011 PC Memo, Harvey reviewed the purpose and value of ‘overlay districts’ and how they may be applied in the Village. Specific areas were discussed for application, including the waterfront area on West Michigan, the I-94 interchange, and the downtown area.

**New Business:
‘overlay districts/
form-based districts’**

Following Board discussion, Harvey was directed to draft general overlay district concepts for the following two areas: waterfront area (from Gremps to Hazen /West Michigan to Miller) and the downtown area occupied by historic buildings (Gremps to Niles). It was noted the concept language would be scheduled for discussion in July.

9. Larson referenced three items recently considered by the Planning Commission on which the Village Council has requested clarification or further consideration: sidewalk requirement, flashing signs in the CBD, and ‘transit-friendly’ standards. Due to the lateness of the hour, it was determined that consideration of the items would be scheduled for the July meeting.

OnGoing Business

10. Larson requested consideration of another joint meeting between the Village Council, Planning Commission, and Zoning Board of Appeals. Pioch advised that he will discuss the request with the Village Council.
11. No comment was offered at this time.
12. There being no further business to come before the Commission, the meeting was adjourned at 9:48 p.m.

Member Comments

**Village Manager/
Planning Consultant
Comments**

Adjournment

**Minutes, Paw Paw Planning Commission
Special Meeting, June 23, 2011**

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| 1. | The special Planning Commission meeting of Thursday, June 23, 2011 convened at 7:00 p.m. at 111 East Michigan Avenue, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Bogen, Pioch, Rumsey and Thomas. Also present: Village Planning Consultant, Rebecca Harvey. | Members Present |
| 3. | Motion by Thomas, supported by Pioch, to approve the agenda, as presented. All members present voting yes. The motion carried. | Approval of Agenda |
| 4. | Motion by Thomas, supported by Rumsey, to approve the minutes of the regular Planning Commission meeting of June 2, 2011, 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 a public hearing was scheduled to consider a proposed amendment to Section 42-282 of the Village of Paw Paw Zoning Ordinance so as to add ‘museums, libraries, and art galleries’ as principal permitted uses within the R-O Restricted Office District. | Public Hearing:
Text Amendment -
R-O District |

No public comment was offered on the matter. Following general Board discussion, motion by Rumsey, supported by Pioch, to recommend approval of the aforementioned text amendment based upon the following considerations:

- 1) The Statement of Purpose for the R-O District (Section 42-281) supports the inclusion of ‘museums, libraries and art galleries’ as permitted uses within the district.
- 2) The R-O District is designed to allow for uses that will serve as transitions between commercial and residential uses; ‘museums’ and ‘libraries’ are a permitted use both within the residential districts (R-1, R-2, RMH) and the commercial districts (B-1, B-2). Allowing ‘museums’ and ‘libraries’ within the R-O District would be consistent with the objective of a ‘transitional zone’.
- 3) Several existing ‘permitted uses’ within the R-O District are similar in character to ‘museums, libraries, and art galleries’ (ie. office buildings, public buildings, schools, funeral homes, photographic studios).

- 4) A recommendation to permit ‘museums, libraries, and art galleries’ within the R-O District will:
- be consistent with the intent/purpose of the district;
 - allow a use similar to the uses currently permitted within the district;
 - allow the reconstruction/expansion of the Library as a conforming use.

All members present voting yes. The motion carried.

7. Larson stated that a public hearing was scheduled to consider a request for Site Plan Review of the proposed construction of a 17,219 sq ft building and removal of the existing building for the Paw Paw District Library.

**Public Hearing:
Site Plan Review -
Paw Paw District
Library**

Dave Clark, FTC&H (architect) and John Mohny, Director of the Paw Paw Library, were present on behalf of the application. Clark stated that the site plan had been reviewed by the Board at its June 2, 2011 meeting and that the plan had been revised to reflect the points of discussion. He noted the following revisions to the plan: the inclusion of a drop-off lane in front of the door to render the site ‘transit-friendly’; the addition of a bike rack; relocation of the flag pole; revision of the parking lot layout to reflect ‘with’/‘without’ the ‘future building addition’ scenarios; provision of a landscape planting list; and the provision of stormwater calculations per the Ordinance.

Clark further noted that a landscape plan will be developed and submitted to the Village for review/approval within 90 days of the date of approval, pursuant to Zoning Ordinance requirements; all applicable screening requirements shall be met; and that the plan has received review/approval from the Village Fire Department.

No public comment was offered on the matter. General Board discussion ensued regarding the need for the required front yard landscape strip given the building location and the proposed open space arrangement. It was determined that the site plan is subject to the landscape standard set forth in Section 42-405(b).

