

The special meeting of the Clare City Planning Commission was called to order in the Pere Marquette District Library, 185 E. Fourth Street, Clare, MI, at 6:06 p.m. by Chair Josh Clark who led the Pledge of Allegiance. Present were: Commissioners Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Jason Lowe, Brett Moser, and Nick Wyman. Absent: Kristin Heintz who subsequently arrived at 6:13 pm and Darren Acton. Also present were Ken Hibl, City Manager; Steve Kingsbury, Treasurer & Finance Director; and Diane Lyon, City Clerk.

APPROVAL OF AGENDA:

Moved by Commissioner Demasi second by Commissioner Wyman to approve the agenda. Ayes: All. Nays: None. Absent: Kristin Heintz and Darren Acton. *Motion approved.*

APPROVAL OF MINUTES:

Moved by Commissioner Carmoney second by Commissioner Lowe to approve the prior meeting minutes. Ayes: All. Nays: None. Absent: Kristin Heintz and Darren Acton. *Motion approved.*

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

A. SELECTION OF 2018 PLANNING COMMISSION CHAIRPERSON

The By-Laws of the City of Clare Planning Commission stipulate that the Planning Commission shall annually select its Chairman at the first scheduled meeting of the year. The Planning Commission is asked to take appropriate action to select its Chairperson for 2018.

Motion by Commissioner Carmoney second by Commissioner Wyman to open nominations for Chairperson and nominate Josh Clark to serve as Chairperson.

Motion by Commissioner Moser second by Commissioner Lowe to close nominations. Ayes: All. Nays: None. Absent: Kristin Heintz and Darren Acton. *Motion approved.*

Roll Call Vote to select Josh Clark as Planning Commission Chairperson by adoption of 2018-001PC. Ayes: Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Jason Lowe, Brett Moser, and Nick Wyman. Nays: None. Absent: Kristin Heintz and Darren Acton. *Motion approved.*

B. SELECTION OF 2018 PLANNING COMMISSION VICE CHAIRPERSON

The By-Laws of the City of Clare Planning Commission stipulate that the Planning Commission shall annually select its Vice Chairperson at the first scheduled meeting of the year. The Planning Commission is asked to take appropriate action to select its Vice Chairperson for 2018.

Motion by Commissioner Wyman second by Commissioner Lowe to open nominations and nominate Darren Acton for Vice Chairperson. Ayes: All. Nays: None. Absent: Kristin Heintz and Darren Acton. *Motion approved.*

Motion by Commissioner Lowe second by Commissioner Carmoney to close nominations. Ayes: All. Nays: None. Absent: Kristin Heintz and Darren Acton. *Motion approved.*

Roll Call Vote to select Darren Acton as Planning Commission Vice Chairperson by adoption of 2017-002PC. Ayes: Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Jason Lowe, Brett Moser, and Nick Wyman. Nays: None. Absent: Kristin Heintz and Darren Acton. *Motion approved.*

C. APPROVAL OF ANNUAL REPORT TO THE CITY COMMISSION

The By-Laws of the City of Clare Planning Commission stipulate that the Planning Commission shall annually prepare and submit to the Clare City Commission an annual report. A draft report was provided to the Planning Commission for review and comment; no recommended changes have been received from the Planning Commission; consequently, the Commission is asked to approve the Report to allow it to be formally submitted to the Clare City Commission for review, consideration, and discussion.

*Annual Report
City of Clare Planning Commission
Encompassing the Period January to December 2017*

Purpose. *The Michigan Planning Act of 2008 mandates the submittal of an annual report of the municipal planning commission to the legislative body of the municipality regarding the operations and status of planning activities, to include recommendations to the legislative body related to municipal planning and development.*

Period of Report. *This report is inclusive of actions of the City of Clare Planning Commission during the period January 1, 2017 to December 31, 2017.*

