

The regular meeting of the Clare City Planning Commission was called to order in the City Commission Chambers, at 6:30 p.m. by Vice Chair Jan Winter who led the Pledge of Allegiance. Present were: Commissioners Darren Acton, Steve Barnes, Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, John Kline, and Jan Winter. Absent: none. Also present were Ken Hibl, City Manager; and Diane Lyon, City Clerk.

APPROVAL OF MINUTES:

Moved by Commissioner Demasi second by Commissioner Clark to approve the minutes of the previous meeting with amendment. Ayes: All. Nays: None. Absent: None. *Motion approved.*

APPROVAL OF AGENDA:

Moved by Commissioner Acton second by Commissioner Carmoney to approve the agenda. Ayes: All. Nays: None. Absent: None. *Motion approved.*

PUBLIC COMMENT: None.

UNFINISHED BUSINESS: None

NEW BUSINESS:

SELECTION OF PLANNING COMMISSION CHAIR

Commissioner Dave Prawdzik, the long-serving Chairman of the City's Planning Commission, recently submitted his resignation to Mayor Pat Humphrey thereby causing a vacancy on the Planning Commission and concurrently leaving the Commission without a Chairperson. The Commission's Vice Chairperson, Commissioner Jan Winter, announced at the September Planning Commission meeting that, while she intends to remain as a member of the Planning Commission, she will resign her position as the Vice Chairperson at the October meeting thereby leaving the Commission without a Chairperson or Vice Chairperson.

The by-laws of the Planning Commission stipulate that the Commission shall select its own Chairperson. The Planning Commission is asked to do so by asking for and accepting nominations for the position of Chairperson and then subsequently vote to select a new Chairperson.

Moved by Commissioner Carmoney second by Commissioner Demasi to nominate John Kline as Planning Commission Chair.

Moved by Commissioner Acton second by Commissioner Clark to close nominations.

Voice Vote to select John Kline as Planning Commission Chair: Ayes: All. Nays: None. Absent: None. *Motion approved.*

SELECTION OF PLANNING COMMISSION VICE CHAIR

The Commission's current Vice Chairperson, Commissioner Jan Winter, announced at the September Planning Commission meeting that, while she intends to remain as a member of the Planning Commission, she will resign her position as the Vice Chairperson at the October meeting, thereby leaving the Commission without a Vice Chairperson.

The by-laws of the Planning Commission stipulate that the Commission shall select its own Vice Chairperson. The Planning Commission is asked to do so by asking for and accepting nominations for the position of Vice Chairperson and then subsequently vote to select a new Vice Chairperson.

Moved by Commissioner Acton second by Commissioner Winter to nominate Josh Clark as Planning Commission Vice Chair.

Moved by Commissioner Carmoney second by Commissioner Demasi to close nominations.

Voice Vote to select Josh Clark as Planning Commission Chair: Ayes: All. Nays: None. Absent: None. *Motion approved.*

ORDINANCE 2014-010

The City of Clare and Grant Township entered into an Urban Cooperation Agreement (UCA) in 2008 that allows property owners within the designated area of the UCA to request transfer of jurisdictional control of designated properties to the City. The Clare Northern Group (CNG) requested a transfer of 200 acres of property to the City of Clare in October 2013; the transfer was approved.

Subsequent to the transfer of property and in accordance with the City's Master Plan (specifically, the Future Land Use Map of the Plan), the City Planning Commission recommended that the City Commission zone 60 acres of the 200 acre parcel as Industrial Park and the balance (approximately 140 acres) as Commercial, thereby accommodating the request of CNG and concurrently complying with the previously approved Future Land Use Map. The City Commission approved the recommendation of the Planning Commission, and the property was zoned accordingly in November 2013.

In late September 2014 the City, much to its chagrin, discovered that when the zoning was completed, the property descriptions of the two parcels were inadvertently reversed. Consequently, the property that was intended to be zoned Commercial was zoned as Industrial Park, and the property that was to be zoned as Industrial Park was zoned as Commercial.

The City Staff consulted with the City Attorney, and we determined that the only proper method to correct this error was to go through the process of re-zoning the two parcels. Therefore, we have initiated the process to do so.

The Clare City Attorney has drafted a proposed ordinance amendment (Ordinance 2014-010), and the City Clerk has issued public notice of a public hearing to receive comment related to the proposed amendment. The City Planning Commission is now asked to consider the amendment and provide a recommendation to the City Commission regarding the proposed change.