Motion by Thomas, supported by Bogen, to recommend approval of the Site Plan for the proposed construction of a 17,219 sq ft building and removal of the existing building for Paw Paw District Library at 609/701 West Michigan based upon compliance with the provisions of Section 42-402, and subject to the following conditions:

- 1) Village Council approval/adoption of the recommended amendment to allow ‘libraries’ as a permitted use within the R-O District;
- 2) Demonstration of compliance with the stormwater disposal design criteria set forth in Section 42-402 (3) q. and the review/approval of the Village Department of Public Utilities;

- 3) Demonstration of compliance with the screening requirements along the eastern boundary of the subject site, pursuant to Sections 42-404 (5) a. and 42-405 b.;
- 4) Submission of a landscape plan demonstrating compliance with landscape requirements within 90 days of site plan approval; and
- 5) Fire Department review/approval.

All members present voting yes. The motion carried.

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| 8. | Larson stated that no New Business was scheduled for consideration. | New Business |
| 9. | Larson stated that no Ongoing Business was scheduled for consideration. | Ongoing Business |
| 10. | No member comments were offered at this time. | Member Comments |
| 11. | No comments were offered at this time. | Village Manager/
Planning Consultant
Comments |
| 12. | There being no further business to come before the Commission, the meeting was adjourned at 7:23 p.m. | Adjournment |

**Minutes, Paw Paw Planning Commission
Regular Meeting, August 4, 2011**

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| 1. | The regular Planning Commission meeting of Thursday, August 4, 2011 convened at 7:00 p.m. at 114 N. Gremps, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Hildebrandt, Pioch, Reider, Rumsey and Thomas. Also Present: Village Manager, Larry Nielsen and Village Planning Consultant, Rebecca Harvey. | Members Present |
| 3. | Motion by Rumsey, supported by Pioch, to approve the agenda as presented. All members present voting yes. The motion carried. | Approval of Agenda |
| 4. | Motion by Pioch, supported by Hildebrandt, to approve the minutes of the regular Planning Commission meeting of July 7, 2011, 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 a public hearing was scheduled to consider a Special Land Use Permit/Site Plan Review application for the proposed construction of a 21,517 sq ft (Phase 1) assisted living facility on approximately 6.76 acres located on Hazen Street, adjacent to the west of Vineyard Apartments. | Public Hearing:
Maple Lake
Assisted Living |

Harvey noted the following items require Board consideration: is the proposed facility more appropriately regulated by Section 42-367 (16) – ‘housing for the elderly’ or Section 42-367 (9) – ‘convalescent homes’; both ‘housing for the elderly’ and ‘convalescent homes’ are ‘special land uses’ within the RM District – a public hearing for a special land use request has not been properly noticed for consideration tonight; the proposed assisted living facility does not comply with the 350 sq ft minimum dwelling unit area standard for ‘housing for the elderly’; and the site plan has been reviewed and modifications are required.

Harvey suggested that the Board proceed with a determination as to the applicable section to the proposed land use, schedule a public hearing for the special land use/site plan review request for the September 1, 2011 Planning Commission meeting, and proceed with a preliminary review of the submitted site plan. She added that the applicant will require variance approval from the dwelling unit area requirement from the Zoning Board of Appeals or a modification to the floor plans to comply with the Ordinance standard.

In consideration of the information presented, the Board determined that the proposed assisted living facility is most appropriately regulated by the 'housing for the elderly' provision. They referenced the definition of 'housing for the elderly' set forth in Section 42-3, the applicant's review of the proposed use, and the application of similar provisions to the proposed use by other communities in support of the determination. It was further concluded that as a 'housing for the elderly' land use, a special land use permit/site plan review would be required for the proposed facility. Motion by Rumsey, supported by Hildebrandt, to schedule the required public hearing for the September 1, 2011 Planning Commission meeting. All members present voting yes. The motion carried.

In response to Board questions, the applicant stated that he would like to seek variance relief from the minimum dwelling unit area standard instead of redesign the facility. He noted that the facility is proposed to be designed similar to an existing assisted living facility in Allegan. The Board acknowledged that a variance would be requested and advised the applicant to submit application so that a public hearing on same can be scheduled by the Zoning Board of Appeals.

Finally, it was determined that the Board would conduct preliminary review of the site plan since the applicant was present and a site plan had been submitted and was reviewed by staff in preparation for the meeting. This would allow the applicant to prepare any required changes for timely review at the September 1, 2011 public hearing.

Mickey Bittner, architect and Neil Kraay of Leisure Living Management were present on behalf of the application. A revised site plan was distributed for Board review. Bittner noted the following modifications were made in response to Village review of the plan: major design change in the parking lot layout, light poles have been relocated, and the parking/drive surface has been noted as paved. He added that a landscape plan will be submitted within 90 days of approval, as required, and that the Fire Department review of the plan is pending.

The Board noted that parking has not been shown for the proposed future phases (Phases 2 and 3). Further, Phases 2 and 3 will be required to return for site plan review.

