



**Village of Paw Paw
Planning Commission Regular Meeting
Thursday, September 5, 2024**

AGENDA

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Approval of Meeting Minutes from August 1, 2024
 - A. August 1, 2024 Draft Meeting Minutes
- V. Public Comment
- VI. New Business
 - A. Site Plan Review – Walmart Parking Lot Modifications and Building Expansion
- 1013 S. Kalamazoo Street
- VII. Old Business
 - A. Discussion – Amendment to Section 42-367, Site Design Standards and Regulations for Special Uses and Certain New Uses (continued from August 1, 2024 PC meeting)
- VIII. Planning Commission Member Comments
- IX. Staff/Consultant Comments
- X. Adjournment



Village of Paw Paw

Planning Commission Regular Meeting

Thursday, August 1, 2024

MEETING MINUTES

I. Call to Order

Chair Larson called the meeting to order at 7:00 pm.

II. Roll Call

PRESENT:

KATHY LARSON, CHAIR

MICHAEL PIOCH, VICE CHAIR

EMILLY HICKMOTT, SECRETARY

NICK MARTINEZ, VILLAGE COUNCIL REPRESENTATIVE

JEFF BROWN

TOM PALENICK

ABSENT:

DAVID BOGEN (EXCUSED)

ALSO PRESENT:

TRICIA ANDERSON, WILLIAMS & WORKS, VILLAGE PLANNER

BRYAN MYRKLE, VILLAGE MANAGER

III. Approval of Agenda

Commissioner Pioch moved, with support from Commissioner Palenick, to approve the agenda for the August 1, 2024 Planning Commission meeting.

Motion carried unanimously by voice vote.

28 **IV. Approval of Meeting Minutes from July 18, 2024**

29 **A. July 18, 2024 Draft Meeting Minutes**

30 **Commissioner Pioch moved, with support from Commissioner Brown, to approve the**
31 **meeting minutes from July 18, 2024, subject to the change**

32 **Motion carried unanimously by voice vote.**

33 **V. Public Comment**

34 Patricia Clark, resident, was curious what happened with the Village's plans to use the lake
35 and to implement recreational amenities to draw visitors and to the area.

36 **VI. New Business**

37 **A. Site Plan Review – 804 S. Kalamazoo Street – Off-Site Parking Lot for St. Julian Winery**
38 **– Sarah and John Braganini (Slate Stone, LLC)**

39 Mr. John Braganini was in attendance to present the proposed parking lot. He gave the
40 Planning Commission a history of the site. He noted that the return on investment to
41 make necessary repairs to the existing strip mall would not be worth it. He added that
42 his wine club membership has grown and they need additional space for parking. Mr.
43 Braganini relayed that the building is planned to be razed, as it is a safety hazard and a
44 fire hazard. They will lose money from the rent they collect, however, he noted that the
45 winery needs additional parking. He added that winery leases spaces behind the
46 building to the Warner Vineyard's guests.

47
48 Chair Larson asked Ms. Anderson to walk them through her analysis of the site plan and
49 the highlights of her report.

50
51 Ms. Anderson noted that the project was fairly straightforward but there were a few
52 items that were a little out of the ordinary. She added that the DPS will need to approve
53 the proposed approach to the parking lot, both on the north and south ends of the site.
54 The site plan does not provide curve radii for the approaches, and since they are located
55 in the public right of way, they will need to be either striped or curbed, depending on
56 the specifications that Village DPS requires. She noted that this was a manageable
57 condition, and could be addressed following approval by Village Council. Ms. Anderson
58 informed the Planning Commission also about the 19 parking spaces shown in the
59 Village right of way along the north side of the site in the right of way, and included on
60 the pan as part of the proposed improvements. She indicated that it is her
61 understanding that these parking spaces had been historically been maintained by the
62 property owner, as the existing conditions survey show them as straddling the north
63 property line. The site plan shows these spaces within the right of way as on-street
64 parking on Commercial Avenue. The applicant has expressed an interest in improving
65 and maintaining them. She noted that, if the Village is open to this, then an agreement
66 would need to be drafted that outlines the property owner's responsibility. The Village
67 Council would need to determine if this is a feasible solution, and DPS will also need to
68 provide input on the idea of public spaces being maintained and improved for private

69 use. Other than these items, she noted that the recommendation is for the Planning
70 Commission to forward a favorable recommendation to the Village Council for the
71 approval of the site plan, subject to the conditions noted in her report.

72
73 Members of the Planning Commission expressed concerns about landscaping, and
74 whether they could require some landscaping along the frontage of Kalamazoo. Ms.
75 Anderson noted that this is one of those site plan requirements that the Planning
76 Commission has the authority to modify.

77
78 The parking spaces proposed in the right of way were discussed. Mrs. Braganini
79 indicated that the right of way width on Industrial Drive was substandard. Ms. Anderson
80 agreed, but noted that the right of way of Commercial Drive was 66', which is
81 conforming.

82
83 Concerned were expressed regarding pedestrian safety, and whether sidewalks were
84 proposed along Commercial Drive where they currently do not exist. Commissioner
85 Brown suggested that a sidewalk would be appropriate between the right of way parking
86 and the rest of the parking. He also suggested parallel parking as opposed to angled
87 parking. Commissioner Palenick noted that it would be difficult for pedestrians to walk
88 down the sidewalk if vehicles park over it partially with the angled parking.

89
90 The Planning Commission also inquired about how the Village would secure an engineer
91 for the review of the stormwater calculations. Mr. Myrkle noted that the Village is
92 working on partnering with the County Drain Commission to adopt its stormwater
93 standards, and the County would then become the reviewing authority for stormwater.

94
95 Chair Larson brought comments shared by Commissioner Bogen who was absent. She
96 noted that Commissioner Bogen asked about whether the ADA spaces were located
97 appropriately, as they appear to be further from the Winery door than other spaces.
98 Chair Larson noted that she would like to see some landscaping on both corners that
99 does not exceed 30" in height to maintain the clear vision of the corner. She feels that
100 some added landscaping that would help soften the look of the parking lot.

101
102 **Commissioner Pioch moved, with support from Commissioner Hickmott, to forward a**
103 **favorable recommendation to the Village Council for the approval of the site plan for**
104 **Slate Stone, LLC, for an off-site parking facility for St. Julian Winery, subject to the**
105 **following conditions:**

- 106
107 **1. Prior to the issuance of any permits, the applicant shall have paid all**
108 **application, permit, reimbursable escrow, and other fees related to the**
109 **request.**
- 110 **2. The approved site plan shall comply with all applicable federal, state, and local**
111 **requirements. Copies of all applicable permits shall be submitted from the**

- 112 appropriate approving authorities stating that the minimum requirements
 113 have been met.
- 114 3. No demolition shall occur until zoning and building permits have been issued.
- 115 4. The Village Fire Department shall review all plans and approve the parking lot
 116 access design for compliance with the Fire Code, prior to the issuance of any
 117 zoning or building permits.
- 118 5. The stormwater management design for the subject site shall comply with the
 119 requirements of Section 42-402(3)q., as determined by a professional engineer
 120 enlisted by the Village Council, prior to the issuance of any zoning or building
 121 permits for the building or parking lot.
- 122 6. Upon approval of the private use and maintenance of the 19 parking spaces
 123 within the Village road right of way on Commercial Avenue by DPS and /or
 124 Village Council, the applicant shall enter into a written agreement with the
 125 Village for the construction, striping, snow clearing, and maintenance of the 19
 126 parking spaces shown on the site plan dated July 25, 2024.
- 127 7. Any future mobile food vendors operating from the subject site shall have
 128 obtained a zoning permit from the Village, prior to operation on the subject
 129 site.
- 130 8. The site plan shall be reviewed for compliance with any and all requirements
 131 for commercial driveway approaches onto a public street, as determined by
 132 DPS. Any necessary revisions to the site plan in relation to the vehicular
 133 access/commercial driveway specifications shall be submitted prior to the
 134 commencement of the construction of the improvements planned for the site.
- 135 9. The applicant shall revise Sheet C-101 to add a note that all not areas
 136 proposed for paving shall be seeded with turf grass.

