

**Minutes, Paw Paw Planning Commission
Regular Meeting, January 27, 2005**

The Planning Commission meeting held Thursday, January 27, 2005 convened at 7:00 p.m. at 111 E. Michigan Avenue, Paw Paw, Michigan. Chairperson Kathleen Larson presiding.

**Meeting
Convened**

Present: Larson, Larcinese, Thomas, Krenz, Roger, Rumsey and Bogen. Also present: John Small, Director of Public Services, KeVen Riley, Village Clerk and Lisa Wininger, Planner.

**Members
Present**

Motion by Thomas, supported by Bogen, to approve the minutes of the regular meeting of November 18, 2004 as presented. All members voting yes, motion approved.

**Approval of
minutes**

Robert and Roger Baarda from the Teclon Group of Grand Rapids were here to present the site plans for the Hazen Meadow Condominium project. There plans are to start within 60 days of approval. They are planning to build ~~to~~ ***two** buildings at a time and hoped to have completion within 18 months of start. The planning commission asked questions regarding a landscape plan and sidewalks. Small asked that three fire hydrants be placed on site plan. ***As corrected 2-24-05.**

Motion by Thomas, supported by Larcinese to recommend approval to the Village Council for the Hazen Meadows Condominium project with the following conditions:

**Hazen
Meadow
Condominium
Project**

1. Provide a Landscape Plan
2. A copy of the easement providing access across the driveway owned by Vineyard Apartment Complex.
3. Comply with the sign ordinance
4. Place the additional fire hydrants as requested by DPS director Small.

Motion carried unanimously.

Wininger provided a review of sign ordinance amendments.

Old Business

Bogen commented that he felt that the east side of town lighting was too bright. Small will review.

**Member
Comment:
Bogen**

Motion by Thomas, supported by Rumsey to adjourn meeting. Time: 8:40 p.m. All members voting yes, motion approved.

Adjournment

Respectfully submitted:
KeVen L. Riley, Village Clerk

**Minutes, Paw Paw Planning Commission
Regular Meeting, February 24, 2005**

The Planning Commission meeting held Thursday, February 24, 2005 convened at 7:05 p.m. at 111 E. Michigan Avenue, Paw Paw, Michigan. Chairperson Kathleen Larson presiding.

**Meeting
Convened**

Present: Larson, Krenz, Roger, Thomas and Rumsey. Larcinese and Bogen excused. Also present: KeVen Riley, Village Clerk and Lisa Wininger, Planner. Bradley Noeldner, Village Manager late.

**Members
Present**

Motion by Rumsey, supported by Roger, to approve the minutes of the regular meeting of January 27, 2005 as corrected. All members voting yes, motion approved.

**Approval of
minutes**

Wininger provided a review of sign ordinance amendments. There was one additional question Wininger will provide answers to Village President Plaszcak. The Commission felt that all questions had been answered and they set a public hearing for March 24, 2005 at 7:00 p.m. at Paw Paw Village Hall.

**Sign
Ordinance
Update**

Thomas asked to be excused for the March 24, 2005 meeting.

**Member
Comments
Thomas**

Larson asked if the DDA was interested in the sandwich board style signs for business' Riley said she would have Noeldner ask that question at the next DDA meeting since they did not have quorum in February.

Larson

Motion by Thomas, supported by Krenz to adjourn meeting. Time: 7:25 p.m. All members voting yes, motion approved.

Adjournment

Respectfully submitted:

KeVen L. Riley, Village Clerk

**Minutes, Paw Paw Planning Commission
Regular Meeting, March 24, 2005**

The Planning Commission meeting held Thursday, March 24, 2005 convened at 7:05 p.m. at 111 E. Michigan Avenue, Paw Paw, Michigan. Chairperson Kathleen Larson presiding.

**Meeting
Convened**

Present: Larson, Krenz, Roger, Rumsey, Larcinese and Bogen. Thomas excused. Also present: KeVen Riley, Village Clerk, Lisa Wininger, Planner and Bradley Noeldner, Village Manager.

**Members
Present**

Motion by Krenz, supported by Rumsey, to approve the minutes of the regular meeting of February 24, 2005. All members voting yes, motion approved.

**Approval of
minutes**

Motion by Roger, supported Larcinese, to close the regular meeting and open the public hearing on the proposed sign ordinance. All members voting yes, motion approved. Hearing opened at 7:06 p.m.

**Public
Hearing:
Sign
Ordinance**

Public comments were received from Paul DeYoung from the Chamber of Commerce and Don LaRue property owner.

Mr. DeYoung was concerned that the proposed changes would be too restrictive for new business'. The commission expressed their appreciation for the chambers concerns and for the two people that attended the meeting. Noeldner and Wininger explained the proposed changes were to clean up some issues with the current ordinance. DeYoung also reminded the commission on the bi-annual chamber dinner on May 10, 2005.

Mr. LaRue was concerned about the billboard section. Wininger addressed all the concerns and stated the spacing on the billboards came about because the Village wanted them spaced far enough apart to do some good and not pollute the area with signs.

Motion by Larcinese, supported by Roger to close the public hearing and re-open the regular meeting. All members voting yes, motion approved. Regular meeting re-opened at 7:20 p.m.

**Regular
meeting re-
opened**

Motion by Larcinese, supported by Krenz, to recommend to the Paw Paw Village Council the ~~prosed~~ ***proposed** wording changes to the zoning ordinance as follows: ***As corrected 4-28-05**

**Sign
Ordinance
Approved**

Add 15.7 (2) Signs located within one hundred fifty (150) feet of a residential district may not be internally illuminated. All illumination must be focused directly on the sign surface with not greater than one (1) foot-candle of illumination emanating from the sign, measured at the property line.

Add 15.8 (11) Signs located within one-hundred (100) feet of a residential district shall be limited to not more than ~~fifty (50)~~ *seventy (70) percent of the maximum allowable sign area

permitted in the district.

Amend 1.3 Definitions: Billboard means a large flat surface or board, normally mounted on a frame, which is designed to carry outdoor advertising consisting principally of brand name or trade name advertising. When the product or service advertised is only incidental to the principal activity, or if it brings rental income to the property owner or sign owner, it shall be considered to be the business of outdoor advertising. This includes signs on narrow strips of land contiguous to the advertised activity, or signs on easements on adjacent property.

Add 15.13 (8) and 15.15 (8) Billboards. Not more than one billboard may be erected within 1500 linear feet of another billboard located on the same side of a state or interstate highway. The 1500 linear foot measurement shall not be limited to the boundaries of the Village of Paw Paw where the particular highway extends beyond such boundaries. Double faced (back to back) structures shall be considered as one sign. V-type billboards, electronic message or changeable message signs shall not be allowed.