In review of the site plan, the following modifications/clarifications were noted: a general landscape plan is required; the stormwater disposal plan will be subject to Section 42-402 (3) q. and the review/approval of the Village Department of Utilities; the extent of the proposed removal of on-site woodlands should be noted; building light specifications are required; the parking lot should be redesigned to provide circulation/maneuverability of transit and/or emergency vehicles and accommodate planned loading

activity; the proposed sidewalk network on the site should be shown and extended to the east property line to allow for future connection with a network through Vineyard Apartments and to Hazen Street; and the plan will be subject to the review/approval of the Fire Department.

The applicant noted he will submit the requisite applications and modify the site plan as noted in preparation for the September 1, 2011 public hearing.

7. Larson stated that a public hearing was scheduled to consider the proposed amendment to Sections 42.368/42-3 of the Village of Paw Paw Zoning Ordinance so as to modify the 'home occupations' provision and address the uses permitted by the Michigan Medical Marihuana Act. Larson noted that the text had received lengthy review and discussion by the Board since March, 2011. No further questions were raised and no additional modifications were proposed by the Board.

**Public Hearing:
Text Amendement -
Home Occupations**

Phyllis Riborre questioned who/how determines what is a 'detriment'. Larson also noted concern citing all night activity and unacceptable levels of evening activity as potential problems. Paul Riborre stated his concern regarding the number of caregivers/users permitted by the State law.

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

General Board discussion ensued wherein it was noted that the current home occupation provision does not establish hours of operation and the difficulty in determining activity related to a home occupation in enforcement. It was further noted that the Ordinance does establish nuisance provisions that will more effectively allow the Village to respond to violations. The prohibition of signage for a home occupation and parking in the front yard was also noted.

Motion by Thomas, supported by Reider, to recommend approval of the proposed amendment to Section 42.368/42-3 of the Village of Paw Paw Zoning Ordinance so as to modify the 'home occupations provision' and address the uses permitted by the Michigan Medical Marihuana Act. The motion carried 5 to 1, with Larson dissenting.

8. Larson stated that a special land use permit application had been received for an MPRI Transitional Home and required that a public hearing be scheduled. Jeremiah Smith was present on behalf of the application. He provided the Board with a packet of information for reference and reviewed the elements of the prisoner re-entry program and a description of the proposed facility.

**New Business:
MPRI
Transitional Home**

The Board directed the applicant to the Ordinance provision regulating

special land uses and ‘transitional homes’, specifically. The application and material submission requirements were noted. It was determined that if the submission requirements could be met, a public hearing on the request would be scheduled for the September 1, 2011 Planning Commission meeting.

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| 9. | Larson stated that continued Board discussion on the ‘district outline’ for the ‘waterfront overlay district’ was scheduled. She suggested that the matter be tabled due to the lateness of the hour. Nielsen referenced correspondence received from Nan Taylor, Field Rep for Michigan Historic Preservation Network and National Trust. Following Board discussion, it was determined that Nielsen would pursue a request for Taylor to join the Board as a guest speaker at the October Planning Commission meeting. It was further determined to invite the Village of Paw Paw Historic Commission, members of the DDA, local business owners, and local officials from surrounding communities. | Ongoing Business |
| 10. | No comment was offered at this time. | Member Comments |
| 11. | Nielsen noted that Village Council approval of the sidewalk provision was pending approval of the Village Sidewalk Program and related funding. | Village Manager/
Planning Consultant
Comments |
| 12. | There being no further business to come before the Commission, the meeting was adjourned at 9:20 p.m. | Adjournment |

**Minutes, Paw Paw Planning Commission
Regular Meeting, September 1, 2011**

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| 1. | The regular Planning Commission meeting of Thursday, September 1, 2011 convened at 7:00 p.m. at 114 North Gremps, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Bogen, Pioch, Rumsey, and Thomas. Also present: Village Manager, Larry Nielsen and Village Planning Consultant, Rebecca Harvey. | Members Present |
| 3. | Motion by Pioch, supported by Thomas, to approve the agenda. All members present voting yes. The motion carried. | Approval of Agenda |
| 4. | Motion by Rumsey, supported by Thomas, to approve the minutes of the regular Planning Commission meeting of August 4, 2011. 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 a public hearing was scheduled to consider a Special Land Use Permit/Site Plan Review application for the proposed construction of a 21,517 sq ft (Phase I) assisted living facility on approximately 6.76 acres located on Hazen Street, adjacent to the west of Vineyard Apartments. | Public Hearing:
Maple Lake
Assisted Living |

Harvey stated that the Board considered the subject request at the August 4, 2011 Planning Commission meeting and determined that the proposed assisted living facility is most appropriately regulated by Section 42-367 (16), 'Housing for the Elderly' and that a Special Land Use Permit/Site Plan Review for the proposed facility would be required. A public hearing for the request was scheduled for the September 1, 2011 Planning Commission meeting. It was further determined that the Board would proceed with a preliminary review of the site plan since the applicant was present and a site plan had been submitted and reviewed by staff.

