

The regular meeting of the Clare City Planning Commission was called to order in the city commission chamber of Clare City Hall, 202 W. Fifth St., Clare, MI, at 6:31 p.m. by Chair Josh Clark who led the Pledge of Allegiance. Present were: Commissioners Steve Barnes, Josh Clark, Glenda Carmoney, Angie Cozat, Elaine Demasi, Brett Moser, Jan Winter and Darren Acton. Absent: Nick Wyman. Also present were Ken Hibl, City Manager; and Diane Lyon, City Clerk.

APPROVAL OF AGENDA:

The first item of business on tonight's agenda is a Site Plan Proposal by Alro Steel. Since representatives of Alro Steel had not yet arrived at the meeting to present the proposed Site Plan, CM Hibl requested that the Planning Commission address the second item of business before addressing the Site Plan at tonight's scheduled meeting.

Moved by Commissioner Acton second by Commissioner Demasi to approve the agenda as amended. Ayes: All. Nays: None. Absent: Nick Wyman. *Motion approved.*

APPROVAL OF MINUTES:

Moved by Commissioner Carmoney second by Commissioner Winter to approve the minutes of the previous meeting. Ayes: All. Nays: None. Absent: Nick Wyman. *Motion approved.*

PUBLIC COMMENT: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

A. ORDINANCE 2016-002 (AMEND CHAPTER 52-ZONING)

The Clare Downtown Development Authority (DDA) spent approximately three months reviewing and refining its current downtown sign standards and has asked our City Attorney to draft revised standards to accommodate the requested changes. Our City Attorney has offered those revised standards in the form of an ordinance change (Ordinance 2016-002) with a cover memo clarifying two aspects of implementation of the ordinance change with concurrent updates to Sections 52-437 thru 442 of the City's existing sign ordinance. The DDA reviewed the revised sign standards in May 2016 and unanimously recommended that the Planning Commission and City Commission adopt the new standards.

The City Commission is the approval authority for all ordinance codes. However, zoning codes must be reviewed and considered by the City's Planning Commission and a recommendation(s) provided to the City Commission prior to adoption of changes or amendments to the zoning codes. But prior to consideration of any proposed zoning ordinance change, the City Planning Commission is required to conduct a public hearing. A public hearing has been noticed.

Moved by Commissioner Winter second by Commissioner Moser to open the public hearing. Voice Vote, Ayes: All. Nays: None. Absent: Nick Wyman. *Motion approved.*

Public Comment: None.

Moved by Commissioner Carmoney second by Commissioner Acton to close the public hearing. Voice Vote, Ayes: All. Nays: None. Absent: Nick Wyman. *Motion approved.*

The DDA's Ordinance was modeled after three other communities with historic downtowns. The desire was to bring the sign ordinance into the 21st century with digital signs & the like now in existence. The challenge was to incorporate the new into a historic district. One of the prominent changes the DDA recommends is to have the business sign lighting off when the business is closed.

Wayfinding signs are a completely different matter. The DDA tried to work out a way to incorporate wayfinding signs however the two main thoroughfares through Clare (McEwan and Fifth Streets) are under the jurisdiction of the Michigan Department of Transportation (MDOT). Wayfinding signs have nothing to do with this Ordinance amendment.

Commissioner Barnes expressed opposition to the limitations provided within the Ordinance because he feels they are too restrictive to downtown businesses; and doesn't feel that the Ordinance doesn't allow downtown business to compete with outside businesses. While the Ordinance is more restrictive because it was modeled for an historic district, CM Hibl suggested that the sign Ordinance could be used as a model for other districts because we do want to have balance with outlying districts so that downtown businesses are not at a disadvantage.

Businesses built in Clare Commons will have stringent sign restrictions under covenants established for that area. Signs along the roadway going through Clare Commons are required to comply with the City's Ordinance codes at minimum. Clare Common can make requirements more restrictive than the City's. The same developer established White's Subdivision which has greater restrictions than that of the City Code.

Portable signs are not allowed within our current Ordinance Codes. Those signs need to be addressed but the Planning Commission desires to wait until the new sign Codes are adopted and in place before they begin to address the portable sign issue.

The downtown movie theatre marquee sign is exempt from the DDA sign ordinance because it is a historic marquee. Commissioner Barnes questioned whether it would still be exempt if the owner wanted to change it or if someone else purchased the building and wanted to make it bigger. CM Hibl offered to get Commissioner Barnes an answer from the City Attorney who would have to rule on any changes to the marquee.

Commissioner Barnes took issue with the term and restrictions under "illuminated sign" and opposed restriction of the illumination of business signs within the DDA. The DDA decided that when a business is closed, signs illuminated by lighting should be turned off. If the lighting directly faces the business sign and the intent is to light the sign rather than the building façade or canopy, the light would need to be off when the business is not open. There are also illumination restrictions in the DDA under the lighting standards. CM Hibl recommended Commissioner Barnes attend the DDA meetings since he is a member of the DDA.