- a) **The total surface of any billboard as viewed from a single location shall not exceed 600 square feet.**
- b) **No billboard shall be located within 500 feet of a residence.**
- c) **No billboard shall be located closer than 100 feet from the property line adjoining a public right-of-way or 50 feet from the interior boundary lines of the premises on which the billboard is located.**
- d) **No billboard shall be permitted where its size, height, illumination or location would unreasonably impair visibility, light and air otherwise enjoyed by occupants of adjacent premises.**
- e) **All state permits must be obtained as required by statute.**

Add 15.3 (5) (Signs Prohibited) Non-accessory signs

Delete 15.13 (6) (B-2) Non-accessory signs

Delete 15.15 (6) (I-1 and I-2) Non-accessory signs

Add 15.15 (9) Entranceway Signs. A sign depicting the name of the development or subdivision which is located at the entranceway to such development is permitted.

- a) **The maximum size shall be seventy-five (75) square feet in display area.**
- b) **The maximum height shall be five (5) feet except if located in a required yard, in which case the maximum height shall be three (3) feet.**
- c) **An entranceway sign shall be located within the triangular area formed by the intersection of any two public rights-of-way lines and the line between such**

public rights-of-way lines at points twenty-five (25) feet distant from the point of their intersection.

- d) An entranceway sign located within a public right-of-way shall be subject to any and all conditions established by the Village of Paw Paw and/or the Van Buren County Road Commission, pursuant to an encroachment agreement between the developer and the affected jurisdiction.**

Add 15.15 Tenant Locator Signs. An industrial development or subdivision may erect one (1) tenant identification or locator sign per development. The sign shall be set back not less than ten (10) feet from the right-of-way, shall not exceed forty (40) square feet in area and five (5) feet in height, and is intended for the use of the public identifying and/or locating individual businesses or tenants in the larger development.

Add 15.14 (6) Sidewalk or Sandwich Board Signs. Sandwich board-type signs are permitted as follows:

- a) Only one (1) sandwich board sign per commercial use is permitted.**
- b) The signs cannot be wider than eighteen (18) inches not taller than three (3) feet.**
- c) The sign must be located within ten (10) feet of the primary entrance of the establishment. Any approved sign must allow a minimum unobstructed sidewalk width of four (4) feet.**
- d) All signs must be portable and placed indoors daily at the close of business.**
- e) Proof of liability insurance must be provided to the Village of Paw Paw prior to issuance of the sign permit.**
- f)**

Motion carried unanimously. ***As corrected 4-28-05.**

Noeldner said that no one from the DDA was opposed to the sandwich boards but they did not have quorum and would not be able to take any formal action until they looked at all the options. Noeldner also wanted to know about the fees for the sandwich boards and the consensus was that the Village Council should set that fee.

**Sandwich
Board fees**

Motion by Larcinese, supported by Rumsey to adjourn meeting. Time: 7:55 p.m. All members voting yes, motion approved.

Adjournment

Respectfully submitted:

KeVen L. Riley, Village Clerk

**Minutes, Paw Paw Planning Commission
Regular Meeting, April 28, 2005**

The Planning Commission meeting held Thursday, April 28, 2005 convened at 7:05 p.m. at 111 E. Michigan Avenue, Paw Paw, Michigan. Chairperson Kathleen Larson presiding.

**Meeting
Convened**

Present: Larson, Rumsey, Thomas and Bogen. Larcinese, Roger and Krenz excused. Also present: KeVen Riley, Village Clerk and Lisa Wininger, Planner. Bradley Noeldner, Village Manager.

**Members
Present**

Motion by Thomas, supported by Rumsey, to approve the minutes of the regular meeting of March 24, 2005 as corrected. All members voting yes, motion approved.

**Approval of
minutes**

Attorney Jim Becker and his wife Mary and property owner Rebecca Hoggart were present to get a feel for the request to spot re-zone 219 Elm Street. They are thinking of having the property re-zoned from residential to restricted office because restricted office properties are very expensive. They wanted to maintain architectural structure of the building and felt that since most of the properties around them were multi-family residential homes it would not take away from the area.

**Public
Comment**

Thomas said three things to review would be the land use plan, the compatibility with adjacent properties and whether the property is suitable for its requested use. Thomas also indicated that he would not be opposed to a home occupation type business in there.

The Becker's had just purchased a new home and would not be living in this home. They would like it strictly used for law offices.

Thomas also brought up contract zoning, while this is a new concept to the planning commission Wininger feels it needs further clarification before the Village attempts to provide for this in our ordinance.

Noeldner indicated there was talk that Walgreen's had purchased property in town but nothing in writing as of yet. He also indicated that the Hazen Street condo project may have some revised plans that would include duplexes instead of the four units. They are also looking to make them with attached garages.

**Manager
Update**

Motion by Thomas, supported by Rumsey to adjourn meeting. Time: 7:55 p.m. All members voting yes, motion approved.

Adjournment

Respectfully submitted:

KeVen L. Riley, Village Clerk

**Minutes, Paw Paw Planning Commission
Regular Meeting, May 26, 2005**

The Planning Commission meeting held Thursday, May 26, 2005 convened at 7:05 p.m. at 111 E. Michigan Avenue, Paw Paw, Michigan. Chairperson Kathleen Larson presiding.

**Meeting
Convened**

Present: Larson, Rumsey, Krenz, Thomas and. Larcinese. Roger and Bogen excused. Also present: KeVen Riley, Village Clerk and Lisa Wininger, Planner.

**Members
Present**

Motion by Thomas, supported by Krenz, to approve the minutes of the regular meeting of April 28, 2005 as presented. All members voting yes, motion approved.

**Approval of
minutes**

Butch Vliek from Remax Associates was present to question the property located at 701 W. Michigan Avenue known as the Vandebos Property. He wanted to know what was required to continue the legally-non-conforming use as some type of assembling area. Wininger stated the use could not be discontinued for more than six months. He inquired about rezoning and the commission felt that was definitely spot rezoning and would not be in favor of that request.

**Public
Comment**

Under new business, Clerk Riley wanted the commission to review the property located south of I-94 north of 60th Avenue, currently zoned Light Industrial (I-1) and a possible request to have the that property rezoned to General Business (B-2). Pros and Cons on the rezoning issue came up. Most members did not want to rezone the property because it was too large of an area and they felt other sites that were currently zoned B-2 were undeveloped and available. A comment was brought up about just adding hospital and dental clinics to special uses under the I-1 area and most everyone felt more comfortable about going that way if the applicant was satisfied. Riley would contact them tomorrow and find out their thoughts. Wininger spelled out the procedures as follows:

**New
Business:
Discussion of
Re-zoning
request from
Great Lake
Medical
Properties**

1. Hold a public hearing at the next planning commission meeting June 23, 2005 to amend the zoning ordinance. Send the recommendation to the Council.
2. Have the Village Council hold their public hearing on June 27, 2005 and have the Council adopt or deny the request.

Motion by Rumsey, supported by Larcinese to adjourn meeting. Time: 8:35 p.m. All members voting yes, motion approved.