Harvey noted that the Board determined the following modifications/clarifications to the site plan were needed: a general landscape plan is required; the stormwater disposal plan will be subject to Section 42-402 (3) q. and the review/approval of the Village Department of Utilities; the extent of the proposed removal of on-site woodlands should be noted; building light specifications are required; the parking lot should be redesigned to provide circulation/maneuverability of transit and/or emergency vehicles and accommodate planned loading

activity; the proposed sidewalk network on the site should be shown and extended to the east property line to allow for future connection with a network through Vineyard Apartments and to Hazen Street; and the plan will be subject to the review/approval of the Fire Department. She stated that the applicant has submitted a site plan revised pursuant to the August 4, 2011 preliminary review comments for consideration in conjunction with the Special Land Use Permit request.

Harvey then noted that the applicant requested variance approval from the minimum dwelling unit standard applicable to 'housing for the elderly' and that same had been considered by the Zoning Board of Appeals at a meeting held on September 1, 2011. She noted that the variance request was denied with direction from the Zoning Board of Appeals that the Planning Commission consider an amendment to the applicable ordinance provision (Section 42-367 (16)c.) to confirm the appropriateness of the present standard.

Mickey Bittner, architect and Neil Kraay of Leisure Living Management were present on behalf of the application. Regarding the suggested text amendment, Kraay advised that the State's minimum dwelling unit size standard for an assisted living facility is 80 sq ft. He noted that the smallest unit in the proposed facility is approximately 277 sq ft, including the kitchen and bathroom facilities. He added that Leisure Living Management has been involved in the development of 28 assisted living facilities in Michigan, six (6) of which were developed in the last three (3) years, and that the size of the units in those facilities are similar in size to the units proposed in this facility. Kraay suggested that the Village's 350 sq ft minimum standard may not recognize current trends in assisted living facility design nor take into consideration the size of the common areas provided in said facilities.

General Board discussion ensued wherein it was agreed that consideration of the appropriateness of the current standard and a review of the State standards and industry trends regarding dwelling unit size for assisted living facilities was in order. The Planning Commission then scheduled a public hearing to consider an amendment to Section 42-367 (16) c. so as to modify the 350 square foot dwelling unit size standard for a special meeting of the Planning Commission on Friday, September 23, 2011 at 9:00 a.m.

Kraay and Bittner then reviewed the elements of the revised site plan, specifically noting that the required landscape plan will be submitted within the required 90 days and that the site plan has been submitted to the Village Department of Utilities for review of the stormwater disposal plan and is pending approval.

No public comment was offered on the request for Special Land Use

Permit/Site Plan Review for the proposed assisted living facility. General Board discussion ensued wherein it was determined that the site plan had been revised pursuant to the preliminary review comments and was in compliance with applicable ordinance standards.

Motion by Thomas, supported by Rumsey, to grant Special Land Use Permit based upon a finding of compliance with the Special Land Use Permit criteria set forth in Section 42-366 and the standards of Section 42-367 (16) – ‘Housing for the Elderly’, and subject to the following conditions:

- 1) Submission of a landscape plan demonstrating compliance with landscape requirements within 90 days of site plan approval;
- 2) The proposed exterior lighting shall comply with Section 42-405;
- 3) Village Fire Department review/approval; and
- 4) Village Department of Public Utilities review/approval.

All members present voting yes. The motion carried.

Motion by Thomas, supported by Pioch, to recommend approval of the Site Plan for the proposed construction of a 21,517 sq ft (Phase I) assisted living facility on approximately 6.76 acres located on Hazen Street, adjacent to the west of Vineyard Apartments based upon compliance with the provisions of Section 42-402, and subject to the following conditions:

- 1) Submission of a landscape plan demonstrating compliance with landscape requirements within 90 days of site plan approval;
- 2) The proposed exterior lighting shall comply with Section 42-405;
- 3) Village Fire Department review/approval; and
- 4) Village Department of Public Utilities review/approval.

All members present voting yes. The motion carried.

7. Larson stated that a public hearing was scheduled to consider a Special Land Use Permit/Site Plan Review application for the proposed establishment of an MPRI Transitional Home at 313 Elm Street.

**Public Hearing:
MPRI Transitional
Home**

Jeremiah Smith was present on behalf of the application. He provided the Board with an overview of the MPRI program. He noted his background with MPRI and interest in the ‘housing end’ of the program.

Smith reviewed the following elements of the transitional housing request: training programs/work schedules for residents, duration of stay, resources available to residents, resident qualifications, cost savings, role of 'house manager', and the 'house rules'.