137
 138 **Motion carried via roll call vote**
 139

140	CHAIR LARSON	YES
141	VICE CHAIR PIOCH	YES
142	SECRETARY HICKMOTT	YES
143	COMMISSIONER MARTINEZ	YES
144	COMMISSIONER BROWN	NO
145	COMMISSIONER PALENICK	YES
146		

147 **B. Discussion – Amendment to Section 42-367, Site Design Standards and Regulations for**
148 **Special Uses and Certain New Uses**

149 Mr. Myrkle introduced the first draft of the proposed amendment to Section 42-367
150 which would provide regulations for “Outdoor Entertainment Venues”. He noted that
151 the use may be permitted by right, but that the number of persons over a certain
152 number is what could trigger the special land use. He added that this ordinance
153 amendment attempts to address areas that are the subject of the complaints that have
154 been brought to his attention as a result of the Warner Vineyards concerts.

155 Mr. Myrkle explained that noise is one of those complaints that is hard to assess because
156 there isn’t a great metric that accounts for all the different variables that affect the
157 sound in different locations throughout the Village. Parking is another complaint that he
158 explained was going to have to depend on the occupancy of the venue. He noted that
159 off-site parking is beginning to help resolve some of the issues with parking in
160 unauthorized areas, and that the County passed a resolution allowing public parking in
161 their lot in connection with the concerts. Mr. Myrkle emphasized the importance of
162 other agencies and departments that must review the applications that come in for new
163 outdoor entertainment venues, particularly the fire department and police.

164 Commissioner Hickmott questioned whether the added responsibility of reviewing
165 outdoor entertainment venue applications would be over burdensome to the volunteer
166 fire department. She suggested perhaps a local emergency planning organization could
167 come in handy for this type of thing.

168 Commissioner Martinez asked whether this ordinance would be applicable to the Village
169 amphitheater, and if a building would need to exist on the same parcel as the event. Mr.
170 Myrkle added that it would not be necessary for a building to be located on the parcel
171 where an outdoor entertainment event is held.

172 Commissioner Brown asked what the capacity is for Warner Vineyards. Mr. Myrkle said
173 it has not yet been established but the website says 1,500. Commissioner Brown also
174 asked about police and whether there are officers that are assigned to the venue. Mr.
175 Myrkle noted that Mr. Warner has hired some sheriff’s deputies to work the events and
176 they did not encounter any major problems.

177 Chair Larson asked how capacity is established. Mr. Myrkle noted that there is a formula
178 in the fire code for a certain number of square feet for each person, depending on the
179 type of area people are occupying, and that there are differences between lawn spaces
180 and tables.

181 Mr. Myrkle noted that the capacity of the venue, along with the site plan, will be used to
182 determine the required parking. He noted that he is open to considering different
183 metrics to determine the required minimum parking spaces. He added that some
184 adjacent property owners have offered to share parking, including the county, as a
185 resolution was passed recently that would allow concert-goers to park in the County-
186 owned lots near the venue.

187 Mr. Myrkle explained that he hopes to have an update from Mr. Warner related to
188 whether he's hired a professional to address the acoustics by the next meeting. He
189 added that the noise/sound levels would be the most challenging element to regulate.

190 **VII. Old Business - None**

191 **VIII. Planning Commission Member Comments**

192 Commissioner Martinez relayed that he's gotten very familiar with the food truck ordinance
193 so that he's prepared to address questions when the ordinance is presented to the Village
194 Council. He has noted that it's coming in his Council comments. He added that it will be a
195 benefit to the community.

196 Mr. Myrkle noted that having Ms. Anderson at the meeting will be beneficial. He will check
197 with her and whether her schedule allows for it.

198 Chair Larson asked how it was going with responses to the RFP for the Master Plan. Mr.
199 Myrkle said the deadline for submission isn't until mid-August.

200 **IX. Staff/Consultant Comments**

201 Mr. Myrkle briefed the Planning Commission on some items that will be coming to future
202 agendas. He noted specifically that there may be some residential projects that they would
203 see. He added that he's going to propose that the Village adopts a resolution to have the
204 Drain Commission review engineering and stormwater plans. He also added that they are
205 working to get more information out to the public on the website and have had some staff
206 take some training on how to manage the existing website.

207 **X. Adjournment. Meeting adjourned at 9:35 pm.**

Tricia Anderson, AICP – Williams & Works
Recording Secretary

MEMORANDUM

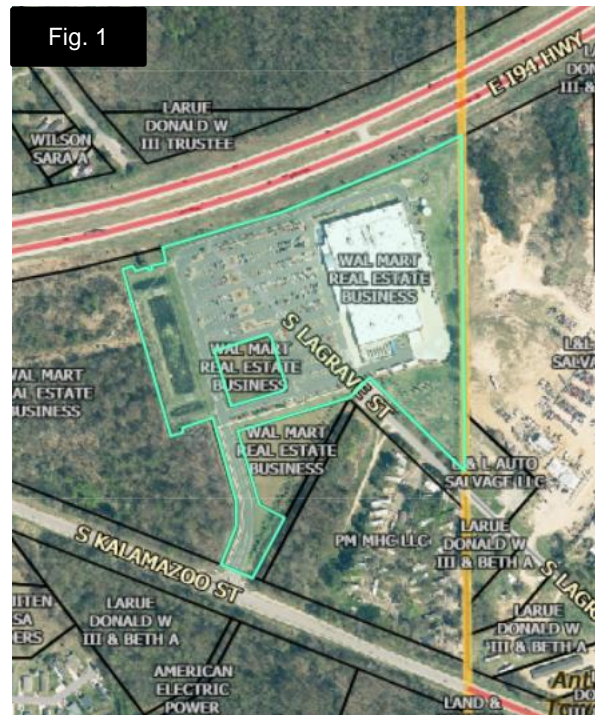
To: Village of Paw Paw Planning Commission
Date: August 30, 2024
From: Tricia Anderson, AICP
RE: **Site Plan Review – Walmart Parking Lot Modification and Building Expansion
1013 S. Kalamazoo St.**

Background and Request. Kaveh Ipakchian, of CESCO, on behalf of Walmart, has submitted an application for site plan review for some parking lot modifications and a small building expansion for Walmart, located at 1013 S. Kalamazoo Street (PPN: 80-600-013-15). The proposed modifications to the parking lot and building entrance would allow more efficient and convenient pick-up of online shopping orders. The subject parcel is comprised of 19.53 acres and is located within the B-2, General Business zoning district. The new online order pick-up spaces are planned within the existing parking lot in the southeast corner of the parking lot on the west side of the building.