Adjournment

Respectfully submitted:

KeVen L. Riley, Village Clerk

**Minutes, Paw Paw Planning Commission
Regular Meeting, June 23, 2005**

The Planning Commission meeting held Thursday, June 23, 2005 convened at 7:05 p.m. at 111 E. Michigan Avenue, Paw Paw, Michigan. Chairperson Kathleen Larson presiding.

**Meeting
Convened**

Present: Larson, Rumsey, Krenz, Thomas, Larcinese, Roger and Bogen. Also present: KeVen Riley, Village Clerk, Kelly Page, Village Attorney and Lisa Winger, Planner.

**Members
Present**

Motion by Larcinese, supported by Roger, to approve the minutes of the regular meeting of May 26, 2005 as presented. All members voting yes, motion approved.

**Approval of
minutes**

Motion by Thomas, supported by Rumsey, to close the regular meeting and open the public hearing for the discussion of the proposed ordinance amendment. All members voting yes, motion approved. Regular meeting closed at 7:01 p.m.

**Public
Hearing for
Zoning
Ordinance
Amendment**

Larson opened the public hearing with a letter from Donald Schuster as follows:

Dear Planning Commission Members:

**Letter from
Donald
Schlueter**

I am writing this letter in show of my support for the request you have in front of the Planning Commission regarding Ordinance #404 An ordinance to Amend Ordinance #394 on Thursday, June 23, 2005.

My family and daughters currently are employed at the Lakeview Medical Center facility. I myself work and live in this community and have my entire adult life. My family supports this community in any way possible and we feel that the Medical Center physicians support this community as well.

The new state of the art medical facility being planned for on I-94 is something this community as well as the healthcare providers has been promised for many years. The positive impact this would have would be tremendous to the Village of Paw Paw. I would expect that the facility would bring an increase in jobs in both the professional and non-professional arenas. The "one stop shopping" would allow easy accessible healthcare in modern facilities. It would allow the working conditions for the staff to be brought up to date and allow for the expansion of services needed.

I do not know about any of you, but I feel that the impact of the physicians possibly leaving this community would be far worse for all of us than the impact of a new multi-specialty complex.

Please take this letter as I intended, it is time that we show support to a group of people who over many years have been supportive to our families and our community.

I would like to close by saying that I will seek my medical care wherever my physician is located.

**Sincerely,
Donald Schlueter
41771 North Park
Paw Paw, MI 49079**

Mike Flynn from Delta Design presented the request for the Ordinance amendment stating they originally had asked for a re-zoning of that parcel and through our recommendation after the last Planning Commission meeting changed their request to an ordinance amendment.

**Public
Comments**

Richard Walters asked the commission to consider this request because he felt the doctors needed a more up to date facility and more room.

Dr. Vince Cabras stated this facility would be a taxable entity, they are hoping to draw more patients with their I-94 visibility and he feels this is a draw for our community.

Motion by Larcinese, supported by Bogen, to close the public hearing and re-open the regular meeting. Motion carried unanimously. Regular meeting re-opened at 7:06 p.m.

**Regular
Meeting
Reopened**

Larcinese questioned why medical and dental facilities would need to be visible to I-94. He felt that I-1 districts should be set aside for possible industrial developers and there are other B-2 properties available that are zoned properly and large enough for this type of complex. **He also questioned traffic flow differences between other permitted I-1 uses and special uses and medical offices. *As corrected 6-30-05.**

**Members
discussion on
Ordinance
Amendment**

Bogen feels that medical and dental facilities complement hospitals and therefore should have been considered when the Village made the amendment to include hospitals.

Several board members felt that this change could potentially tie up the industrial areas and hinder any development on the remaining parcels.

Wininger explained that the amendment is not for a particular parcel or development. It is for any I-1 (Light Industrial) property. Specific parcels and applicants should not be a part of the decision process.

Page asked the Planning Commission to review the eleven questions in section 17.3 Review Standards.

Larson took each question and asked the commission their thoughts as follows:

1. Will the proposed amendment be in accordance with the basic intent and purpose of the Zoning Ordinance? **Some members felt that yes it would complement other uses**

within and others felt it would not.

2. Will the proposed amendment further the comprehensive planning goals of the Village?
Once again some members felt that yes, it would further the comprehensive planning goals and others felt it would not.
3. Have conditions changed since the Zoning Ordinance was adopted, or was there a mistake in the Zoning Ordinance, that justifies the amendment? **Some members felt it should have been included because it was complementary to hospital special uses.**
4. Will the amendment correct an inequitable situation created by the Zoning Ordinance, rather than merely grant special privileges? **It was** *Some members **felt that it was an oversight not to have medical and dental facilities be a special use when hospitals already are included.** *As corrected 6-30-05.
5. Will the amendment result in unlawful exclusionary or spot zoning? **N/A** *No *As corrected 6-30-2005.
6. Will the amendment set an inappropriate precedent, resulting in the need to correct future planning mistakes? **No**
7. If a rezoning is requested, is the proposed zoning consistent with the zoning classification of surrounding land? **N/A**
8. If a rezoning is requested, could all requirements in the proposed zoning classification be complied with in the subject parcel? **N/A**
9. If a rezoning is requested, is the proposed zoning consistent with the trends in land development in the general vicinity of the property in question? **N/A**
10. What is the impact on the ability of the Village and other governmental agencies to provide adequate public services and facilities and/or programs that might reasonably be required in the future of the proposed amendment are adopted? **Yes with prior**

~~extension of utilities, this is not a problem.~~
***Staff insures there are adequate utilities available at that site. *As corrected 6-30-2005.**

11. Does the petitioned district change adversely affect environmental conditions or the value of the surrounding property? No, adverse affect other than some felt it tied up to much Industrial properties.

With the review of the prior eleven questions, Chairperson Larson asked for a motion on the amendment.

Motion by Krenz, supported by Bogen, to recommend to the Village Council proposed ordinance amending ordinance #394 as follows:

**Ordinance
Amendment**

AN ORDINANCE TO AMEND ORDINANCE #394

The Village of Paw Paw Ordains:

To make the following changes to the zoning ordinance:

Section 11.3 USES SUBJECT TO SPECIAL USE PERMIT (Light Industrial Zoning District) to include:

E. Medical and Dental clinics.

Roll call vote:

Nay – Rumsey, Yea – Larson, Nay – Larcinese, Yea – Bogen, Nay – Thomas, Yea – Roger and Yea – Krenz.

Motion carried 4 -3.

Attorney Page stated that according to the Zoning Ordinance, the Planning Commission could not act on the special use until the use has become an amendment to the ordinance. Therefore the special use request and site plans could not be acted on at this meeting.

**Attorney
Page –
review of the
Special use
procedures**

Clerk Riley wanted to make sure that she understood the procedures and wanted to know if the public hearing could be conducted or does the process start all over once the Village Council approves the amendment change? She understood from the last Planning Commission meeting the special use could be considered subject to that the ordinance approval of the amendment by the Village Council. Attorney Page stated no special use could have that type of contingency because the use was not yet a special use in that district. The process would start all over with property owners being notified, notices being published and the legal procedures being followed again.