Todd Bergen, Carl Butler, and Frank and Twila Smith were also present in connection with the application. They provided the Board with information regarding existing facilities in the area, the objectives of the program to significantly reduce repeat offenders, the success rate of the program in the State and County, and the general nature of the crimes often associated with the typical resident. In response to questions, it was noted that currently no transitional homes are in rural locations due to distances from services and transportation limitations that exist for residents.

Board discussion ensued wherein the following concerns and questions were raised: concern with the safety and quality of life in the community and the impact on adjacent properties and surrounding neighborhoods; nature of crimes previously committed by the residents; leniency of the proposed 'house rules', and level of activity at the house, including visitations and parking concerns. Butler stressed the value of providing treatment and services in a single location to offenders already targeted to return to the community.

In response to the concerns presented, the applicants explained that any approval of the transitional house could establish residency requirements and dictate house rules. They stressed their support of the program and a willingness to work with the Village and the neighborhood residents to address concerns.

Virginia Atwater stated that families reside in the neighborhood and that crime in the area already is high. Larry Meachum noted that adjacent properties are occupied by a transitional home for special needs women and a former meth lab. He expressed concern that the proposed transitional home would be incompatible with the neighborhood and noted that current police enforcement efforts in the area have been ineffective. Melody Meechum noted concern with the potential for high-risk offenders, the traffic volumes in the area, and the existing congestion and parking limitations on Elm Street.

The applicants provided additional information regarding the supervision of residents, the monitoring programs in place, and the safety and financial benefits of concentrating residents in a single house. It was also noted that residents typically do not have vehicles or visitors – in that residents can only qualify to live in a transitional home if they lack resources and contacts. It was reiterated that transportation is the biggest hurdle for residents which is why remote locations are not desirable.

Larson noted her concern with the leniency of the proposed 'house rules' and referenced the 'house rules' approved by the Board in the Wings of God application. Rumsey stated that he would only support residency for non-violent offenders. The applicants noted that such a limitation on the residency would be acceptable and that they would be willing to revise the proposed 'house rules' in consideration of the referenced Wings of God 'house rules'.

It was then determined by the Board to table action on the request to the October 6, 2011 Planning Commission meeting to allow for submission of the following additional information for Board consideration: a proposal limiting the nature of offenses of residents in the house; the recidivism rate for transitional homes; proposed revisions to the 'house rules' to provide rules comparable to those proposed for the Wings of God Transition Home; detail on the 'chain of command' and enforcement mechanisms for such a facility; and a site plan revised in response to the site plan review deficiencies noted in the site plan review report. It was noted that the October 6, 2011 meeting would be scheduled to begin at 6:00 p.m. instead of 7:00 p.m. to give adequate time to consider the subject matter given the existing meeting agenda.

8. Larson noted that no 'New Business' was scheduled for consideration.

New Business

9. Nielsen noted that the Village Council did not adopt the recommended amendments to the 'home occupation' provision. He stated that the Council, based upon recent legislative activity in the area, has chosen to extend the moratorium on the issuance of approvals for the sale/dispensation of medical marihuana and reconsider the 'home occupation' approach to regulation of same.

OnGoing Business

Nielsen also confirmed that Nan Taylor is scheduled to join the Planning Commission at the October 6, 2011 meeting as a guest speaker on the topic of 'local historic districts'.

10. Larson expressed continued concern regarding the matter of code enforcement and rental housing. She also raised questions regarding brush pickup in the Village.

Member Comments

11. No comment was offered at this time.

**Village Manager/
Planning Consultant
Comments**

12. There being no further business to come before the Commission, the meeting was adjourned at 10:12 p.m.

Adjournment

**Minutes, Paw Paw Planning Commission
Special Meeting, September 23, 2011**

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| 1. | The special Planning Commission meeting of Friday, September 23, 2011 convened at 9:00 a.m. at 111 East Michigan Avenue, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Bogen, Pioch, Rumsey and Thomas. Also present: Village 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 Thomas, supported by Rumsey, to approve the minutes of the regular Planning Commission meeting of September 1, 2011, 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 a public hearing was scheduled to consider a proposed amendment to Section 42-367 (16) of the Village of Paw Paw Zoning Ordinance so as to modify the requirement set forth in Subsection c. that 'each dwelling unit shall contain at least 350 square feet of area, not including kitchen and sanitary facilities'. | Public Hearing:
Text Amendment -
Housing for the
Elderly |

Harvey noted background information regarding the history of the existing standard, the current State standard for assisted living facilities, and comparison data regarding development in the industry, as well as for existing facilities in the area.

No public comment was offered on the matter. Following general Board discussion, motion by Pioch, supported by Thomas, to recommend approval of an amendment to Section 42-367 (16) c. so as to read '*Minimum size of a dwelling unit shall be 250 square feet.*', based upon the following conclusions:

- 1) The current standard for 'housing for the elderly' is dated and inconsistent with industry trends.
- 2) The existing senior housing facility in the Village does not comply with existing Ordinance standards.
- 3) The existing State standard should be considered a 'minimum' and be used only as a benchmark.