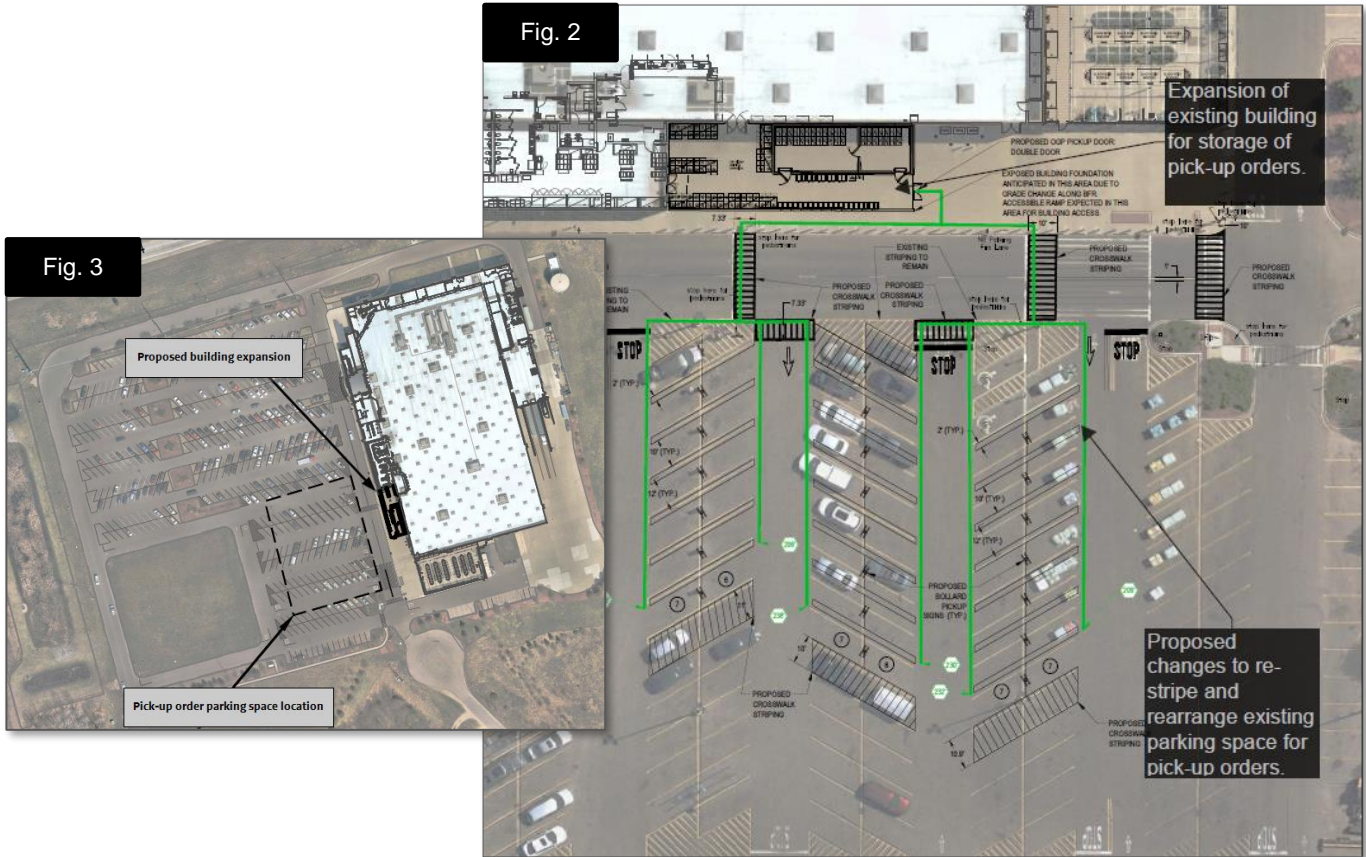
The Planning Commission is being asked to forward a recommendation to the Village Council on the approval, with or without conditions, or denial of the request. Action by the Planning Commission may also be postponed if it collectively feels that the site plan requires additional attention. The purpose of this memorandum is to present our analysis of the submittal pursuant to the Village of Paw Paw Zoning Ordinance requirements.

The site plan provides details related to the following improvements:

1. Restriping of existing parking spaces to delineate pick-up only parking.
2. Bollards and signage at each pick-up parking space.
3. Striping and signage for additional pedestrian crossing of drive aisles between the building expansion and the pick-up parking.
4. Expansion of existing building for storage of online pick-up orders.



Figures 2 and 3 below depict the minor modifications proposed in connection with this project.



Site Plan Review. The site plan was reviewed pursuant to the standards listed in Section 42-402 of the Village of Paw Paw Zoning Ordinance, as well as compliance with other referenced sections of the Zoning Ordinance. Because of the minor nature of the modifications, the Planning Commission will find that many site plan elements that would normally be required for review are not applicable. We note that the site plan submittal is complete enough for our review, however, the following information should be submitted on a revised plan set.

1. Building dimensions – the proposed expansion is minor, however, we are unable to locate dimensions or an area measurement for the proposed expansion.
2. Drive aisle and parking space depth dimensions are not provided on the plan.
3. Building elevation renderings for the proposed building expansion have not been provided.

Site Plan Review Standards. Section 42-402(4) provides the standards for site plan approval. These standards and our comments are provided below:

- a) *The vehicular transportation system shall provide for circulation throughout the site and for efficient ingress and egress to all parts of the site by fire and safety equipment.*

Remarks: The drive aisles are shown on the plan, however, to ensure that efficient vehicle movements will be maintained on the site, the dimensions must be shown to ensure that they meet Section 42-404 (see Figure 4).

Parking Pattern	Maneuvering Land Width (Feet)	Parking Space Width (Feet)	Parking Space Length (Feet)	Total Width of One Tier of Spaces Plus Maneuvering Lane (Feet)	Total Width of Two Tiers of Spaces Plus Maneuvering Lane (Feet)
0° (Parallel parking)	12	8	23	20	28
30 to 53 feet (diagonal)	13	9	20	<u>33</u>	53
54 to 74 feet (diagonal)	18	9	21	<u>39</u>	60
75 to 90 feet (diagonal)	25	9	18	43	61

Fig. 4

The Planning Commission may find that this standard may be met upon the submittal of revised plans showing drive aisle dimensions.

- b) *Pedestrian walkways shall be provided as deemed necessary by the planning commission for separating pedestrian and vehicular traffic.*

Remarks: The site plan proposes several new areas of striping and signage for additional pedestrian movements.

The Planning Commission may find that this standard is met.

- c) *Recreation and open space areas shall be provided in all multiple-family residential developments.*

Remarks: This standard is **not applicable** to this request.

- d) *The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, yard space, density and all other requirements as set forth in this chapter, unless otherwise provided.*

Remarks: This standard is **not applicable** to this request.

- e) *The requirements for fencing, walks, and other protective barriers shall be complied with as provided in this [chapter] and as deemed appropriate by the planning commission.*

Remarks: No fencing, walkways or other types of barriers are proposed, therefore, this standard is **not applicable**.

- f) *The site plan shall provide for adequate storage and loading space for the use therein.*

Remarks: No new loading areas are proposed, therefore, this standard is **not applicable**.

- g) *Security measures shall be provided as deemed necessary by the police chief for resident protection in all multiple-family residential developments.*

Remarks: This standard is **not applicable**.

- h) *Fire protection measures shall be provided as deemed necessary by the fire chief in conformance with all applicable laws of the state for the protection of residents and/or occupants of the structures.*

Remarks: The Planning Commission may wish to defer to the Fire Department on whether or not this standard is met.

This standard *may be met* upon review and approval by the Fire Department.

- i) *The site plan shall comply with all requirements of the applicable zoning district unless otherwise provided.*

Remarks: The areas noted earlier in this report will need to be addressed in order for this standard to be deemed met.

This standard *may be met* upon the review and approval of revised plans containing information pertaining to the missing dimensions as noted in this report.

Recommendation. At the September 5, 2024 meeting, we recommend that the Planning Commission consider comments provided in this report, and any comments made at the meeting by the applicant, Village Manager, and any others present. Based on the findings that the Site Plan Review standards are either met or can be met with further revisions, **we are recommending that the Planning Commission forward a favorable recommendation to the Village Council for the approval of the site plan for the improvements to the parking lot and minor building expansion for Walmart, located at 1013 S. Kalamazoo Street,** subject to the recommended conditions below, along with any others deemed necessary:

1. Prior to the issuance of any permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.

2. The approved site plan shall comply with all applicable federal, state, and local requirements. Copies of all applicable permits shall be submitted from the appropriate approving authorities stating that the minimum requirements have been met.
3. No or construction demolition shall occur until zoning and building permits have been issued.
4. The Village Fire Department shall review all plans and approve the parking lot modifications and building expansion for compliance with the Fire Code, prior to the i
5. The applicant shall apply for sign permits for all proposed signage, as applicable.
6. The applicant shall submit a revised site plan that contains the missing dimensional information (drive aisle widths, parking space depths, bulding expansion dimensions and area) that complies with Section 42-404 of the Zoning Ordinance, for review and approval by the Zoning Administrator, prior to the issuance of zoning or building permits associated with the proposed improvements.