Motion by Thomas, supported by Rumsey to adjourn meeting. Time: 7:50 p.m. All members voting yes, motion approved.

Adjournment

Respectfully submitted:
KeVen L. Riley, Village Clerk

**Minutes, Paw Paw Planning Commission
Special Meeting, June 30, 2005**

The Planning Commission meeting held Thursday, June 30, 2005 convened at 5:32 p.m. at 111 E. Michigan Avenue, Paw Paw, Michigan. Chairperson Kathleen Larson presiding.

**Meeting
Convened**

Present: Larson, Rumsey, Thomas, Larcinese, Roger and Bogen. Krenz excused. Also present: KeVen Riley, Village Clerk, and Lisa Wininger, Planner.

**Members
Present**

Clerk Riley indicated Attorney Page has reviewed both the minutes and memo that is scheduled to be given to the Village Council and stated that everything appears to be fine.

Motion by Thomas, supported by Bogen, approve the minutes of the regular meeting of June 23, 2005 as corrected. All members voting yes, motion approved.

**Approval of
minutes**

Motion by Bogen, supported by Thomas, to approve the following memo to the Village Council as corrected. All members voting yes, motion approved.

**Approval of
Council
memo.**

TO: Village of Paw Paw Council
FROM: Paw Paw Planning Commission
DATE: June 28, 2005
SUBJECT: Zoning Ordinance Amendment: Medical offices/clinics

Background: At the May 26, 2005 meeting, the Planning Commission conducted preliminary discussion about an upcoming development proposal to be submitted to the Village. Village Clerk Riley indicated that she had been notified that development plans would be submitted for a large parcel of land on the south side of I-94, with the proposed use of the land to be a medical office and/or clinic use.

Clerk Riley indicated that the applicants were considering requesting a rezoning of this parcel from I-1, light industrial to B-2, general commercial. The applicants would also submit an application for site plan approval by the Village. At this time, the Planning Commission discussed the possible rezoning as an informational item on the New Business part of the agenda.

During the meeting, an alternative was identified to the possible rezoning. Since hospitals are already included as a special use in the I-1 district, an alternative to a Zoning Map amendment could be to amend the Zoning Ordinance text instead, permitting medical offices/clinics as special uses within the I-1 district, subject to conditions as outlined in the ordinance. The Commission discussed this alternative due to concerns about a commercial rezoning which could allow a wide range of commercial uses upon the parcel.

Following the May Planning Commission meeting, the applicants were informed of this discussion and opted to pursue the text amendment, rather than the map amendment. In hopes of an expeditious review, the applicants submitted the site plan and Special Use request for review at the June Planning Commission meeting, along with the Zoning Ordinance text amendment, with the understanding that no final approvals could be granted until the amendment had been approved by the Village Council.

Planning Commission Review: At the June 23, 2005 meeting, the Planning Commission considered the proposed text amendment. As required by law, the Commission conducted a public hearing to receive comment about the proposed change. The text amendment would amend the I-1 Light Industrial district to permit medical offices and clinics as a special use, subject to the same special use conditions listed in the ordinance for medical offices and clinics. These conditions require a lot size of at least 20,000 square feet and maximum lot coverage of 35%.

Approximately thirty people were in attendance at the meeting. During the public comment

portion of the meeting, one letter in support of the change was received and three people spoke in support of the change. No one spoke in opposition. The public hearing was then closed.

The commissioners then began their discussion of the change. Concern was expressed about using industrial land for non-industrial purposes since the Village has a limited supply of industrial land. Further discussion ensued about the probability of new industrial development in the Village in the foreseeable future. More discussion ensued about how hospitals had come to be included as special uses in this district and why medical offices were not included at that time. It was also noted that veterinary clinics are permitted uses in the district, and the Planning Commission discussed the compatibility of various uses in the I-1 district with each other. Village Planner Wininger cautioned the Commissioners to be sure that they were specifically considering the text amendment and not making decisions based on their knowledge of a specific site or applicants/property owners in favor of or opposed to a specific development.

The Commission used the eleven Review Standards to frame the essential questions regarding the change. Commissioners expressed differing opinions as to whether the amendment was in accordance with the intent of the Zoning Ordinance, and would further the planning goals of the Village. Other areas of differing opinion concerned why this use was not originally permitted in the I-1 district, and whether the amendment was necessary to correct an inequity in the Zoning Ordinance or if approval would grant special privileges.

Following this discussion, the Planning Commission voted to recommend approval of the Zoning Ordinance amendment to the Village Council, by a 4-3 vote.

Special Use/Site Plan Approval: Village Attorney Page advised the Planning Commission that they would need to delay any action on the Special Use Permit until the Village Council had taken action on the ordinance amendment. The Planning Commission had questions concerning the site plan submittal and was prepared to have a preliminary discussion with the applicants but was advised by Attorney Page to delay this discussion until the Special Use was acted upon, if the text amendment was approved by the Council.

Recommendation: The Paw Paw Planning Commission recommends that the Village Council approve the proposed Zoning Ordinance amendment, based on the Review Standards outlined in the Zoning Ordinance. The minutes of the June 23, 2005 Planning Commission meeting are attached for review.

Mike Flynn from Delta Design was asking questions about the site plan and member Larcinese felt that the Commission could not discuss the site plan until the Village Council has acted on the zoning amendment according to Attorney Page.

Public Comments

Motion by Larcinese, supported by Roger, to adjourn meeting. Time: 6:17 p.m. All members voting yes, motion approved.

Adjournment

Respectfully submitted:
KeVen L. Riley, Village Clerk

**Minutes, Paw Paw Planning Commission
Regular Meeting, July 28, 2005**

The Planning Commission meeting held Thursday, July 28, 2005 convened at 7:05 p.m. at 600 E. Michigan Avenue, Paw Paw, Michigan. Chairperson Kathleen Larson presiding.

**Meeting
Convened**

Present: Larson, Rumsey, Krenz, Thomas, Larcinese, Roger and Bogen. Also present: KeVen Riley, Village Clerk, Kelly Page, Village Attorney and Lisa Winger, Planner.

**Members
Present**

Motion by Thomas, supported by Rumsey, to approve the minutes of the regular meeting of June 30, 2005 as presented. All members voting yes, motion approved.

**Approval of
minutes**

Motion by Krenz, supported by Roger, to close the regular meeting and open the public hearing for the discussion of the special use permit. All members voting yes, motion approved. Regular meeting closed at 7:06 p.m.

**Public Hearing
for Special Use
Permit**

Mike Flynn from Delta Design presented the request for the special use application. His comments reflected that there are two design criteria's to be considered for a special use permit which are as follows:

**Public
Comments**

R. Medical or Dental Clinic

- 1) Minimum lot size shall be twenty thousand (20,000) square feet.
- 2) Maximum building coverage shall be thirty-five (35%) percent.