General. *The City of Clare Planning Commission consists of nine members appointed by the Mayor of the City of Clare with the approval of the majority of the Clare City Commission. Six of the nine members are required to be qualified electors of the City; the other three members are not required to be qualified electors. The current composition of the Clare Planning Commission is eight qualified electors of the City and one non-resident Clare business owner; the current slate of commissioners is attached to this report. It is desirable that one of the appointed planning commissioners is appointed to concurrently serve as a voting member of the City's Zoning Board of Appeals; Commissioner Josh Clark is the Planning Commission's representative on the Clare Zoning Board of Appeals. The Planning Commission elects its own chairperson annually; the current chair being Commissioner Josh Clark. Commissioner Darren Acton serves in the position of vice chair. The commission is scheduled to meet once monthly on the second Wednesday of the month at 6:30pm at Clare City Hall. Special meetings may be called by the commission chairperson, the city manager or the city clerk. All meetings are required to be open to the public. The City of Clare Planning Commission met on fifteen (15) occasions during the period of this report. The City Commission and Planning Commission also conducted one special combined meeting in December 2017 to discuss the City's ordinance and proposed changes regarding the topic of Medical Marihuana.*

Primary Accomplishments and Activities.

a. Ordinance Amendments. *The City Planning Commission considered and made recommendations regarding three (3) ordinance changes related to Chapter 52 (Zoning) of the Ordinance Codes of the City of Clare:*

- 1. 2017-001 - Zoning, Chapter 52, Multiple sections within Chapter 52 to correct found omissions and errors.*
- 2. 2017-004 - Zoning Change, Parcel ID #18-002-10-013-21 from Commercial to Industrial in concert with the Future Land Use Map of the City of Clare, Chapter 52, Ordinance 219, Section 3.*
- 3. 2018-001 - Zoning, Chapter 52, Article III, Section 52-2, Correcting, amending and updating all provisions related to Telecommunications and Telecommunications Towers within the City of Clare.*

b. Site Plans. *The Planning Commission approved eight (8) site plans during this reporting period; this is an increase of one (1) site plan for a one-year time period reported in the 2016 annual report.*

- 1. Fifth Street Auto – 213 East Fifth Street. The original building, which was a converted gas station, was totally destroyed by fire. A new, modern auto repair building was constructed to replace the former gas station building.*
- 2. Shamrock Park Sand Volleyball Court – 404 Wilcox Parkway. The new sand volley ball court is an Eagle Scout Project recommended for approval by the City of Clare Parks & Recreation Advisory Board.*

3. *Pioneer Golden Estates – Vacant Property, McGuirk Drive. Construction of a new 44,000sf, 50-unit assisted living/memory care/independent living facility to be named Pioneer Golden Estates.*
4. *Robotic Welded Parts – 314 East Fourth Street. Construction of a new 12,000sf manufacturing building added to the Robotic Welded Parts Complex at this address.*
5. *SHARPCO – Vacant Parcel, North Industrial Park. Construction of a new 9,000sf industrial manufacturing building.*
6. *FCI – Vacant Parcel, South Industrial Park. Construction of two new industrial buildings (a 4,608sf building & a 15,000sf building) to house medical marihuana facilities.*
7. *Herrick House - 120 East Fifth Street. Construction of a 374 square foot addition to the existing restaurant and gift shop building.*
8. *Total Holistic Cultivation – Vacant Parcel, South Industrial Park. Construction of two new 28,475sf industrial buildings and two 10,000sf green houses to house medical marihuana facilities.*

c. Façade Changes. *The Planning Commission approved two (2) façade changes during this reporting period; this is an increase of two (2) special use permits for a one-year time period reported in the 2016 annual report.*

1. *429-431 N. McEwan Street. Remove the EFIS material on the east façade of the building and replace the material with plate glass display windows, thereby returning the building to a closer semblance of its historic past.*
2. *Stitches for Britches – 118-120 West Fourth Street. The proprietor of this business purchased the adjacent building and changed the façade, removing the vinyl siding and incorporating a seamless façade to tie the two buildings together as one.*

d. Special Use Permits. *The Planning Commission approved ten (10) special use permits during this reporting period; this is an increase of nine (9) special use permits for a one-year time period reported in the 2016 annual report.*

