Chairman Peat called a regularly scheduled meeting of the Paw Paw Township Planning Commission meeting to order at approximately 7:00 on **February 24, 2011** at the Township Hall.

Those present were: Randall Peat  
Phil Arbanas  
Tom Beam  
Ivan Olsen  
Donald Stull

Absent was: Kip Kerby  
William Mihelich

Also present were: Bruce Dean, AGS

**APPROVAL OF AGENDA** –

On motion by Olsen seconded by Beam the agenda was unanimously approved.

**APPROVAL OF MINUTES – January 27, 2011**

Peat clarified that the meeting schedule for 2011 establishes meetings on April 28th and July 28; if there are current issues or applications submitted additional meetings would be scheduled for the fourth Thursday of any other given month.

On motion by Beam seconded by Arbanas the minutes of **January 27, 2011** were unanimously approved, with the clarification of the 2011 meeting schedule noted.

PUBLIC COMMENT on non-agenda items -none

PUBLIC HEARING –

Application to Rezone / Conway-Road House Grill
An application to rezone property owned by Richard & Judith Conway and located at 38138 West Red Arrow Highway. The parcels affected by the request are identified in the Paw Paw Township tax records as parcels #80-14-015-001-00, #80-14-015-002-01, and #80-14-015-003-00. The portions of each parcel lying in Section 15 of Paw Paw Township are currently zoned GC - General Commercial, and the portions of the parcels lying in Section 10 of Paw Paw Township are currently zoned HD - High Density Residential. The applicant requests that all property identified, and currently zoned HD - High Density Residential be re-zoned to the GC - General Commercial District, causing
all the property identified and owned by the applicant to be zoned GC - General Commercial.

Mr. Conway described the request and stated that he needs the property to be zoned GC to allow the growth of his business. The change would allow the potential to use for parking and other types of expansion.

Olsen stated that the potential rezoning could provide the opportunity for Mr. Conway to reposition the outdoor performance as an option to deal with the noise issue discussed in 2010.

There was discussion of the shape of the lot, and the area lying north of the GC boundary line. The area is estimated to be the north 300 feet of the subject property.

There was discussion of the impact of rezoning, the past use of special use permits versus the concept of spot zoning, and the setting of precedence related to requests for rezoning.

The members reviewed section 42.404(b) (Findings of Fact), with the following findings entered based on a consensus of the members:

(1) The business demands on this site could not have been anticipated at the time that the zoning map was established. The south half of the property is currently zoned GC, and the north half is zoned HDR, and also is surrounded by property this is unlikely to be developed for residential purposes.

(2) No precedent is set by expansion of the GC District, and requests for rezoning stand on their own merits; the subject has been occupied as a single parcel continuously for a number of years.

(3) No effect on public services anticipated.

(4) Based on contiguous nature of the GC zoning, in terms of the relationship of the south half and north half of the subject property, it fits with the intent of the master plan.

(5) The rezoning serves all purposes identified in this subsection 42-404(b)(5)

Arbanas moved to recommend approval of the rezoning request by the Township Board. Stull seconded, and the motion was unanimously approved.

OLD BUSINESS

NEW BUSINESS - none
OTHER PUBLIC COMMENT  - none

OTHER BUSINESS

ADJOURNMENT

On motion by Olsen seconded by Beam and unanimously approved the meeting was adjourned.

Respectfully submitted,

Bruce Dean, AGS