As always, please contact us if you have any questions.

Fee: \$300 plus \$100 per hr over 3 hours. Parcels over 1 acre require \$700 escrow with application. Escrow agreement required.

Why is a site plan is required for this project?

- Construction of a new building other than a single or two-family residence or a building that is accessory to such a use.
- Construction of an addition of 1,000 S.F. or greater to a building other than a single or two-family residence or buildings accessory to them
- Construction, use or establishment of a parking or storage area or expansion of existing parking lots of one thousand (1,000) square feet or more or ten (10%) percent over 12 months whichever is less.
- Special Land Use
- Substantial change in use or class of use
- The erection of, or addition to, any major utility service facilities, including towers, substations, pump stations or similar facilities.

In addition to this application, you must submit 11 copies of the site plan along with drawings or sketches of the exterior and elevations, and/or perspective drawings of the building or structures under consideration. Planning Commission meetings are typically held the first Thursday of each month. Village Council meetings are typically held the second and fourth Monday of each month. Approved site plans shall commence construction within a period of 12 consecutive months after date of approval by the Village Council or the site plan shall be deemed expired.

Certification

I, the undersigned, acknowledge that approval of this site plan by the Paw Paw Village Council constitutes and agreement with the Village of Paw Paw and all improvements and obligations indicated herein shall be completed in a good and workmanlike manner, acceptable to the Village, within the times specific by ordinance.

I certify that all statements made above and in attached documents submitted to the Village of Paw Paw related to this application are true and accurate to the best of my knowledge and that if found to be in error, any decision of the Village based upon the contents of this application may be void.

Owner/Agent Signature

Date

Fee: \$300 plus \$100 per hr over 3 hours. Parcels over 1 acre require \$700 escrow with application. Escrow agreement required.

Site Plan Requirements Checklist

The following information shall be included on the site plan:

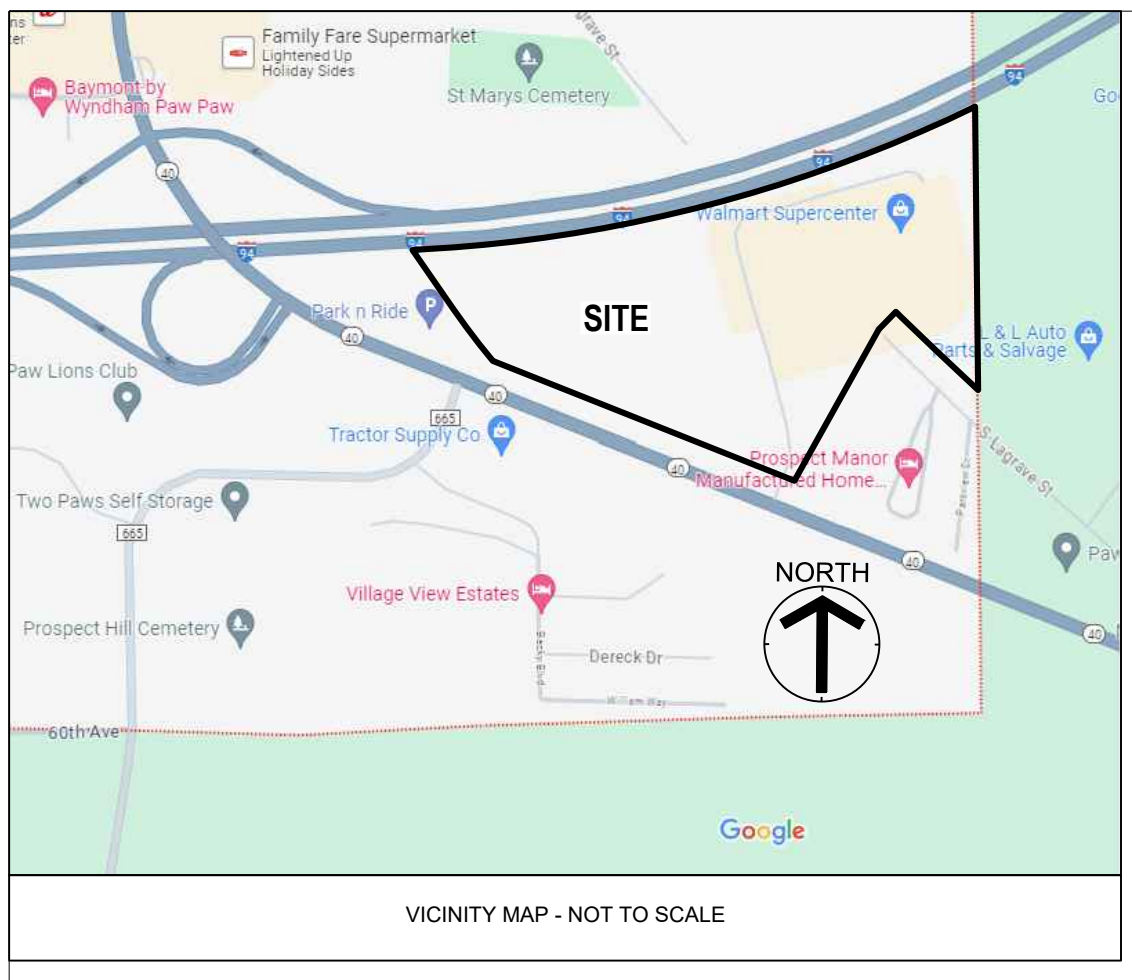
- A scale of not less than one inch equals 40 feet, if the subject property is less than three acres, and one inch equals 100 feet if it is three acres or more.
- Date, north point and scale.
- The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties.
- The siting of all structures, including outside mechanical equipment, on the subject property and abutting properties.
- The location of each proposed structure in the development area, the use to be contained therein, the number of stories, gross building areas, distances between structures and lot lines, setback lines, and approximate location of vehicular entrances and loading points.
- The location of all existing and proposed drives and parking areas with the number of parking and/or loading spaces provided.
- All pedestrian walks, malls and open areas.
- Location, height, and material of all walls, fences and screen plantings, including a general plan for the landscaping and/or screening of the development and the method by which the landscaping and/or screening is to be accomplished and maintained.
- The location and right-of-way widths of all abutting streets.
- Types of surfacing, such as paving, turfing or gravel to be used at the various locations.
- A storm water disposal plan including a grading plan with topographic elevations of the site and surrounding area, showing the proposed method of storm water disposal, and providing design criteria and calculations in accordance with criteria identified in subsection 42-402(3)q.
- Size and location of proposed sewer and water lines and connections.
- The number of proposed units (for multiple-family developments).
- Significant environmental features such as wetlands, shoreline, streams, woodlots, existing trees and vegetation.
- Information as may be required by the planning commission and village council to assist in the consideration of the proposed development.
- The location, type and intensity of proposed exterior lighting.
- Storm drainage controls must be provided to maintain groundwater discharge, prevent flooding and minimize the potential for pollutants to enter waterways. For the first flush calculation, if on site retention (detention or infiltration) is proposed, storm water (capacity) retention is required in the amount of 1,815 cubic feet per impervious acre which is equivalent to 0.5 inch of runoff per impervious acre. A minimum volume of 550 cubic feet shall be retained for sites less than 0.3 acres of impervious surface. For storm water which is to be directed off site, detention must be provided with a 25-year storm event, volume to be released at 0.15 cubic feet per second per contributing catchment acre

Legal Description:

*1462-A1 13-3-14 1588-267,268 1589-999 COM AT SE COR OF SEC, TH N 0 DEG 34'51"W ALG W SEC L 1277.89 FT, TH N 46 DEG 20'41"W ALG SWLY L OF S LAGRAVE ST 563.18 FT TO BEG, TH S 73 DEG 46'21"W 404.10 FT, TH S 16 DEG 13'39"E 205.08 FT, TH 56.55 FT ALG THE ARC OF A 415.0 FT RADIUS CURVE TO THE RIGHT, SAID CURVE HAS A CHORD BEARING S 12 DEG 19'26"E 56.51 FT, TH S 61 DEG 01'04"E 101.85 FT, TH S 28 DEG 58'56"W (ALSO REC'D AS S 29 DEG 33'47"W) 232.83 FT, TH N 668 DEG 16'48"W (ALSO REC'D AS N 67 DEG 41'57"W) ALG NLY L OF M 40 HWY 121.0 FT, TH N 21 DEG 43'12"E 139.84 FT, TH N 0 DEG 46'46"W 87.28 FT, TH N 16 DEG 13'38"W 226.68 FT, TH N 15 DEG 09'01"W 67.20 FT, TH S 73 DEG 46'21"W 102.82 FT, TH 18.06 FT ALG THE ARC OF A 11.5 FT RADIUS CURVE TO THE LEFT, SAID CURVE HAS A CHORD BEARING S 28 DEG 46'21"W 16.26 FT, TH S 16 DEG 13'39"E 8.50 FT, TH S 73 DEG 46'21"W 38.0 FT, TH N 16 DEG 13'38"W 606.21 FT, TH N 73 DEG 46'21"E 38.0 FT, TH S 16 DEG 13'39"E 8.50 FT, TH 18.06 FT ALG THE ARC OF A 11.5 FT RADIUS.



Project information, drawing title, and scale details including Project Number 763517, Scale 1" = 50', and Drawing Title ALTA / NSPS Land Title Survey.



BASIS OF BEARINGS NAD 83 (2011), MICHIGAN SOUTH International Feet Derived from GPS Observations

TITLE EXCEPTIONS (See surveyor notes for Title Commitment information.)

- 8. Terms, conditions and provisions pursuant to Oil, Gas, Mineral, Lease as recorded in Liber 374, page 129 and Liber 375, page 812, Van Buren County Records...

SURVEYOR NOTES: 1. This survey does not constitute a title search by the surveyor.

- 3. Horizontal Datum - U.S. State Plane, NAD83 Michigan South (2113), International Feet, GEOID18 (Conus). Coordinates taken to ground at latitude 42°12'07.8701" N...

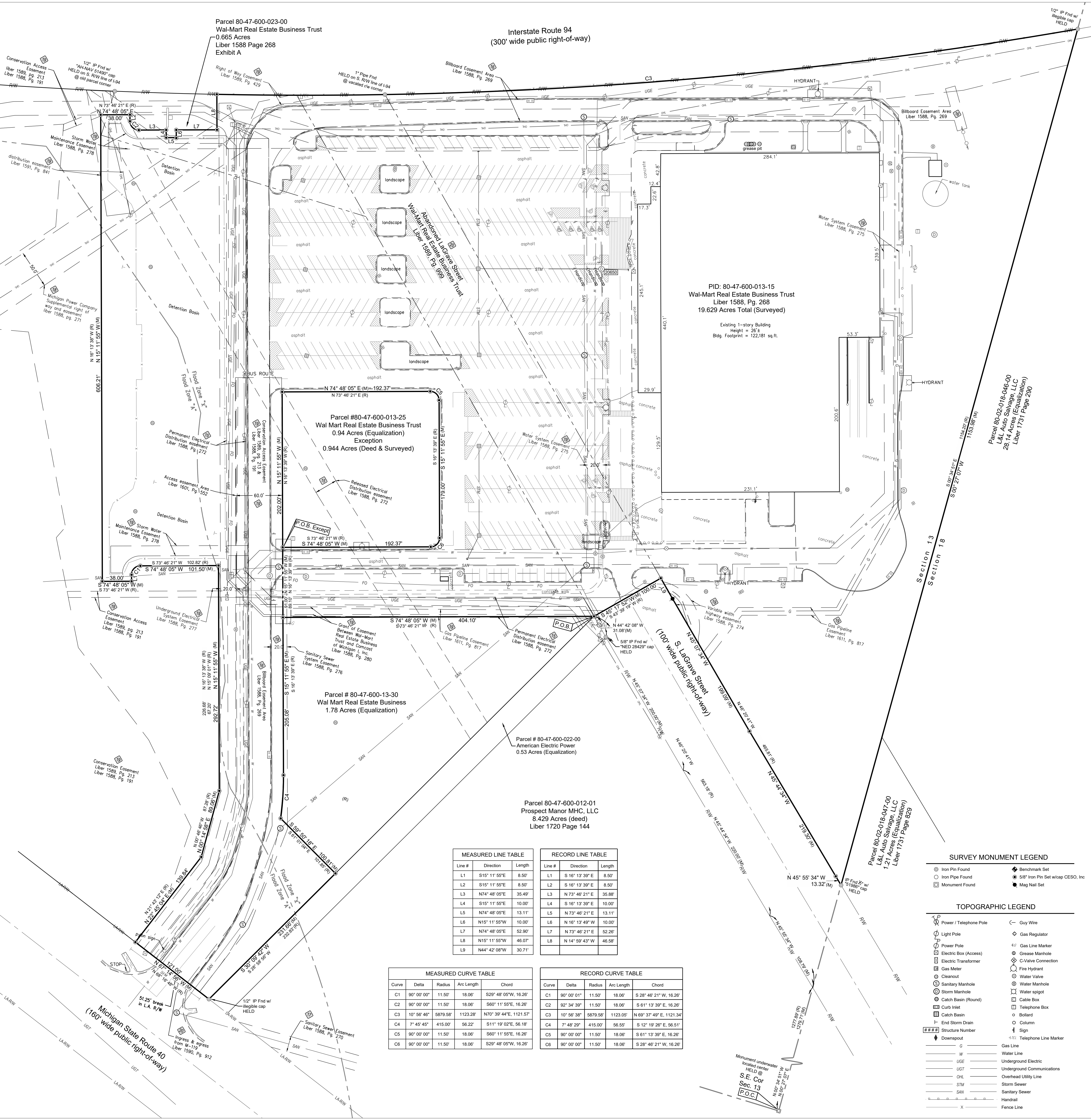
SCHEDULE "C" LEGAL DESCRIPTION (See surveyor notes for Title Commitment information.)

LAND SITUATED IN THE VILLAGE OF PAW PAW, COUNTY OF VAN BUREN, STATE OF MICHIGAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 13, TOWN 3 SOUTH, RANGE 14 WEST...

SURVEYOR'S CERTIFICATION: TO: (i) Wal-Mart Real Estate Business Trust, a Delaware business trust, (ii) Devon Title Agency

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys...

Robert Matko, PE, PS, Michigan PS #4001054055 Date matko@cesoinc.com 13.060 S. U.S. Hwy. 27, Suite D, Paw Paw, Michigan 48820 (517) 212-4188



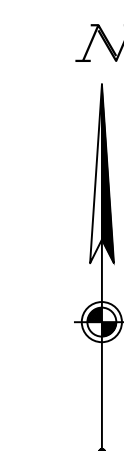
MEASURED LINE TABLE and RECORD LINE TABLE with columns for Line #, Direction, Length, and Chord.

MEASURED CURVE TABLE and RECORD CURVE TABLE with columns for Curve, Delta, Radius, Arc Length, and Chord.

SURVEY MONUMENT LEGEND and TOPOGRAPHIC LEGEND defining symbols for iron pins, benchmarks, gas lines, and other features.