1. *Group Day Care Facility (Vicki Ferrell) – 1312 Vinewood. A special use permit to operate a child care for more than five children.*
2. *Green Day Investments - 555 Industrial Drive. A special use permit for a Class B medical marihuana grow facility.*
3. *FCI Corporation – Vacant Property, South Industrial Park. A special use permit for a Class B medical marihuana grow facility.*
4. *FCI Corporation – Vacant Property, South Industrial Park. A special use permit for a medical marihuana processing facility.*
5. *FCI Corporation – Vacant Property, South Industrial Park. A special use permit for a medical marihuana provisioning center.*
6. *Green Day Investments – 555 Industrial Drive. A special use permit for a medical marihuana provisioning center.*
7. *Total Holistic Cultivation - Vacant Property, South Industrial Park. A special use permit for a Class C medical marihuana grow facility.*
8. *Total Holistic Cultivation – Vacant Property, South Industrial Park. A special use permit for a medical marihuana processing center.*
9. *Ten16 Center for Recovery & Wellness – 805 Beech Street. A special use permit to operate a recovery and counseling center.*
10. *Group Day Care Facility (Jamie Johnson) – 1111 Park Street. A special use permit to operate a child care center for more than five children.*

e. Review of Proposed Capital Projects. *The Planning Act requires that the planning commission review all public capital projects recommended for construction or implementation within the City's geographical boundaries. The planning commission conducted a preliminary review of all proposed capital projects for the City's 2017/2018 fiscal year prior to submittal to the City Commission in conjunction with the City's budget approval process and determined that the projects appear to support the goals and objectives outlined in the Comprehensive Master Plan of the City.*

f. Clare Railroad Depot Rehabilitation. *The City Planning Commission continues to remain involved and continues monitoring the continued progress being made by the Clare Depot Committee. The rehabilitation project is nearing completion, with only approximately*

\$35,000 needed to complete all work elements to allow occupancy on both floors of the building and re-open the building to the public for continuous public use. Jan Winter, a former, long-serving Planning Commissioner continues to serve as the Chairperson of the Clare Railroad Depot Steering Committee and continues to deserve great credit and special recognition for her great leadership in this role. Once the depot is occupied, by the Chamber of Commerce and the Clare County Arts Council, the Planning Commission will respectfully request that the City Commission relieve the Planning Commission of its assigned task of oversight of the Depot Rehabilitation Project, thereby simultaneously relieving Commissioner Winter of the responsibility of chairing the Depot Committee. However, the Planning Commission understands that there will be a continued need for oversight of the depot as even though the majority of the "heavy lifting" will have been completed, there will still be a significant amount of work to be completed (landscaping, trailhead development, rehabilitation of the on-site cabooses, relocation of a second donated caboose to the depot site, and additional fund-raising, etc.), and decisions will need to be made in respect to those remaining tasks and day-to-day operations of the depot. The Depot Committee has been amazingly effective in accomplishing the many "that can't be done" tasks that have been done in relocating and rehabilitating the depot. But a different organizational entity will be needed in the future – a much smaller, more streamlined governing body that can quickly make decisions and/or formulate recommendations for implementation. A tentative proposal for the organizational structure of the new governing body will be to have as its chairperson an appointee of the City Commission, representation from the Clare County Arts Council and the Chamber of Commerce (tenants of the building), a representative of the Clare DDA, the Clare City Treasurer, & the Clare City Manager.

Budgetary Considerations. The current professional development budget allocated for the continuing education of the Planning Commission members has and continues to be adequate. The City's funding for public capital projects appears adequate – particularly in light of the continuing disinvestment of local municipalities by the state.

Recommendations. See Other Comments below.

Other Comments. The Clare City Commission and the City's Planning Commission are scheduled to conduct an annual joint meeting on January 10, 2018 to discuss items of mutual importance and to review general philosophy, vision, and objectives for the City. The Planning Commission continues to view this annual meeting of significant importance and strongly recommends that these annual meetings continue. Recommended topics for this year's meeting include Tiny Houses and Mother-in-Law Houses, an update to the City's Future Land Use Map, a continuing discussion related to a Rental Ordinance and Code Enforcement, and other topics of mutual interest at the discretion of both Commissions.

Respectfully Submitted,

*Joshua Clark
2017 Chairman, City of Clare Planning Commission
January 10, 2018*

The Planning Commission had a record year for reviewing Special Use Permit Applications and Site Plans. Following a review of the report, which was also presented to the City Commission as part of their combined meeting packet, Chairman Clark questioned whether there were any specific actions that should be taken in the coming year, such as ordinance amendments, by the Planning Commission to reduce the number of Special Use requests. Attorney Hoerauf suggested that if there were issues within the city's ordinance codes there would be more requests for variances which would go before the Zoning Board of Appeals; Special Use requests typically come before the Planning Commission because a State permit is also required for the requested use.

