

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. by Vice Chair Darren Acton who led the Pledge of Allegiance. Present were: Commissioners Darren Acton, Glenda Carmoney, Elaine Demasi, Jan Winter and Nick Wyman. Absent: Steve Barnes, Josh Clark and Angie Cozat. Also present were Ken Hibel, City Manager; and Diane Lyon, City Clerk.

**APPROVAL OF AGENDA:**

Moved by Commissioner Carmoney second by Commissioner Winter to approve the agenda. Ayes: All. Nays: None. Absent: Steve Barnes, Josh Clark and Angie Cozat. *Motion approved.*

**APPROVAL OF MINUTES:**

Moved by Commissioner Winter second by Commissioner Demasi to approve the minutes of the previous meeting. Ayes: All. Nays: None. Absent: Steve Barnes, Josh Clark and Angie Cozat. *Motion approved.*

**PUBLIC COMMENT:** None.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

**SITE PLAN REVIEW-WALMART SITE PLAN REVIEW & SPECIAL USE REQUEST**

The Clare ZBA received a request to interpret the definition of the word, "lot", as it pertains to the maximum lot coverage for retail businesses exceeding 50,000 square feet and met on September 28, 2015 to consider the request. Based on the information provided at that meeting, the ZBA unanimously made the determination that for the specific development being considered (the CNG commercial development north of the City encompassing approx. 139 acres), the word "lot" encompasses the entire property parcel – thus the currently proposed development (Wal-Mart) and all future developments of this particular development (the entirety of the commercially-zoned property owned by CNG) will meet the 75/25 maximum lot coverage criteria presently stipulated in our special land use ordinance for retail stores exceeding 50,000 square feet as approximately 35% of the 137 acres is wetland and is undevelopable. Barring appeal of that ZBA decision, that matter has been determined. However, the ZBA asked that the Planning Commission review the 75/25 criteria for validity for any/all future retail development exceeding 50,000 square feet outside of the CNG parcel. Thus the matter is presented to the Planning Commission for discussion and guidance. Based on the Planning Commission's decision/desires, we will refer the matter to our City Attorney to incorporate that guidance in a proposed zoning ordinance amendment format.

Commissioner Demasi recommended reviewing the ZBA request as part of the Master Plan update process which will begin this fall. All other members present were in favor of Commissioner Demasi's recommendation.

**INFORMATIONAL ITEMS**

Master Plan Update. Sensing sessions will commence November 4. City staff will organize focus groups to include the schools, fraternal organizations, downtown businesses, industrial businesses, etc. The information gathered at the all day sensing session will then be presented that evening to the Planning Commission.

Planning Commission Resolutions. Historically, the City Clerk has been tasked, as a non-voting member of the Planning Commission, to sign all resolutions of the Planning Commission. As such, resolutions are not formally approved until the next meeting of the Planning Commission when the minutes of the previous meeting are approved. The Planning Commission bylaws state that the Planning Commission Chair shall execute all documents, so from here forward, all resolutions will be signed by the Chair following each meeting so that they become effective immediately. There is a 21 day appeal process in the event an individual or business feels that they have been aggrieved; however, that 21 day appeal period does not begin until the resolution has either been approved or signed by the Planning Commission Chair. There are months when the

Planning Commission does not meet so there is the potential that a resolution could go 30 or 60 days before the 21 day appeal period begins.

New Water Tower. The tower is in the process of being painted, however, the color of paint is not the correct color. We are unsure if we can rectify the situation prior to winter.

Consumers Energy's Facility. Consumers Energy downtown facility is up for sale. They gave the city first option and we asked for the property to be donated to the city however, they are unable to donate the property.

Depot Update. The Clare Area Arts Council will be housed in the Depot by December 31. Clare Depot Preservation, Inc. raised funds to purchase a caboose in memory of railroad aficionado & historian, Larry Lewis. AT&T removed two poles out in front of the depot (in the ROW) and placed the cable underground at no charge in memory of former Planning Commissioner, Ben Walters.

Planning Commission Vacancy. We have one vacancy to fill on the Planning Commission. Nick Wyman recommended Brian Atwood as a potential candidate for commissioner.

### **ADJOURNMENT**

Moved by Commissioner Winter and seconded by Commissioner Demasi to adjourn. Ayes: All. Nays: None. Absent: Steve Barnes, Josh Clark and Angie Cozat. *Motion approved.* Meeting adjourned at 7:05 p.m.

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Diane M. Lyon, City Clerk