3011 Rigny Rd., Suite 303
Mansfield, OH 44842
Phone: 337.433.8544 Fax: 337.235.4825



BASIS OF BEARINGS
NAD 83 (2011), MICHIGAN SOUTH
International Feet
Derived from GPS Observations

GRAPHIC SCALE (IN FEET)

PID: 80-47-600-013-15
Wal-Mart Real Estate Business Trust
Liber 1588, Pg. 288
19.629 Acres Total (Surveyed)



- SURVEYOR NOTES:**
- Horizontal Datum - U.S. State Plane, NAD83 Michigan South (2113), International Feet, GEOID18 (Conus). Coordinates taken to ground at latitude N42°12'19.67681", longitude W85°52'49.92662", project height 641.340', ground scale factor 1.000036222544.
 - The utilities shown are located from field survey information and/or existing drawings supplied by client. The surveyor makes no guarantee that the utilities located comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the utilities located are in the exact location indicated although the surveyor does certify that they are located as accurately as possible from information available. Michigan 811 Tickets M2024030401287, M20240401225, and M2024030401181 were referenced for public utility locations; Underground Detective report dated 3/30/2024, was referenced for on-site private utilities in the detail top area only.

- Sanitary Sewer Structures**
- 20092 - SMH
RM = 750.31
FL 8" pvc n/w = 738.05'
 - 20072 - SMH
RM = 750.40
FL 8" pvc n/w = 739.24'
 - 20073 - SMH
RM = 748.85
FL 8" pvc n/w = 740.45'
- Storm Sewer Structures**
- 20009 - CB
RM = 747.76
FL 12" conc n = 742.56'
FL 18" conc sw = 742.52'
 - 20191 - CB
RM = 747.78
FL 12" conc s = 743.28'
 - 20377 - CB
RM = 748.38
FL 12" conc n = 743.89'
 - 20619 - CB
RM = 748.34
FL 12" conc s = 743.41'
FL 12" conc n = 743.34'
FL 12" conc sw = 743.29'
 - 20650 - DMH
RM = 750.90
FL 6" pvc n/w = 745.20'
FL 6" pvc n/w = 745.10'
FL 12" conc w = 744.10'

- SURVEY MONUMENT LEGEND**
- Iron Pin Found
 - Iron Pipe Found
 - Monument Found
 - Benchmark Set
 - 5/8" Iron Pin Set w/cap CESO, Inc
 - PK Nail/Mag Set
- TOPOGRAPHIC LEGEND**
- Power / Telephone Pole
 - Light Pole
 - Power Pole
 - Electric Box (Access)
 - Electric Transformer
 - Gas Meter
 - Cleanout
 - Sanitary Manhole
 - Storm Manhole
 - Catch Basin (Round)
 - Curb Inlet
 - Catch Basin
 - End Storm Drain
 - Structure Number
 - Downspout
 - Guy Wire
 - Gas Regulator
 - Gas Line Marker
 - Grease Manhole
 - C-Valve Connection
 - Fire Hydrant
 - Water Valve
 - Water Manhole
 - Water spigot
 - Cable Box
 - Telephone Box
 - Bollard
 - Column
 - Sign
 - Telephone Line Marker
- Utility Lines**
- G Gas Line
 - W Water Line
 - USE Underground Electric
 - UGT Underground Communications
 - OHE Overhead Utility Line
 - STM Storm Sewer
 - SAN Sanitary Sewer
 - Handrail
 - X Fence Line

BENCHMARK
Vertical Datum: NAVD88
derived from GPS Observations

BM "A":	Chiseled "A" west side of concrete light pole base, south side of Wal-Mart property, west of closed access entrance to S. Lagrave St., by "Do Not Enter" sign. Elevation = 753.92'
BM "B":	Chiseled "B" north side of concrete light pole base with "Camera in use" sign attached, second light pole west from closed access entrance to S. Lagrave St., east of bus stop. Elevation = 752.36'
BM "C":	Chiseled "C" south side of concrete light pole base, second pole west from building where "Store pick-up" sign is located on building. Elevation = 752.42'

Wal-Mart

Wal-Mart Store 4439
1013 S. Kalamazoo Street
Village of Paw Paw, County of Van Buren, State of Michigan
Section 13, Town 3 South, Range 14 West

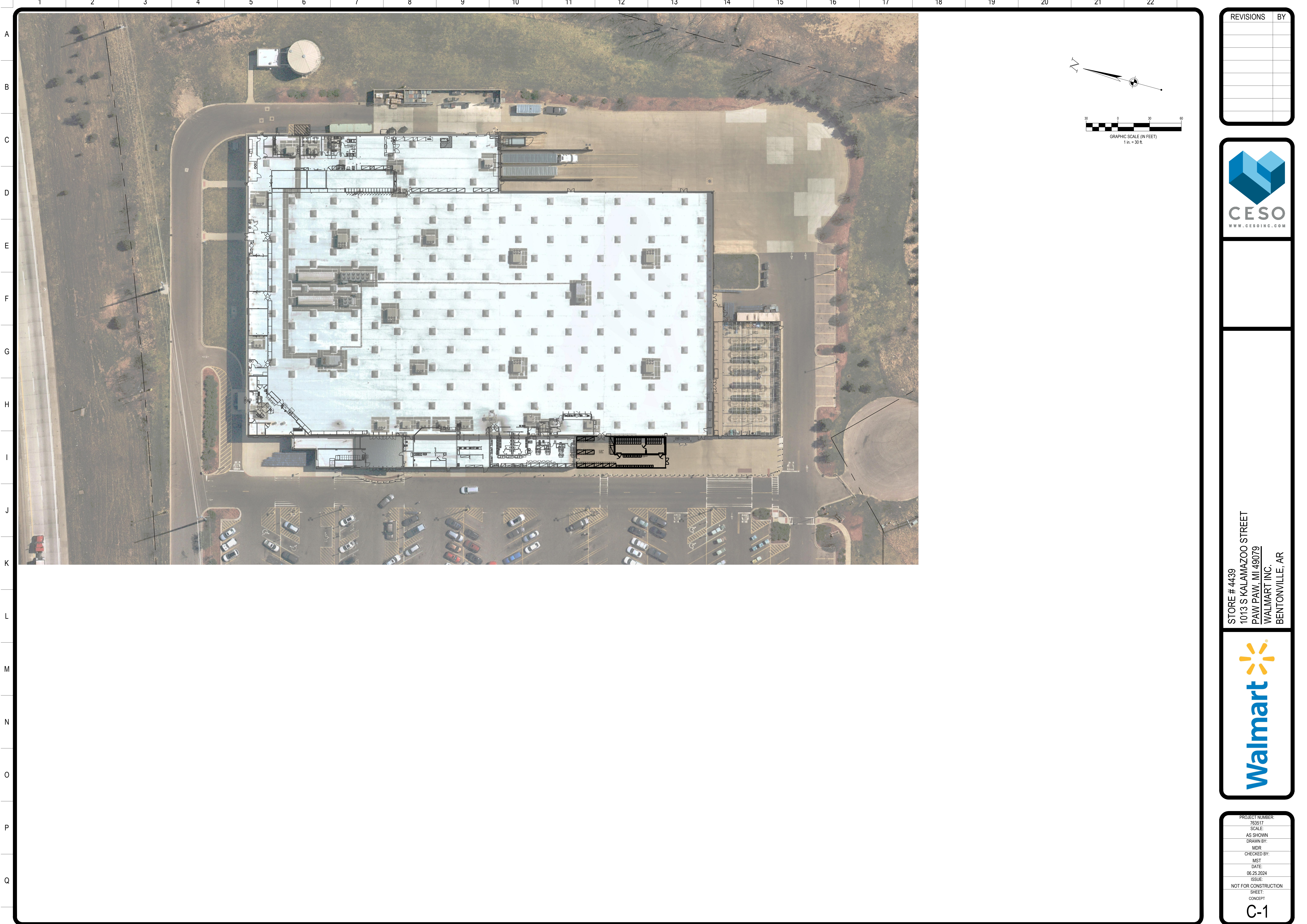
Revisions / Submissions

ID	Description	Date

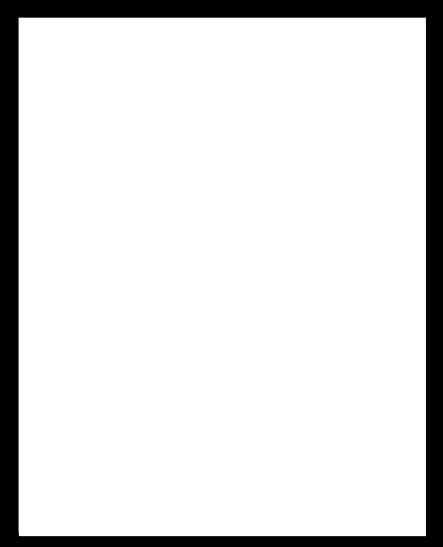
Project Number: 763517
Scale: 1" = 20'
Drawn By: RSL
Checked By: RLC
Date: 4/04/2024
Issue: Survey