Chairwoman Larson asked for the motion first then stated discussion will then follows.

Motion by Larcinese, supported by Krenz to close the public hearing and re-open the regular meeting. All members voting yes, motion carried. Meeting re-opened at 7:10 p.m.

**Regular Meeting
Reopened**

Motion by Thomas, supported by Krenz, to approve the special use permit for parcel 80-47-600-028-00 for a mixed specialty medical office and diagnostic facility.

**Motion on
Special Use
Permit**

Discussion was then held by the Planning Commission. Rumsey had asked whether or not a site plan had to be approved and Winger stated no they just need to meet the two standards as set by the zoning ordinance.

**Members
discussion on
Special Use
Permit**

***Larcinese asked if the statement of supporting evidence was also included in accordance with Article 13.6.** Larcinese interpreted the Zoning Ordinance ***section 13 page 7** as a minimum standard and therefore the Planning Commission could set more stringent standards on an applicant. ***Larcinese also questioned Article 13.6 (B) whether the special use application was complete.**

***As amended August 25, 2005.**

***The special use application was complete and** Attorney Page agreed with Winger and felt the standards are those set by Section 13.7 (R) as previously stated. ***As amended August 25, 2005.**

Bogen felt the special use permit was not compatible with the Master Plan and also wanted to know the definition of special use. He also wanted to know if this was allowed would it be detrimental to the general welfare of the Village. He also wanted to know if the special use goes with the applicant or the property.

Page once again indicated there are only two standards set by the ordinance and if those two standards are met then he would recommend approval. ***Rumsey wanted to know if a** ~~He stated~~ the special use goes with the property or the applicant. ***Winger stated that it goes with the property. *As amended August 25, 2005.**

Roll call vote was taken:

Roger, Krenz, Rumsey, Larson and Thomas, voting yea. Bogen and Larcinese voting nay. Motion carried 5-2.

The site plan was the next agenda item; there were questions on the wetland reports that were provided by the applicant. Mike Flynn from Delta Design presented the site plan and answered questions that were asked.

Winger presented her recommendations regarding the lighting of the parking lots, the trash dumpsters, and her concerns over the alternative access.

***There was a discussion as whether or not an overnight sleep clinic was a non-compliance use. *As amended August 25, 2005.**

~~There were a lot of concerns of~~ ***was a lengthy discussion** whether a more detail assessment should be done on the wetlands. ***It was agreed by both parties that they would comply with the contingency of planning commission, if necessary to get approval. *As amended August 25, 2005.**

*Flynn stated the applicant would be willing to comply with the dumpster concerns, provide the additional lighting and tries to reduce the light pollution to a minimum; he also stated they would change the future road to alternative. ***As amended August 25, 2005.**
Moved to this portion of the minutes.

Motion by Thomas, supported by Roger, to recommend approval to the Village Council of the site plan for parcel 80-47-600-028-00 for a mixed specialty medical office and diagnostic facility with the following contingencies:

1. Additional lighting for the entire parking area
2. Dumpster screening
3. Landscape plan within 90 days
4. MDEQ Level 3 assessment for the wetlands area
5. More Detailed easement from Bronson
6. Change the alternative access drive to future access drive
7. Grant the Village the additional 40' easement for future utilities,

**Special Use
Permit
Approved**

**Site Plan for
Great Lakes
Medical**

**Great Lakes
Medical Site
Plan approved
For
recommendation**

extending along the east edge of the existing parcel from the north property line of the parcel, southerly to 60th Avenue and deed Health Parkway over to the Village upon completion of the project

Roll call vote:

Roger, Krenz, Larson, Bogen and Thomas voted yea, Rumsey and Larcinese voted nay. Motion carried 5-2.

Motion by Bogen, supported by Krenz, to recommend approval to the Village Council of the site plan for 80-47-600-011-00 and 80-47-600-007-01 for a request to co-locate additional antennas on the existing tower and place a pre-fabricated equipment shelter with the following contingencies:

- 1) Landscape plan within 90 days.

Motion carried unanimously.

Motion by Krenz, supported by Thomas, to postpone the sign ordinance review until August 2005. Motion carried unanimously.

Motion by Thomas, supported by Krenz to adjourn meeting. Time: 9:28 p.m. All members voting yes, motion approved.

**Verizon Site
Plan approved
for
recommendation**

**Sign Ordinance
Review**

Adjournment

Respectfully submitted:

KeVen L. Riley, Village Clerk

**Minutes, Paw Paw Planning Commission
Regular Meeting, August 25, 2005**

The Planning Commission meeting held Thursday, August 25, 2005 convened at 7:02 p.m. at 111 E. Michigan Avenue, Paw Paw, Michigan. Chairperson Kathleen Larson presiding.

**Meeting
Convened**

Present: Larson, Rumsey, Thomas, Krenz, Larcinese, Roger and Bogen. Also present: KeVen Riley, Village Clerk, and Lisa Winger, Planner.

**Members
Present**

Motion by Thomas, supported by Krenz, approve the minutes of the regular meeting of July 28, 2005 as corrected. All members voting yes, motion approved.

**Approval of
minutes**

Clerk Riley stated the Village Council was approached by property owner Jack Mihelich for an ordinance amendment to accommodate extra signs at his location at 217 E. Michigan Avenue. They referred him to the Planning Commission. After reviewing the ordinance for General Business the Planning Commission feels that Mr. Mihelich needs to appeal the ordinance through the ZBA board.

**Mihelich sign
at
E.Michigan
Avenue
(Rainbow
Plaza)**

Larcinese brought information on a Life Science corridor and would like the Commission to review this for future discussion.

**Members
comment
Larcinese**

Larson had some questions she wanted to review with the Planning Commission members and get some feed back.

Larson

1. Our site plan checklist, is it complete enough?
2. Should the Commission vote on each contingency separately?
3. Is our schedule, accommodating to both the Village Council and the Applicant?
4. What needs to be in the findings of fact?
5. What are the duties of the Planner, office staff and the Planning Commission members?
6. How detailed and what do we want in the minutes?

The members discussed each question and answered them accordingly.

1. The members all felt the checklist was sufficient.
2. The members need to remember to ask further questions, if a contingency is on the list they don't understand. They also have the right to vote against any contingency.
3. The schedule needs to accommodate the applicant as much as possible but also give time for the Village Council to review the information.
4. The facts of findings are not necessarily the minutes but a synopsis of the particular recommendation for ordinance change.
5. The duties of the Planner are such that staff can rely on her to review the plans at questions and give written recommendations to the Planning Commission and Village Council. Staff can take things to her for review that may never move forward to either the Planning Commission or the Village Council. Also staff

- relies on her to help interrupt the Zoning Ordinance. The duties of the office staff is to accommodate the applicant and get the information to the planner, the Planning Commission and then the Village Council in the most efficient way possible without causing any foreseen problems. The Planning Commission needs to review and bring any questions or concerns up to staff prior to public forum.
6. The minutes need to be the action items and brief overview of discussion items.

