

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 ~~6:00 p.m.~~ (S.S.) 6:30 p.m. by Commission Vice-Chair Darren Acton, who led the Pledge of Allegiance. Present were: Commissioners Darren Acton, Angie Cozat, Glenda Carmoney, Elaine Demasi, Nick Wyman and Kristin Heintz. Absent: Josh Clark, Jason Lowe and Brett Moser. Also present were Ken Hibl, City Manager; and Sarah Schumacher, Deputy Clerk.

APPROVAL OF AMENDED AGENDA:

Moved by Commissioner Demasi second by Commissioner Heintz to approve the amended agenda to include item C. – Excusal of Commissioners Clark, Moser and Lowe and item D - Minutes. Ayes: All. Nays: None. Absent: Josh Clark, Jason Lowe and Brett Moser. *Motion approved.*

APPROVAL OF MINUTES:

Moved by Commissioner Carmoney second by Commissioner Heintz to approve the Minutes. Ayes: All. Nays: None. Absent: Josh Clark, Jason Lowe and Brett Moser. *Motion approved.*

UNFINISHED BUSINESS: None.

NEW BUSINESS:

ORDINANCE 2018-005 – ZONING AND PARKS & RECREATION

Ordinance 2018-005 encompasses proposed amendments to both Chapter 52 (Zoning) and Chapter 30 (Parks & Rec) of the City's Ordinance Codes. The Planning Commission's purview and oversight pertains only to Chapter 52.

Section 52-181 (b) (1) of the City's current zoning codes restricts/limits commercial development within the Commercial-1 Districts of the City to 7,500sf. This restriction is considered antiquated and an impediment to economic development. Testimony to this statement is a request the City has recently received to construct a new 9,100sf commercial building in one of the City's C-1 districts that requires the developer to request a variance to allow the development to proceed. The City presently has a number of retail businesses in the C-1 District that exceed 7,500sf (Witbeck's Family Foods, Wood's Household, The Venue, the former Campbell Printing, Clare Hardware). Consequently, we've asked the City Attorney to draft a change to the current codes retracting this restriction and increasing the retail size limitation to 49,999 sf – just below the limit requiring a special permit and qualifying it as a "big box" retail facility. The Planning Commission is asked to discuss, consider, and offer a formal recommendation of approval or disapproval of the proposed Ordinance.

All ordinance code changes or amendments require the approval of the Clare City Commission. Chapter 52 (Zoning) amendments first require the review and recommendation(s) of the Planning Commission prior to submittal of the proposed ordinance amendment to the City Commission. A public hearing is required prior to the review and consideration of the proposed Ordinance by the Planning Commission and the City Commission. The Clare City Clerk has issued public notice of a public hearing to receive comment related to the proposed amendment. The Planning Commission is asked to conduct the required public hearing and subsequently review, consider, and make a formal recommendation(s) pertaining to the applicable portions of Ordinance 2018-005 that pertain to zoning.

Motion by Commissioner Heintz second by Commissioner Wyman to open the public hearing. Ayes: All. Nays: None. Absent: Josh Clark, Jason Lowe and Brett Moser. *Motion approved.*

Public Comment: None.

Motion by Commissioner Wyman second by Commissioner Carmoney to close the public hearing. Ayes: All. Nays: None. Absent: Josh Clark, Jason Lowe and Brett Moser. *Motion approved.*

Motion by Commissioner Carmoney second by Commissioner Cozat to approve Ordinance 2018-005 as it pertains to zoning by adoption of 2018-017PC. Roll call vote:

Ayes: Darren Acton, Glenda Carmoney, Angie Cozat, Nick Wyman, Kristin Heintz and Elaine Demasi. Nays: None. Absent: Josh Clark, Jason Lowe and Brett Moser. *Motion approved.*

TRANSFER OF SPECIAL USE PERMITS – GREEN DAY INVESTMENTS, LLC

City has issued two special use permits (one for Medical MJ grow facility and one for Medical Marijuana provisioning center). We've received a request from the attorney representing Green Day Investments advising us that the company has changed its name and has requested that the issued special use permits be transferred to Green Bronco, LLC. The City Attorney has opined that the Planning Commission has the authority to transfer the special use permits.

Motion by Commissioner Heintz second by Commissioner Demasi to approve the name change of Green Day Investments, LLC. to Green Bronco, LLC. and approve the special use license transfer by adoption of 2018-018PC. Roll call vote: Ayes: Darren Acton, Glenda Carmoney, Angie Cozat, Nick Wyman, Kristin Heintz and Elaine Demasi. Nays: None. Absent: Josh Clark, Jason Lowe and Brett Moser. *Motion approved.*

ABSENCE EXCUSAL – COMMISSIONERS LOWE, CLARK AND MOSER

By-laws of the City of Clare Planning Commission stipulate that if any Planning Commissioners is absent from any three consecutive meetings or more than 30% of meetings in any given year, the office of that Commissioner shall become vacant unless such absence is excused by the commission and the reason therefore entered in the proceedings. Commissioners Moser, Lowe and Clark provided advance notification to city staff and have requested excusal from tonight's meeting.

Motion by Commissioner Wyman second by Commissioner Acton to approve the absence excusals of Commissioners Lowe, Clark and Moser by adoption of 2018-019PC. Roll call vote: Ayes: Darren Acton, Glenda Carmoney, Angie Cozat, Nick Wyman, Kristin Heintz and Elaine Demasi. Nays: None. Absent: Josh Clark, Jason Lowe and Brett Moser. *Motion approved*

INFORMATIONAL ITEMS

In answer to a question from Commissioner Elaine Demasi regarding recreational marijuana, City Manager Ken Hibl stated that if voters approve recreational marijuana in November, we will need to wait for the State of Michigan to set guidelines on how and where it can be purchased and whether municipalities can limit its use within parks, etc.

A Dollar General store will be built at the old Tri-R Hotel location on W. Fifth Street. The seller of the property has retained a small section for the longstanding Popcorn Wagon's continued use.

Clare lost a pillar of the community this week; Al Iacco, a long-time business leader, DDA member, IDC member and previous mayor passed away.

A group of 15-20 business owners and council members from the City of Vassar will be visiting Clare next week. After meeting at the Depot, they will be paired up with Clare's local business people for a tour of our down town area.

Commissioner Angie Cozat has been accepted into the Clare County Leadership Institute, a nine month commitment commencing in September.

PUBLIC COMMENT: None.

INTRACOMMISSION COMMUNICATIONS: NONE

ADJOURNMENT

Moved by Commissioner Demasi second by Commissioner Wyman to adjourn. Ayes: All. Nays: None. Absent: Josh Clark, Brett Moser and Jason Lowe. *Motion approved.* Meeting adjourned at 7:05 p.m.