CM Hibl offered that the Ordinance could be revisited with the DDA, who is responsible for the DDA design standards, but at least one of the Planning Commissioners should attend the meeting to express and explain the concerns of the Planning Commission; or, the Ordinance could be forwarded to the City Commission for their approval and adoption with recommended changes.

Moved by Commissioner Demasi second by Commissioner Winter to remand Ordinance 2016-002 to the DDA for further discussion and review and appoint Commissioners Moser, Clark and Barnes as representatives of the Planning Commission to attend and present on behalf of the Planning Commission at the August 5, 2016, DDA meeting. Roll Call Vote, Ayes: Darren Acton, Steve Barnes, Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Brett Moser, and Jan Winter. Nays: None. Absent: Nick Wyman. *Motion approved.*

B. SITE PLAN PROPOSAL-ALRO STEEL

The City Planning Commission is asked to conduct the required public hearing and subsequently consider and offer a recommendation(s) to the City Commission regarding Section 52-279 and Sections 52-437 thru 52-442 of the proposed Ordinance 2016-002, which incorporates the revised downtown sign standards and updates other sections of the City's sign ordinance.

The City Commission is asked to consider hold the requisite public hearing to receive comment and then approve the Plan.

Wolverine Engineers & Surveyors representative Jesse Lewter and President of O'Harrow Construction Company, George Kittle, provided a brief overview of the project and were present to answer questions of the Planning Commission.

Moved by Commissioner Acton second by Commissioner Moser to open the public hearing. Voice Vote, Ayes: All. Nays: None. Absent: Nick Wyman. *Motion approved.*

Public Comment: None.

Moved by Commissioner Winter second by Commissioner Carmoney to close the public hearing. Voice Vote, Ayes: All. Nays: None. Absent: Nick Wyman. *Motion approved.*

Moved by Commissioner Acton second by Commissioner Winter to recommend approval of the Site Plan by adoption of 2016-009PC. Roll Call Vote, Ayes: Darren Acton, Steve Barnes, Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Brett Moser, and Jan Winter. Nays: None. Absent: Nick Wyman. *Motion approved.*

INTRACOMMISSION COMMUNICATIONS

Elaine Demasi had three questions regarding the Master Plan update.

First, Commissioner Demasi was unclear as to why the June minutes identified the property at the north end of Clare, south side of Colonville Road as Agricultural when the Commission had discussed zoning that property as Residential at the June meeting, and on the 2009 Master Plan Future Land Use Map it was designated as High-Density Residential. McKenna had produced a 2016 Future Land Use zoning map for the Planning Commission (presented at the June meeting) which identified that property as Agricultural because (in their view) it didn't make sense to have that property designated High-Density Residential when properties to the north, east and west are intended for Commercial and Industrial Districts. Not all Commissioners were in favor of designating the property as Residential because people living in that area would essentially be "cut-off" from the downtown shopping district when there are other areas in the UCA area which could be more suitable for High-Density Residential. Also, US 127 borders on the southern property line and traffic noise would not be a good fit for a Residential District. However, the consensus of the Commission was to convert zoning from Agricultural to large lot Residential.

In answer to Commissioner Demasi's second question, the Future Land Use designation of a property does not have bearing on a property unless the use of the property changes. For instance, if a single family residential homeowner sells his house for use as a single family residence there is no requirement to change the use even though the property is identified as Commercial (or any other zoning district) on the Future Land Use Map. The property would be considered nonconforming but can continue to be nonconforming provided the use of the property does not change.

Commissioner Demasi's third question/concern related to property located behind Chodaka/Ace Hardware area located on the west side of the City (school property). Commissioner Demasi pointed out that the focus groups had concern about creating additional subsidized housing. Specific zoning had not been identified at the last meeting so she had concerns regarding the zoning of these properties on the Future Land Use Map.

McKenna intends to make changes to the map in accordance with the Planning Commissions suggestions and they will be presented at the August meeting. City staff will submit Commissioner Demasi's questions to McKenna prior to the next meeting so that they can provide answers prior to the August 10 meeting.

Commissioner Winter announced that the Leo Beard property (across the Tobacco River from Pettit Park) is currently for sale for less than \$500k; six years ago it was valued for 1.5 million. The house and barns sit on 16 acres. Commissioner Winter offered that it would be a great property for a community/recreation center and the location is ideal as it is centrally situated and across from our campgrounds (Pettit).

ADJOURNMENT

Moved by Commissioner Acton and seconded by Commissioner Carmoney to adjourn. Ayes: All. Nays: None. Absent: Nick Wyman. *Motion approved.* Meeting adjourned at 7:22 p.m.

Diane Lyon, City Clerk