Bogen asked the difference between Adult Foster Care Homes and Independent Living Homes. Wininger will bring back more information for future discussion. Riley will review the State of Michigan website for licensed Adult Foster Homes in Paw Paw.

Bogen

Bogen brought up fences and how high they could be at the intersections. Riley will place a copy of the fence ordinance in the packet for next time.

Rumsey asked whether or not any permits or site plans had been submitted for Seeyle-Wright's display area. Riley stated she just noticed all the work there and will call AGS in the morning to find out if any permits have been pulled.

Rumsey

Motion by Krenz, supported by Roger, to adjourn meeting. Time: 9:27 p.m. All members voting yes, motion approved.

Adjournment

Respectfully submitted:
KeVen L. Riley, Village Clerk

**Minutes, Paw Paw Planning Commission
Regular Meeting, September 22, 2005**

The Planning Commission meeting held Thursday, September 22, 2005 convened at 7:00 p.m. at 111 E. Michigan Avenue, Paw Paw, Michigan. Chairperson Kathleen Larson presiding.

**Meeting
Convened**

Present: Larson, Rumsey, Thomas, Krenz and Roger. Larcinese and Bogen excused. Also present: Bradley Noeldner, Village Manager, KeVen Riley, Village Clerk, and Lisa Wininger, Planner.

**Members
Present**

Motion by Thomas, supported by Roger, approve the minutes of the regular meeting of August 25, 2005 as presented. All members voting yes, motion approved.

**Approval of
minutes**

Bob Baarda from Teclon presented the site plans for the Hazen Meadows Condominium project. Their intent is to build eighteen two unit condos with attached two car garages with between 1,200 to 1,300 square feet. They are in the process of obtaining an easement from the adjacent property owners but asked the Planning Commission if they could have additional time to secure the easement because they want to have a survey done first, so they are assured of the proper easement descriptions.

**Hazen
Meadows
Condo
Project**

Motion by Thomas, supported by Krenz, to recommend to the Village Council the site plan for Hazen Meadows condominiums with the following contingencies:

**Approval for
Hazen
Meadows
Condo
Project**

1. Project description needs to be changed from nine four units to eighteen two units.
2. Execution of an easement with the adjacent property owner to include street, sidewalks and utilities.
3. Approval of a landscape plan.
4. Any signs are not addressed at this time and are required to comply with the Village sign ordinance
5. Applicant to comply with all Federal, State & Local laws and regulations including those pertaining to wetlands and obtaining any necessary permits

The Planning Commission is going to pursue make some additional changes to the zoning ordinance to add Life Science corridors. They also need to review the Land Use Plan to update it if necessary. It was also noted that Medical Clinics and Sleep Clinics needed to be included in any updates to the ordinance.

**Old
Business:
Possible
Ordinance
Changes**

Clerk Riley presented the Commission with information regarding licensed adult foster homes in Paw Paw. It was noted that there currently are not any licensed homes in the Paw Paw area. Additional information will be obtained from Noeldner from Judge Willis to see who is responsible for the oversight of assisted living homes. There are currently three homes in Paw Paw two on North Kalamazoo Street and one on Drew Street.

**Adult
Licensed
Foster homes
vs. assisted
living homes**

Clerk Riley stated a copy of the fence application was included for the question from last month about the height of fences on corner lots. Also, the fence in question was reviewed and found to be in compliance.

**Fences
Update**

Riley also stated she had a stop work order placed on Seeyle-Wright for their construction of the outdoor display mound and she had been working with the applicant to help them understand why the special use permit was necessary and also why a site plan was necessary.

**Seeyle -
Wright
display
mound**

Noeldner presented the Commission with a letter to Ed Grollemond – 637 N. Kalamazoo Street regarding his shed located on his property and also one to Patrick Brennan regarding operating a business out of his property located at 609 E. Michigan Avenue, which is currently zoned for residential uses (R-1) not commercial.

**Accessory
building and
Patrick
Brennan
property**

Larson asked about dwelling unit conversions, Wininger explained that an applicant can apply for this conversion but it also allows for the Village Council to deny the application.

**Members
comment
Larson**

Thomas asked whether the Village will be pursuing the Cabela Store that is being proposed in Michigan. Noeldner will check into this further.

Thomas

Rumsey asked if staff had heard any further information on the Walgreen's and staff said nothing further since about April.

Rumsey

Motion by Thomas, supported by Krenz, to adjourn meeting. Time: 8:47 p.m. All members voting yes, motion approved.

Adjournment

Respectfully submitted:

KeVen L. Riley, Village Clerk

Planning Commission Minutes
for
October 27, 2005 Meeting

The Planning Commission meeting held Thursday, October 27, 2005 convened at 7:00 p.m. at 111 E. Michigan Avenue, Paw Paw, Michigan. Chairperson Kathleen Larson presiding.

Present: Larson, Bogen, Krenz, Thomas and Larcinese. Roger excused. Rumsey absent. Also present: Bradley Noeldner, Lisa Wininger, Planner, Jay Wienber, Seelye-Wright, Eva Michel, Seelye-Wright, Shannon Streich, Continental Designs and Terry Patterson, Treystar.

Motion by Thomas, supported by Krenz, to approve the minutes of the regular meeting of September 22, 2005 with one correction. Aye: Larson, Krenz, Thomas and Larcinese. Abstained: Bogen.

PUBLIC HEARING: Special Use Permit – Seelye/Wright

At **7:03 p.m.** a motion was made by Larcinese, supported by Bogen, to close the regular meeting and open a Public Hearing to receive comment and public input regarding a request for a Special Use Permit at 161 Ampey Road. A request for a special use permit was presented from Seelye-Wright, by Eva Michel. The request was to consider allowing an outdoor display area for the sale of new and used motor vehicles, boats, trailers or similar equipment at 161 Ampey Road, Paw Paw, MI (parcel #80-47-584-004-01) (Seelye-Wright)

Eva Michel from Seelye-Wright provided the Commission with a brief explanation of the need for the Special use permit. The previous owner had not secured a special use permit to display vehicles along I-94. Seelye-Wright recently purchased the dealership and wanted to make improvements to a display area that the previous owner had used. In order for those improvements to be implemented, the Special Use Permit was required.

Lisa Wininger gave an explanation of what a special use permit is and why it was required. After detailed discussion, her recommendation is that the use is compatible with this zoning and sees no reason to deny the request. There were no comments from the general public on this issue.

At **7:12 p.m.**, a motion was made by Thomas, supported by Krenz, to close the public hearing and return to the regular Planning Commission meeting.

NEW BUSINESS:

Special Use Permit

Motion by Larcinese, supported by Krenz, to approve the request for a **Special Use Permit** for an outdoor display area for the sale of new and used motor vehicles, boats, trailers or similar equipment at 161 Ampey Road, Paw Paw, Michigan (parcel # 80-47-584-004-01) (Seelye-Wright)

All members voted in the affirmative.

