

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, Jan Winter, Nick Wyman and Darren Acton. Absent: Glenda Carmoney, Brett Moser, Elaine Demasi and Angie Cozat. Also present were Steven Kingsbury, City Treasurer, Stacy Pechacek, and Assistant Deputy City Clerk, Jaynie Smith Hoerauf, City Attorney, Tyler Tennent of Dawda Mann Attorneys and Paul Furtaw of Bergman Associates Engineering.

**APPROVAL OF AGENDA:**

Moved by Commissioner Acton second by Commissioner Winter to approve the agenda. Ayes: All. Nays: None. Absent: Glenda Carmoney, Brett Moser, Elaine Demasi and Angie Cozart. *Motion approved.*

**APPROVAL OF MINUTES:**

No minutes presented for approval.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

**A. REQUEST TO EXTEND PREVIOUSLY APPROVED SITE PLAN – WALMART**

Mr. Steven Kingsbury, City Treasurer and Financial Officer, summarized for the commission the request for a one year extension to the previously approved site plan for Wal-mart.

By adoption of its Resolution 2015-021PC the City Planning Commission approved the site plan application and request for three Special Use Permits of Wal-Mart Real Estate Business Trust to construct a new 158,583 square-foot super center and an adjacent 740 square-foot fueling station on 17.42 acres of presently vacant, commercially-zoned property adjacent to Colonville Road in a currently undeveloped northern commercial district owned by the Clare Northern Group within the boundaries of the City of Clare. As construction of the proposed development has not commenced, the site plan will expire on September 29, 2016 without a request for extension of the approved plan and approval of the request by the City's Planning Commission.

The City has received a request for a one-year extension of the approved site plan and special use permits. The Planning Commission has the authority to grant an extension to any approved site plan for a maximum period of one year. If construction is not commenced within the extension period granted, the approved site plan and special use permits are considered null and void and must be resubmitted for consideration (52-419).

The City has noticed a hearing to allow the Planning Commission to receive comment related to the site plan extension request.

The Planning Commission is asked to hold the public hearing; receive and consider any comment made at the public hearing; and subsequently consider and act on the request to extend the approved site plan. In doing so, it is important to note that there are no proposed changes to the previously-approved site plan. Consequently, the site plan and the three special use permits remain approved and are not a matter for discussion or consideration by the Planning Commission at this meeting – the only matter of business to be considered by the Planning Commission is to evaluate and determine whether the request for extension has merit and warrants approval.

Commissioner Clark raised a question regarding the purchase of the property and the development of the land. Mr. Kingsbury confirmed that the purchase of the property took place a few months ago and there has been development to the property in question. Commissioner Clark also raised a question regarding the road usage during the construction period. Mr. Kingsbury responded that, from his understanding, rough-grade roads would be used as opposed to paved roads

initially. Commissioner Acton asked about the time frame for breaking ground. Mr. Paul Furtaw, of Bergman Associates, replied that the intention was to break ground in the first part of spring 2017. Commissioner Wyman asked if the development process in Clare had any correlation with the development process in Kalkaska. Mr. Furtaw stated that it was merely coincidental that Kalkaska was on a similar time line as the Clare Wal-Mart development and that there is no direct connection between the two. Commissioner Acton raised a question about the likely hood that the commission would be revisiting this discussion again in a year. Mr. Kingsbury restated the terms of the extension and that if substantial work had not commenced before the extension deadline, all prior approvals would be null and void.

Commissioner Clark requested a motion to open public hearing.

Moved by Commissioner Winter second by Commissioner Wyman to open public hearing. Ayes: Darren Acton, Steve Barnes, Josh Clark, Nick Wyman, and Jan Winter. Nays: None. Absent: Absent: Glenda Carmoney, Brett Moser, Elaine Demasi and Angie Cozat. *Motion approved.*

No public comment. Commissioner Clark requested a motion to close public hearing.

Moved by Commissioner Wyman second by Commissioner Acton to close public hearing. Ayes: Darren Acton, Steve Barnes, Josh Clark, Nick Wyman, and Jan Winter. Nays: None. Absent: Absent: Glenda Carmoney, Brett Moser, Elaine Demasi and Angie Cozat. *Motion approved.*

It is recommended by the City Manager, Ken Hibl, that the Planning Commission approves the request to extend the expiration date of the approved site plan and three special use permits for a period of one year by adoption of Resolution 2016-014PC.

Commissioner Clark requested a motion to approve Resolution 2016-014PC.

Moved by Commissioner Winter second by Commissioner Wyman to approve the updated Resolution 2016-014PC. Roll Call Vote, Ayes: Darren Acton, Steve Barnes, Josh Clark, Nick Wyman, and Jan Winter. Nays: None. Absent: Absent: Glenda Carmoney, Brett Moser, Elaine Demasi and Angie Cozat. *Motion approved.*

#### **B. CONTINUATION OF MASTER PLAN UPDATE**

The Clare City Commission approved the distribution of the draft copy of the City's updated Comprehensive Master Plan and relinquished approval authority of the final version of the Master Plan to the Planning Commission. Notice has been made and distribution of the Plan has been made by the City, thereby commencing the 63-notice period required by state law. Upon expiration of this 63-day period, the Planning Commission may consider all comments received and chose to include the comments considered relevant and pertinent and subsequently approve the Master Plan – tentatively, at the Planning Commission's regularly-scheduled November meeting.

Commissioner Clark asked a question regarding who is entitled to comment during this 63-day period and if no comments are made how the commission will move forward. Mr. Kingsbury responded that the comment period for the focus groups has commenced, and the current 63-day period relates to governmental entities and quasi-governmental entities such as utility companies and schools. If comments are made the Planning Commission can consider them for incorporation into the final update.

**PUBLIC COMMENT:** None.

#### **INTRACOMMISSION COMMUNICATIONS**

A brief discussion regarding signage took place. Mr. Kingsbury stated that the City has had many issues relating to signage and our sign ordinances will benefit from updating.

A brief discussion was had about driverless cars.

Commissioner Winter provided an update of the progress on the Clare Depot Project. Commissioner Barnes informed the commission of a fund-raising golf outing for the benefit of the Depot. Some discussion took place regarding the movement of the downtown sound system into the Depot once completed.

An update on the state of the South Recreation Complex was provided by Mr. Kingsbury.

Commissioner Wyman made a comment that the downtown façade restorations were going well. A brief discussion regarding the façade projects was had.

A short discussion regarding appreciation for the involvement of Mid Michigan Community Action Agency (MMCAA) in many local projects took place.

#### **ADJOURNMENT**

Moved by Commissioner Wyman second by Commissioner Winter. Ayes: Darren Acton, Steve Barnes, Josh Clark, Nick Wyman, and Jan Winter. Nays: None. Absent: Absent: Glenda Carmoney, Brett Moser, Elaine Demasi and Angie Cozat. *Motion approved.* Meeting adjourned at 7:41 p.m.

---

Stacy B. Pechacek, Assistant Deputy City Clerk