- 4) Industry trends, the method of calculation of need (evaluation of common spaces), and general adequacy of room size support the proposed reduction of the minimum standard for dwelling unit size.

All members present voting yes. The motion carried.

In response to questions, the Board confirmed that the 250 square foot minimum dwelling unit standard recommended does not exclude 'kitchen and sanitary facilities' in its calculation.

It was further noted that the Village Council would consider the proposed text amendment, as well as the recommendation for site plan approval of Phase 1 of Maple Lake Assisted Living Facility, at its regular meeting on September 26, 2011. The applicant commented that an 8-month construction process is likely and that a June, 2012 opening is anticipated.

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| 7. | Larson stated that no New Business was scheduled for consideration. | New Business |
| 8. | Larson stated that no Ongoing Business was scheduled for consideration. | Ongoing Business |
| 9. | No member comments were offered at this time. | Member Comments |
| 10. | No comments were offered at this time. | Village Manager/
Planning Consultant
Comments |
| 11. | There being no further business to come before the Commission, the meeting was adjourned at 9:18 a.m. | Adjournment |

**Minutes, Paw Paw Planning Commission
Regular Meeting, October 6, 2011**

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| 1. | The regular Planning Commission meeting of Thursday, October 6, 2011 convened at 7:00 p.m. at 114 North Gremps, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Hildebrandt, Pioch, and Rumsey. Also present: Village Manager, Larry Nielsen and Village Planning Consultant, Rebecca Harvey. | Members Present |
| | Larson welcomed Board members from area communities present to participate in the scheduled presentation by the Michigan Historic Preservation Network and National Trust for Historic Preservation. | |
| 3. | Motion by Pioch, supported by Rumsey, to approve the agenda. All members present voting yes. The motion carried. | Approval of Agenda |
| 5. | No public comment regarding non-agenda items was offered. | Public Comment |
| 6. | Larson stated that no public hearing item was scheduled for consideration. | Public Hearing Items |
| 7. | Nielsen introduced guest speaker Nan Taylor, Field Representative, Michigan Historic Preservation Network and National Trust for Historic Preservation. He noted that Ms. Taylor has been invited as an expert resource regarding the protection of historic buildings within a downtown area. Nielsen further noted that Ms. Taylor participated in a 'walking tour' of the downtown area of the Village of Paw Paw prior to the meeting. | New Business |

Using a power point presentation, Ms. Taylor spoke to the value of historic preservation, citing benefits such as quality of life, property values, economic development, tourism (heritage), and tax credits. She then proceeded with an in-depth review of two (2) mechanisms available aimed at preserving historic buildings: the National Register of Historic Places and Local Historic Districts.

Ms. Taylor highlighted the differences between the two approaches to historic building preservation, noting specifically that the National Register offers only an honorary designation that does not legally protect the building from demolition or harmful alterations, but does provide for eligibility of tax credits. Conversely, the Local Historic District provides a community with the legal ability to regulate exterior work on buildings within the district, but does not provide for tax credit eligibility.

An in depth review of how a historic district is established and the

responsibilities of the historic district commission was provided. Additional discussion ensued regarding the differences between preservation districts and zoning and how the two approaches can work together as an economic development strategy.

A lengthy question-and-answer period followed the presentation with many questions directed toward the establishment of a local historic district.

Participants thanked Ms. Taylor for the excellent presentation, noting the value in learning and working together on this topic.

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| 8. | Larson stated that no Ongoing Business was scheduled for consideration. | OnGoing Business |
| 9. | No comment was offered at this time. | Member Comments |
| 10. | No comment was offered at this time. | Village Manager/
Planning Consultant
Comments |
| 11. | There being no further business to come before the Commission, the meeting was adjourned at 8:51 p.m. | Adjournment |

**Minutes, Paw Paw Planning Commission
Regular Meeting, November 3, 2011**

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| 1. | The regular Planning Commission meeting of Thursday, November 3, 2011 convened at 7:00 p.m. at 114 N. Gremps, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Bogen, Hildebrandt, Pioch, Rumsey and Thomas.
Also Present: Village Planning Consultant, Rebecca Harvey. | Members Present |
| 3. | Motion by Thomas, supported by Pioch, to approve the agenda as presented. All members present voting yes. The motion carried. | Approval of Agenda |
| 4. | Motion by Thomas, supported by Rumsey, to approve the minutes of the special Planning Commission meeting of September 23, 2011, as presented. All members present voting yes. The motion carried.