Site Plan Approval-161 Ampey Road (Seelye-Wright)

Motion by Thomas, supported by Krenz, to recommend to the Village Council, that the site plan presented for the display area at 161 Ampey Road be approved with contingencies.

Chairperson Larson called for discussion on the proposal. Eva Michel provided a detailed description of just exactly what the project would entail. She indicated that the elevation of the existing display area was to be increased in height by approximately four (4) feet. A paved display area, approximately 48' * 163' was planned with a paved approach from the existing parking area at the east end of the display area. The area will provide room for 23 – 30 vehicles and permanent lighting.

After several minutes of discussion, it was suggested that the contingencies to be attached to the recommendation should include:

1. Applicant to comply with all Federal, State & Local laws and regulations including those pertaining to wetlands and floodplains; and obtaining necessary permits.
2. Applicant to provide Village Hall with a copy of the electrical permit for the lighting and also provide photometric plan for display area.
3. Applicant to provide three sets of “sealed” plans for Village President and Planning Commission Chairperson to sign.

While the Planning Commission had a representative from Seelye-Wright at the meeting, they had several questions relating to display areas at the north side of the building at Ampey Road and also, in relation to the gravel parking area located just west of the entrance drive to the dealership.

In regard to whether the display areas were on the original site plan presented by Paw Paw Chrysler, the answer was no. However, Lisa Wininger indicated that they were in position when Seelye-Wright

purchased the facility and since only one vehicle was permitted per display, she felt that the potential negative impact on surrounding properties was very limited. She did say that if they were to improve, reconstruct or build them new today, they would need to have a permit.

There was a discussion about the current use of the gravel parking area located just west of the entrance drive. Eva Michel indicated that the area is utilized for rental vehicles which are turned back in to the dealership. She thought that in general, there were usually no more than 4 – 6 vehicles stored there at any given time. The reason for the discussion was to determine if it was necessary for the applicant to be required to pave this area at this time. As long as it is only used for the rental cars, it was a consensus that it would be alright to leave it as is. If the use should change in the future, we would re-evaluate the need to require the area to be paved.

Site Plan Approval-420-422 South Kalamazoo Street

Motion by Thomas, supported by Krenz, to recommend to the Village Council, approval of a site plan for a business complex at 420-422 South Kalamazoo Street; with contingencies.

Chairperson Larson called for discussion on the proposal. Shannon Streich, Continental Designs, provided a detailed description of the proposed project. She indicated that the applicant plans to construct a two unit business center, approximately 4,400 square feet in size.

The development consists of one portion of the facility, approximately 2,600 square feet, to serve as a financial institution with drive-up windows. One additional rental unit, consisting of approximately 1,800 square feet is included and does not have a signed lease at this time.

The development will be served with Village water, sewer and electric utilities, and provides off street parking for a maximum use facility of this size, based upon the building square footage.

After several minutes of detailed discussion, including whether one access drive could be shared with Warner Winery, the following contingencies were made a part of the recommendation for approval:

1. Applicant to comply with all Federal, State & Local laws and regulations including those pertaining to wetlands and floodplains; and obtaining necessary permits.

2. Applicant to provide Village Hall with a copy of the electrical permit for the lighting and also provide photometric plan for display area.
3. Applicant to provide three sets of “sealed” plans for Village President and Planning Commission Chairperson to sign.

There being no further new business, the Commission brought several items for discussion and further review. One item they want on future site plan applications is the site plan check list. Also, none of the papers were stapled and were easily mixed up as the Commissioners were reviewing the applications.

There was discussion regarding possible licensing requirements for the Dawn Glass property. Discussion also took place regarding the need to actively contact companies such as Cabela’s Sporting Store to see if they may be interested in locating in the Paw Paw area.

Discussion also came up relating to a previously approved site plan at Warner Winery. The Village Manager was directed to review the approved site plan and notice the owner of items not in compliance and present a deadline for compliance.

Meeting adjourned:

Motion by Bogen, supported by Larcinese, to adjourn meeting at 9:30 p.m.

All present voted in the affirmative.

Planning Commission Minutes
for
October 27, 2005 Meeting

The Planning Commission meeting held Thursday, October 27, 2005 convened at 7:00 p.m. at 111 E. Michigan Avenue, Paw Paw, Michigan. Chairperson Kathleen Larson presiding.

Present: Larson, Bogen, Krenz, Thomas and Larcinese. Roger excused. Rumsey absent. Also present: Bradley Noeldner, Lisa Wininger, Planner, Jay Wienber, Seelye-Wright, Eva Michel, Seelye-Wright, Shannon Streich, Continental Designs and Terry Patterson, Treystar.

Motion by Thomas, supported by Krenz, to approve the minutes of the regular meeting of September 22, 2005 with one correction. Aye: Larson, Krenz, Thomas and Larcinese. Abstained: Bogen.

PUBLIC HEARING: Special Use Permit – Seelye/Wright

At **7:03 p.m.** a motion was made by Larcinese, supported by Bogen, to close the regular meeting and open a Public Hearing to receive comment and public input regarding a request for a Special Use Permit at 161 Ampey Road. A request for a special use permit was presented from Seelye-Wright, by Eva Michel. The request was to consider allowing an outdoor display area for the sale of new and used motor vehicles, boats, trailers or similar equipment at 161 Ampey Road, Paw Paw, MI (parcel #80-47-584-004-01) (Seelye-Wright)

Eva Michel from Seelye-Wright provided the Commission with a brief explanation of the need for the Special use permit. The previous owner had not secured a special use permit to display vehicles along I-94. Seelye-Wright recently purchased the dealership and wanted to make improvements to a display area that the previous owner had used. In order for those improvements to be implemented, the Special Use Permit was required.

Lisa Wininger gave an explanation of what a special use permit is and why it was required. After detailed discussion, her recommendation is that the use is compatible with this zoning and sees no reason to deny the request. There were no comments from the general public on this issue.

At **7:12 p.m.**, a motion was made by Thomas, supported by Krenz, to close the public hearing and return to the regular Planning Commission meeting.

NEW BUSINESS:

Special Use Permit

Motion by Larcinese, supported by Krenz, to approve the request for a **Special Use Permit** for an outdoor display area for the sale of new and used motor vehicles, boats, trailers or similar equipment at 161 Ampey Road, Paw Paw, Michigan (parcel # 80-47-584-004-01) (Seelye-Wright)

All members voted in the affirmative.

Site Plan Approval-161 Ampey Road (Seelye-Wright)

Motion by Thomas, supported by Krenz, to recommend to the Village Council, that the site plan presented for the display area at 161 Ampey Road be approved with contingencies.

Chairperson Larson called for discussion on the proposal. Eva Michel provided a detailed description of just exactly what the project would entail. She indicated that the elevation of the existing display area was to be increased in height by approximately four (4) feet. A paved display area, approximately 48' * 163' was planned with a paved approach from the existing parking area at the east end of the display area. The area will provide room for 23 – 30 vehicles and permanent lighting.