Drawing Title:
Detailed Topographic Area

W:\PROJECTS\WAL-MART CIVIL PROGRAM\4439-4999\4439 Paw Paw MI\GIS\17 01 Paw Paw MI\GIS-SURVEY\CAD\763517 WalMart 4439 Paw Paw MI.dwg - 4/15/2024 - Rick Cross



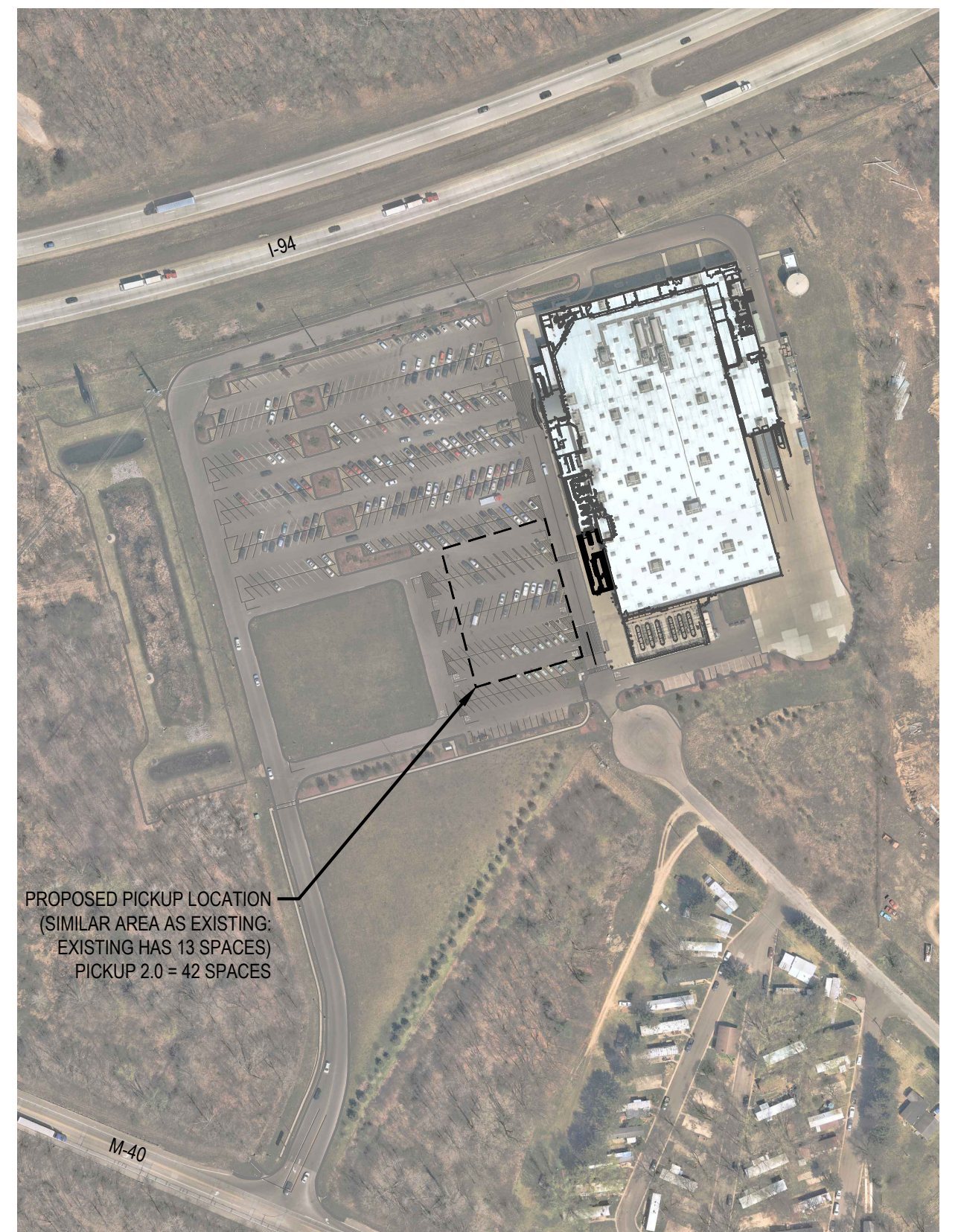
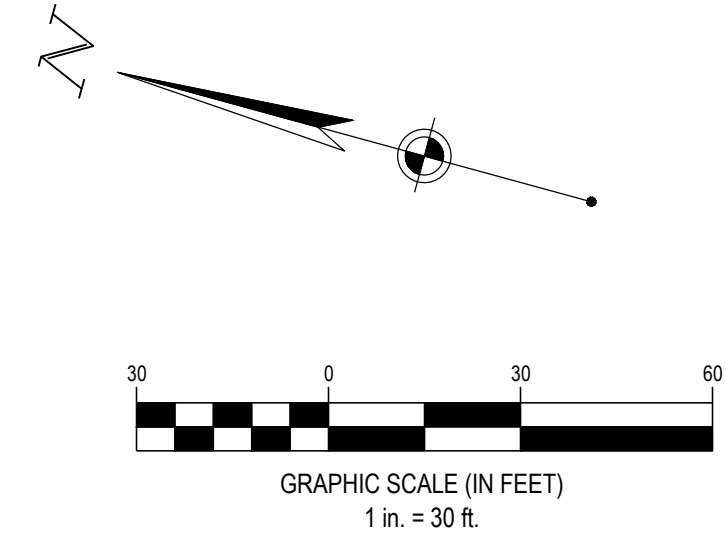
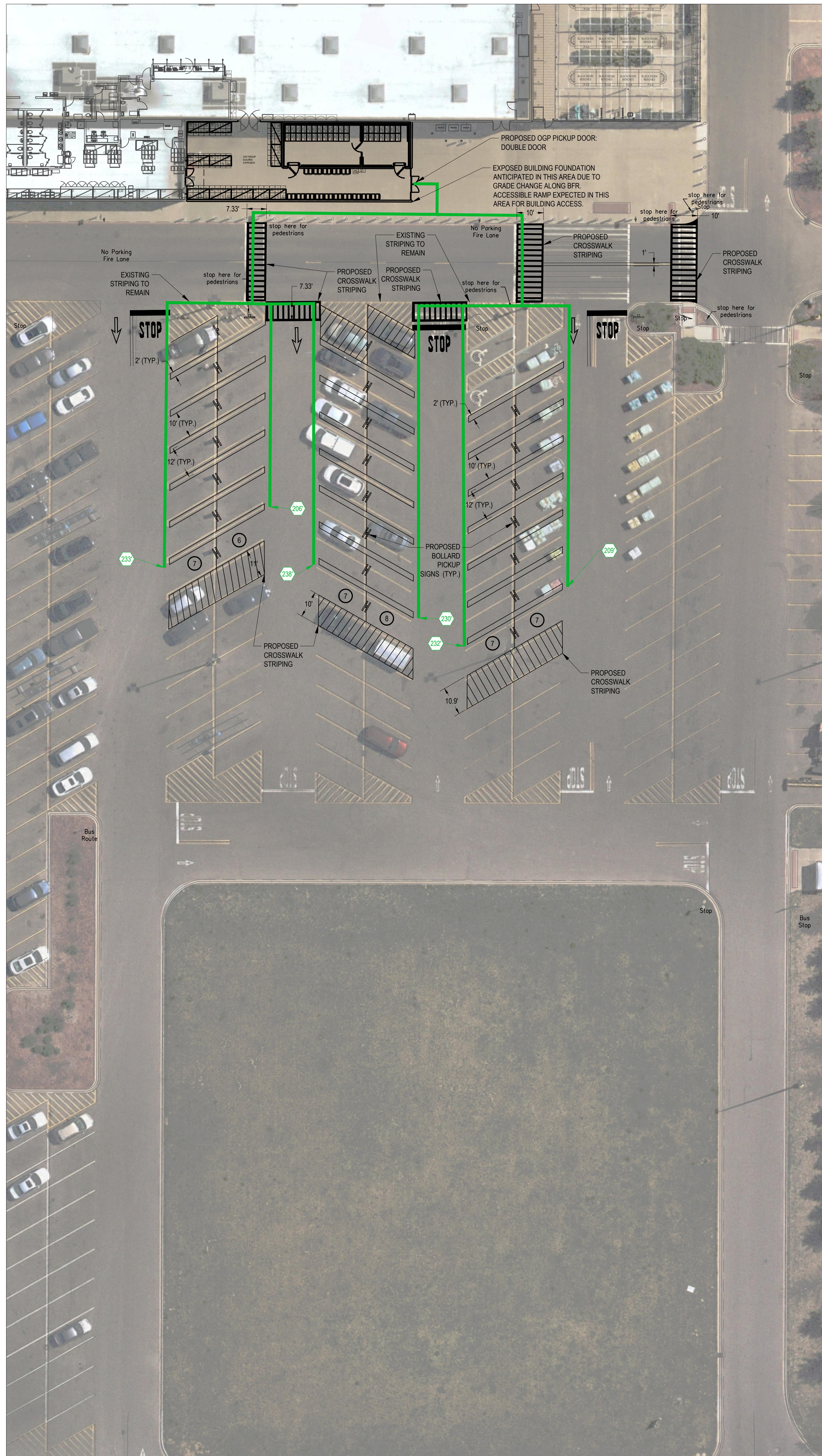
REVISIONS	BY