Motion by Pioch, supported by Hildebrandt, to approve the minutes of the regular Planning Commission meeting of October 6, 2011, 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 no public hearing items are scheduled for consideration. | Public Hearing Items |
| 7. | Larson stated that an updated 2011 Planning Commission Work Plan/Work Plan Schedule has been provided. Harvey noted the following: 5 of the 12 items identified in the Work Plan have been completed to date; 4 of the 6 Priority 1 items in the Work Plan have been completed; 4 new work items have been added at the request of the Village Council; the Work Plan has been revised to reflect the status of all work items; and the Work Plan Schedule has been revised to schedule consideration of the remaining 2 Priority 1 work items and the 4 additional work items from November, 2011 through February, 2012. The Board accepted the updated Work Plan and Work Plan Schedule. | New Business:
PC Work Plan |
| 8. | Larson stated that, consistent with the updated Work Plan, the next matter to be considered is Work Plan Item #11 – Lot Coverage Standards. She referenced the November 3, 2011 Memo provided by Harvey that sets forth a review of the existing regulation(s), the purpose of the standards, and an analysis of the issues for Board discussion. | New Business:
Lot Coverage Standards |

Lengthy Board discussion ensued regarding the effects of the existing

standards within the Village. It was noted that there is an interest in preventing excessive ‘paving’ of residential lots but a desire to allow flexibility of lot use and building design. The Board concluded that the current standards implement the objectives of the Master Plan effectively and offer adequate protection to residential property. It was further noted that the issue of ‘lot coverage’ on commercial properties would be better addressed through providing options to reduce parking. It was the consensus of the Board that no change to existing lot coverage standards is required at this time.

9. Larson stated that the next matter to be considered is Work Plan Item #12 - Parking Standards. She referenced the November 3, 2011 Memo provided by Harvey that sets forth a review of the existing regulation(s), the purpose of the standards, and a collection of sample text for Board consideration.

**New Business:
Parking Standards**

Lengthy Board discussion ensued regarding the objectives in considering zoning options that would allow for reduced parking in nonresidential areas. In response to a review of the sample text provided, Harvey was directed to draft text for Board consideration that authorizes reduced parking through the joint use of parking facilities and allows for parking space reductions conditioned upon reserved parking areas. It was noted that the draft text would be considered at the December meeting.

10. Larson stated that the next matter to be considered is a Work Plan Item requested for consideration by the Village Council addressing design standards for commercial buildings. She noted that the Council has expressed specific interest in the Planning Commission considering design standards that address/prohibit large blank walls on commercial buildings.

**New Business:
Building Design
Standards**

Larson referenced the November 3, 2011 Memo provided by Harvey that sets forth a review of the existing regulation(s), the purpose of the standards, and a collection of sample text for Board consideration. It was noted that no architectural design standards currently exist in the Ordinance but that the commercial objectives set forth in the Master Plan provide ample support for consideration of same.

Lengthy Board discussion ensued wherein the sample provisions provided were reviewed for application within the B-1, B-2, and CBD Districts. It was determined that a standard requiring a visual/physical break in the façade for every 20 ft in length of a commercial building wall was appropriate for all three (3) commercial districts. It was further determined that a provision requiring a minimum of 30% of the exterior front façade of the first story of the commercial building to be windows was also appropriate for the B-1 and B-2 Districts. The Board opined that the ‘window requirement’ may be excessive for the 2- and 3-story buildings in the CBD and that same should

be addressed through other means (eg. historical district, etc.). Harvey was directed to draft text for Board consideration at the December meeting.

11. Larson stated that the final item to be considered is a Work Plan Item requested for consideration by the Village Council to reduce the large expanses of 2-family zoning within the Village through rezonings to single family land use. She referenced the November 3, 2011 Memo provided by Harvey that sets forth a review of the applicable zoning districts and a process for identifying areas to be rezoned.

**New Business:
Reducing 2-Family
Zoning**

Harvey provided a map identifying those properties that are currently located within the R-2 District that are not zoned consistent with the Master Plan. The Board proceeded with a review of the land use and status of those properties noted. After lengthy review, the Board concluded that rezoning those existing R-2 –zoned properties to R-1 so as to be consistent with the Master Plan would be inconsistent with the existing use of the property or incompatible with the land cover on the property. It was further noted that said rezonings would not effectively ‘remove the large expanses of 2-family zoned district’ within the Village, as requested.

It was noted that a review of the Future Land Use Map to determine where the Medium Density Residential areas can be reduced and the Low Density Residential Areas increased would be the appropriate ‘next step’. Rezonings consistent with those changes to the Plan can then be considered. Said review was scheduled for the December meeting.