Motion by Commissioner Lowe second by Commissioner Wyman to approve the 2017 Planning Commission Annual Report by adoption of Resolution 2018-003PC. Roll Call Vote: Ayes: Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Kristin Heintz,

Jason Lowe, Brett Moser, and Nick Wyman. Nays: None. Absent: Darren Acton. *Motion approved.*

D. APPROVAL EXCUSAL OF COMMISSIONER DARREN ACTON

The Planning Commission's by-laws stipulate that any Planning Commissioner who misses three consecutive meetings or 30% of scheduled meetings annually without excusal by the Commission, the seat of that Planning Commissioner shall be considered vacant. Commissioner Darren Acton has informed the City that he will be unable to attend the scheduled January 10th meeting due to other obligations and has asked to be excused from that meeting.

The Commission has a long-standing history to excuse commissioners in otherwise good standing from attendance at scheduled meetings for good cause. Commissioner Acton has an excellent attendance record, and the request for excusal seems to warrant approval; therefore, the Planning Commission is asked to formally approve the excusal.

Motion by Commissioner Moser second by Commissioner Wyman to approve excusal of Darren Acton by adoption of amended Resolution 2018-004PC. Roll Call Vote: Ayes: Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Kristin Heintz, Jason Lowe, Brett Moser, and Nick Wyman. Nays: None. Absent: Darren Acton. *Motion approved.*

E. APPOINTMENT TO DOWNTOWN GATEWAY PROJECT WORK GROUP

North Ten LLC donated approximately one-half of the former downtown Consumers Energy site (approx. ½-acre) to the City on the condition that it be utilized as a downtown gateway and developed accordingly. The City has approximately 4 years to complete this project to preclude possible reversion of ownership to North Ten; consequently, we contacted the Michigan State University School of Planning & Architecture to assist in the design of the project for a very modest fee (\$3K), which the City will pay. A Working Group is being formed to oversee the design project and interface with the landscape architect students (a doctorate student, an advanced degree student, and an undergraduate – all under the supervision of the MSU department head). The proposed composition of the committee is a City Commissioner, a Planning Commissioner, a DDA member, a downtown business owner, a Chamber of Commerce representative, at least two City residents, and ad hoc members of the City Staff as needed.

The DDA has appointed two of its members to serve as members of the Working Group; the Chamber of Commerce has agreed to serve as a member; and the City Commission has an appointee for the Working Group. The Planning Commission is asked to similarly consider appointing one of its members to serve in this capacity.

Motion by Commissioner Wyman second by Commissioner Moser to appoint Jason Lowe as the primary representative and Darren Acton as the alternate representative of the Planning Commission to serve as members of the Downtown Gateway Project Work Group by adoption of Resolution 2018-004PC. Roll Call Vote: Ayes: Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Kristin Heintz, Jason Lowe, Brett Moser, and Nick Wyman. Nays: None. Absent: Darren Acton. *Motion approved.*

PUBLIC COMMENT: None.

INTRACOMMISSION COMMUNICATIONS: Glenda Carmoney made a request to have MDOT reassess the traffic light stop line at the corner of Schoolcrest and McEwan Streets. On several occasions she has observed that southbound drivers on McEwan Street do not stop at the solid white line when the light is red. The solid white line is set back from Schoolcrest Street and the traffic light to allow traffic travelling off Schoolcrest to make a left hand turn when the light is green; rather they pull up into the intersection directly in front of the light preventing drivers traveling west on Schoolcrest from turning left on to McEwan Street when they have the right of way. CM Hibl will contact MDOT regarding this issue. Bob Bonham offered that they do make signs for posting on the side of the roadway indicating where a driver should stop when the light is red.

ADJOURNMENT

Moved by Commissioner Demasi second by Commissioner Carmoney to adjourn.
Ayes: All. Nays: None. Absent: Darren Acton. *Motion approved.*

Meeting adjourned at 5:56 p.m.

Diane Lyon, City Clerk