STORE # 4439
 1013 S KALAMAZOO STREET
 PAW PAW, MI 49079
 WALMART INC.
 BENTONVILLE, AR



PROJECT NUMBER: 763517
SCALE: AS SHOWN
DRAWN BY: MDR
CHECKED BY: MST
DATE: 06.25.2024
ISSUE: NOT FOR CONSTRUCTION
SHEET: CONCEPT
C-1

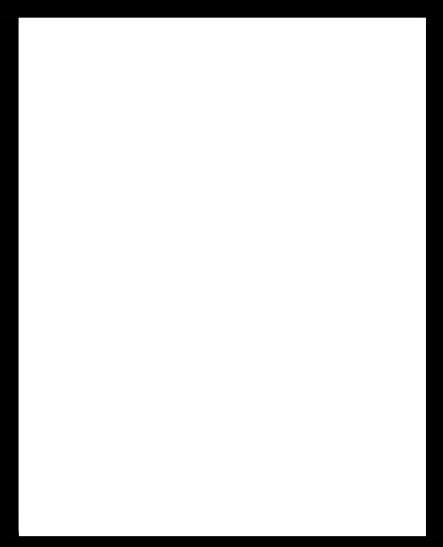


VICINITY MAP
SCALE: 1" = 200'

PARKING DATA								
WALMART BUILDING INFO	AHJ PARKING REQUIRED	WALMART PARKING REQUIRED	REGULAR PARKING STALLS PROVIDED	OPD PARKING STALLS PROVIDED	ADA PARKING STALLS PROVIDED (VAN)	CART CORRAL STALLS PROVIDED	TOTAL STALLS PROVIDED	TOTAL PARKING RATIO
	SPACES	SPACES	SPACES (2,3)	SPACES (2,3)	SPACES (2,3,4)	SPACES (2,3)	SPACES (2,3)	SPACES (2,3)
WALMART BUILDING SF (1)	408	490	837	13	13	24	863	7.06 SP / 1,000 SF
EXISTING: 122,317 SF (1 SP / 300 SF OF GROSS FLOOR AREA)		(4.0 SP / 1000 SF)						
PROPOSED: 124,856 SF	417	500	798	42	13	24	847	6.78 SP / 1,000 SF
	(1 SP / 300 SF OF GROSS FLOOR AREA)	(4.0 SP / 1000 SF)						

(1) USABLE FLOOR AREA IS PER INFORMATION SHOWN ON ORIGINAL SITE PLAN SHEET
 (2) EXISTING PARKING COUNTS ARE BASED ON ORIGINAL CONSTRUCTION PLANS AND A REVIEW OF AVAILABLE AERIAL PHOTOGRAPHS
 (3) PARKING SPACES OCCUPIED BY CART CORRALS HAVE BEEN EXCLUDED FROM THE PARKING COUNTS AND PARKING RATIO
 (4) THE VAN STALL COUNT IS INCLUDED IN THE ADA PARKING STALLS PROVIDED COUNT.

REVISIONS	BY



STORE # 4439
 1013 S KALAMAZOO STREET
 PAW PAW, MI 49079
 WALMART INC.
 BENTONVILLE, AR



PROJECT NUMBER:
763517
 SCALE:
AS SHOWN
 DRAWN BY:
MDR
 CHECKED BY:
MST
 DATE:
07.08.2024
 ISSUE:
NOT FOR CONSTRUCTION
 SHEET:
CONCEPT
 C-1

Village of Paw Paw MICHIGAN

Memorandum

To: Planning Commission
From: Bryan Myrkle, Village Manager
Re: Outdoor Entertainment Ordinance – noise section
Date: August 20, 2024

Background

As Planning Commissioners know, I previously proposed a new outdoor entertainment ordinance to help manage and mitigate the potential negative effects that can accompany large outdoor events. One section of that ordinance that remains incomplete, even in draft form, is a proposed metric or measurement standard for excessive noise.

Because I do not believe that a subjective standard that relies primarily on language like ‘excessive,’ ‘unusual,’ ‘disturbing,’ or ‘disruptive,’ will suit our needs, I recommend including a measurable limit in the applicable section of the ordinance that takes a form similar to this:

- In addition to the above stated limitations on time of day, and day of the week, it shall be a prima facie violation of this regulation for any outdoor entertainment venue or presentation to create noise measured at street level in excess of the following:
 - One hundred twenty (120) decibels at any time.
 - One hundred (100) decibels between 11 p.m. and 8 a.m.
 - Ninety five (95) decibels for more than two (2) hours during any 24-hour period.
 - Eighty (80) decibels for more than six (6) hours during any 24-hour period.

My intention is that by establishing graduated limits in this manner, it may help alleviate issues with sound that is so loud that it would be objectionable at any time, but also sound that is loud but could

be tolerated for short periods, and sound that might be acceptable for short periods, but would be objectionable if it took place for very long.

While I believe this approach could be very helpful, I am struggling to make a recommendation as to the specific decibel limits that are appropriate. I believe the decibels that I have used here as placeholders should be professionally evaluated in the specific context of our community. I will talk to the Planning Commission more about that at your meeting next week.

Recommendation

Consider the form of this ordinance proposal and whether this basic approach would be reasonable and effective for outdoor entertainment in the Village of Paw Paw.