12. Larson stated that no ‘Ongoing Business’ was scheduled for consideration.

Ongoing Business

13. No comment was offered at this time.

Member Comments

14. No comment was offered at this time.

**Village Manager/
Planning Consultant
Comments**

15. There being no further business to come before the Commission, the meeting was adjourned at 9:00 p.m.

Adjournment

**Minutes, Paw Paw Planning Commission
Regular Meeting, December 1, 2011**

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| 1. | The regular Planning Commission meeting of Thursday, December 1, 2011 convened at 7:00 p.m. at 114 North Gremps, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Bogen, Pioch, Reeder, Rumsey, and Thomas. Also present: Village Planning Consultant, Rebecca Harvey. | Members Present |
| 3. | Motion by Rumsey, supported by Pioch, to approve the agenda. 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 November 3, 2011. 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 no public hearing items are scheduled for consideration. | Public Hearing Items |
| 7. | Larson stated that no 'New Business' was scheduled for consideration. | New Business |
| 8. | Larson stated that, consistent with Board discussion in November regarding zoning options designed to allow for reduced parking in nonresidential areas, draft text was prepared for Board review. She referenced the December 1, 2011 Memo provided by Harvey and the draft text contained therein. The Board noted their support of the proposed draft text that would permit 'joint use of parking facilities' and a mechanism to allow for 'reduced off-street parking' under certain conditions. | OnGoing Business:
Parking Standards |
| | Board discussion ensued wherein it was noted that the 25% limitation in the 'joint use' provision should be removed; and the provision for 'reduced off-street parking' should be redrafted for clarity. Harvey was directed to revise the draft text for consideration at the January meeting. | |
| 9. | Larson stated that, consistent with Board discussion in November regarding building design standards that would prohibit large blank walls on commercial buildings, draft text was prepared for Board review. She referenced the December 1, 2011 Memo provided by Harvey and the draft text contained therein. | OnGoing Business:
Building Design Standards |

The Board again noted their support of the proposed draft text, but

determined that the CBD text should also include a standard for windows on the façade of the first story of buildings and a provision that addresses buildings on corner lots. Harvey was directed to modify the draft text for consideration at the January meeting.

10. Larson stated that the next matter to be considered is continued discussion regarding the Work Plan Item requested by the Village Council to reduce the large expanses of 2-family zoning within the Village through rezonings to single-family land use.

**Ongoing Business:
Reducing 2-Family
Zoning**

She noted that in November the Planning Commission identified those properties currently within the R-1 and R-2 Districts that are not zoned consistent with the Master Plan.

The Board determined that rezoning these few properties identified as inconsistent with the Master Plan would not be prudent given the land use or land cover existing on those properties, as well as the zoning/land use on adjacent properties. Further, said rezonings would not serve to ‘remove the large expanses of 2-family zoned district’ within the Village, as requested.

The Planning Commission proceeded to review the Future Land Use Map to determine where those areas planned for Medium Density Residential land use could be changed to Low Density Residential land use (and related rezonings). Following review of the map and with further discussion of the request to reduce the amount of R-2 zoning in the Village, the following was noted:

- Single- and two-family homes are appropriate land uses within ‘neighborhoods’;
- The recognized land use ‘problem’ within the Village is related to existing nonconforming 3-, 4-, and 5-unit dwellings that have been converted/established within single- and two-family neighborhoods prior to the adoption of the ordinance; (*illegal conversions since the adoption of the Ordinance were unknown*)
- The expansion of these existing nonconforming land uses (ie. adding more units) or the conversion of existing single family homes to ‘multiple unit’ homes is not permitted under the current ordinance within the R-1 or R-2 Districts;
- Further, the lot size standard within the R-2 District is 8700 sq ft/dwelling unit - - which would require a lot size of at least 17,400 sq ft in area to legally convert a single family home to a two-family home within the existing R-2 District;

- Given the average size of lots currently within the R-2 District, the ability to convert a single-family home to a two-family home in compliance with Ordinance standards is limited;
- Zoning can only control density of use; not ownership . . . the existing R-1 and R-2 Districts prohibit the establishment of ‘multiple unit’ dwellings; further, the R-2 District, in application, prohibits the establishment of two-family dwellings on most lots within the Village; . . . in other words, whether property is zoned R-1 or R-2, single family homes are largely the only residential use permitted by Ordinance.

Brief discussion ensued regarding how the Village can inspire more home ownership and the role of the Housing Commission in controlling home conversions/occupancies.

The Board noted, however, that a review of the map to reduce the amount of land area classified as Medium Density Residential and/or zoned R-2 was still in order. To that end, the Board agreed that each member would review the Future Land Use Map/Zoning Map and identify areas for potential conversion. A discussion of each member’s work map was then scheduled for the January meeting.

At the conclusion of the review, a public hearing will then be scheduled for a Master Plan amendment and related rezoning for those properties identified to be reclassified from Medium- to Low Density Residential and rezoned from R-2 to R-1.

11. No comment was offered at this time.

Member Comments

12. No comment was offered at this time.

**Village Manager/
Planning Consultant
Comments**

13. There being no further business to come before the Commission, the meeting was adjourned at 8:50 p.m.

Adjournment