After several minutes of discussion, it was suggested that the contingencies to be attached to the recommendation should include:

1. Applicant to comply with all Federal, State & Local laws and regulations including those pertaining to wetlands and floodplains; and obtaining necessary permits.
2. Applicant to provide Village Hall with a copy of the electrical permit for the lighting and also provide photometric plan for display area.
3. Applicant to provide three sets of “sealed” plans for Village President and Planning Commission Chairperson to sign.

While the Planning Commission had a representative from Seelye-Wright at the meeting, they had several questions relating to display areas at the north side of the building at Ampey Road and also, in relation to the gravel parking area located just west of the entrance drive to the dealership.

In regard to whether the display areas were on the original site plan presented by Paw Paw Chrysler, the answer was no. However, Lisa Wininger indicated that they were in position when Seelye-Wright

purchased the facility and since only one vehicle was permitted per display, she felt that the potential negative impact on surrounding properties was very limited. She did say that if they were to improve, reconstruct or build them new today, they would need to have a permit.

There was a discussion about the current use of the gravel parking area located just west of the entrance drive. Eva Michel indicated that the area is utilized for rental vehicles which are turned back in to the dealership. She thought that in general, there were usually no more than 4 – 6 vehicles stored there at any given time. The reason for the discussion was to determine if it was necessary for the applicant to be required to pave this area at this time. As long as it is only used for the rental cars, it was a consensus that it would be alright to leave it as is. If the use should change in the future, we would re-evaluate the need to require the area to be paved.

Site Plan Approval-420-422 South Kalamazoo Street

Motion by Thomas, supported by Krenz, to recommend to the Village Council, approval of a site plan for a business complex at 420-422 South Kalamazoo Street; with contingencies.

Chairperson Larson called for discussion on the proposal. Shannon Streich, Continental Designs, provided a detailed description of the proposed project. She indicated that the applicant plans to construct a two unit business center, approximately 4,400 square feet in size.

The development consists of one portion of the facility, approximately 2,600 square feet, to serve as a financial institution with drive-up windows. One additional rental unit, consisting of approximately 1,800 square feet is included and does not have a signed lease at this time.

The development will be served with Village water, sewer and electric utilities, and provides off street parking for a maximum use facility of this size, based upon the building square footage.

After several minutes of detailed discussion, including whether one access drive could be shared with Warner Winery, the following contingencies were made a part of the recommendation for approval:

1. Applicant to comply with all Federal, State & Local laws and regulations including those pertaining to wetlands and floodplains; and obtaining necessary permits.

2. Applicant to provide Village Hall with a copy of the electrical permit for the lighting and also provide photometric plan for display area.
3. Applicant to provide three sets of “sealed” plans for Village President and Planning Commission Chairperson to sign.

There being no further new business, the Commission brought several items for discussion and further review. One item they want on future site plan applications is the site plan check list. Also, none of the papers were stapled and were easily mixed up as the Commissioners were reviewing the applications.

There was discussion regarding possible licensing requirements for the Dawn Glass property. Discussion also took place regarding the need to actively contact companies such as Cabela’s Sporting Store to see if they may be interested in locating in the Paw Paw area.

Discussion also came up relating to a previously approved site plan at Warner Winery. The Village Manager was directed to review the approved site plan and notice the owner of items not in compliance and present a deadline for compliance.

Meeting adjourned:

Motion by Bogen, supported by Larcinese, to adjourn meeting at 9:30 p.m.

All present voted in the affirmative.

**Minutes, Paw Paw Planning Commission
Regular Meeting, December 22, 2005**

The Planning Commission meeting held Thursday, December 22, 2005 convened at 7:00 p.m. at 111 E. Michigan Avenue, Paw Paw, Michigan. Chairperson Kathleen Larson presiding. **Meeting Convened**

Present: Larson, Rumsey, Bogen and Larcinese. Thomas, Krenz and Roger excused. Also present: Bradley Noeldner, Village Manager, KeVen Riley, Village Clerk, and Lisa Wininger, Planner. **Members Present**

Motion by Larcinese, supported by Rumsey, approve the minutes of the regular meeting of October 27, 2005 as corrected. All members voting yes, motion approved. **Approval of minutes**

Motion by Larcinese, supported by Rumsey to close the regular meeting and open the public hearing to hear comments on special use permit for Tractor Supply Company at 1000 S. Kalamazoo Street – outdoor display area. All members voting yes, motion approved. Public Hearing opened at 7:02 p.m. **Public Hearing for Special Use Permit**

Steve Vandenberg from Wightman and Associates present the Commission the need for an open outdoor display area. Wininger stated there are not any specific conditions that were related to this type of special use because this is an accessory use; it would not qualify under open air business.

Motion by Rumsey, supported by Bogen to close the public hearing and re-open the regular meeting. All members voting yes, motion approved. Meeting re-opened at 7:06 p.m. **Regular Meeting Re-opened**

There was a lot of discussion as to whether or not an outdoor area was necessary or whether or not it needed to be as large as it was.

Motion by Rumsey, supported by Larcinese to approve the special use permit for an outdoor display area for 1000 South Kalamazoo Street – Tractor Supply parcel #80-47-600-004-20 as on listed on site plan and make it enclosed area next to the building and along the front to be used only for trailers, farm implements or similar products. Bogen voting no and all other members voting yes, motion approved. **Approval for Special Use Permit for outdoor display area**

Dan Raglow from Toltest presented the site plans along with Steve Vandenberg of Wightman and Associates.

Motion by Rumsey, supported by Bogen, to recommend to the Village Council the site plan for Tractor Supply with the following contingencies: **Tractor Supply site plan recommendation**

1. Applicant to comply with all Federal, State & Local laws and regulations including those pertaining to wetlands and obtaining any necessary permits.
2. Dumpster screening.
3. Sidewalks along Becky Blvd and CR 665

4. Approval of a landscape plan.

All members voting yes, motion approved.

Bogen asked whether or not the credit union was going to have a double drive and Noeldner indicated it was on the site plans.

**Member
Comments
Bogen**

Larson indicated there a few old business items she would like to get taken care soon. They are as follows:

Larson

1. *Review Site Plan Checklist*
2. *Review section in ordinance on Statement of evidence*
3. *Parking lot at Warner's*
4. *Dumpster screening at Warner's*
5. *Sign issue at Warner's*
6. *Review on the Fencing*
7. *Follow-up on Assisted Living*

Larcinese asked about better ways for the Commission to review natural resources. Wininger indicated she could get a power point presentation and make it available at the next meeting.

Larcinese

Motion by Bogen, supported by Larcinese, to adjourn meeting. Time: 9:18 p.m. All members voting yes, motion approved.

Adjournment

Respectfully submitted:

KeVen L. Riley, Village Clerk