While many provisions for Commercial 2 (C2) districts had been established in previous ordinances, the proposed ordinance amendment includes improvements to the current code with the implementation of complete streets and specific façade requirements. Additionally, Commercial 1 (C1) district uses will be allowed in C2 districts. Landscaping, lighting, and parking requirements in C2 districts are already covered under the current code.

Commissioner Barnes inquired about the proposed commercial property being zoned as C2 rather than C1. The initial C1 zoning was in error; the intent was always to zone the 140 acre parcel as C2 as requested by the land owner.

Any business coming in to C2 district over 50,000 square feet must come before the Planning Commission for a Special Use permit. The Planning Commission has the prerogative to require that buildings meet the appearance of the neighborhood.

There would be many issues if the ordinance were not amended as proposed; the Planning Commission would be required to go back and change the future land use map; we would lose the tax base that the commercial area can bring to the city; and it would jeopardize the water/sewer infrastructure grant in the industrial park.

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 amendment of both the Planning Commission and the City Commission.

The Planning Commission was asked to conduct the required public hearing and subsequently review, consider, and make a formal recommendation(s) pertaining to the proposed Ordinance 2014-010.

Moved by Commissioner Winter second by Commissioner Acton to open a public hearing. Ayes: All. Nays: None. Absent: None. *Motion approved.*

PUBLIC COMMENT: None.

Moved by Commissioner Winter second by Commissioner Barnes to close the public hearing. Ayes: All. Nays: None. Absent: None. *Motion approved.*

Moved by Commissioner Winter second by Commissioner Acton to approve proposed Ordinance amendment 2014-010 by adoption of Resolution 2014-012PC. Roll Call Vote: Ayes: Commissioners Darren Acton, Steve Barnes, Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, John Kline, and Jan Winter. Nays: None. Absent: None. *Motion approved.*

COMMISSION DISCUSSION TOPICS

We informed the Planning Commission that a letter was sent to former Chair Dave Prawdzik thanking him for his years of service on the Planning Commission.

Steve Barnes has been searching for a bench that could be purchased by the Planning Commission and Rotary next spring for use as a memorial for former Planning Commissioner Ben Walters who passed earlier this year.

Our MDOT representative recently passed away and they have not yet filled his position, so we have not pursued placement of a "Stop Here" sign in the southbound lane at the intersection of McEwan (Business 127) and Schoolcrest.

INTRA-COMMISSION COMMUNICATIONS

Traffic Control Orders: the City Commission approved three recommended changes to street parking that were made by the Traffic & Safety Committee due to safety concerns which include a new loading/unloading delivery zone on McEwan Street in front of Maxwell's to eliminate delivery parking on West Fifth Street; prohibited parking or standing on Hemlock Street between State Street and Wheaton Avenue during school hours; and angled parking and time limitations on Beech Street parking in front of City Hall.

Clare RR Depot. We applied for a \$90,000 matching grant from the Michigan Council for Arts and Cultural Affairs. The review of that grant will take place on October 30 and we have been invited to sit through the review. If awarded, the grant will cover the rehabilitation of the entire basement, including the elevator and other elements which will allow access to the basement where the Clare County Arts Council will be housed. We will also be applying to the Strosacker and Consumer's Energy Foundations for grants (\$40,000 & \$25,000 respectively).

MDOT US 10 Project. MDOT is waiting on Central Asphalt to complete the paving project east of the city.

Industrial Park Project. Water & sewer are being placed for the new park. They will bore under 127 next week to place the water & sewer lines. AT&T will be installing fiber into the park.

Colonville Road Project. Colonville is closed to all but local traffic. The road bed is in place and the contractor expects to lay the first layer of asphalt before November 15.

Consumer's Energy. Consumer's Energy is making great progress in developing their property in the new industrial park.

Walmart. They are still working on plans to build at this point and are in the process of conducting a traffic study. The earliest we could expect to see a site plan come before the Planning Commission would be January 2015. Their proposed facility will be located immediately to the west of Consumer's Energy property which is located in the industrial park but Walmart will be located within the commercial district. They intend to develop on 14 acres with the building front facing west toward Old 27. We estimate a (minimum) tax of roughly \$250,000 on a five million dollar investment which would include all taxing jurisdictions. For the city it would be roughly work out to be \$80-85,000 in taxes annually.

ADJOURNMENT

Moved by Commissioner Carmoney and seconded by Commissioner Acton to adjourn. Ayes: All. Nays: None. Absent: None. *Motion approved.* Meeting adjourned at 7:04 p.m.

Diane Lyon, City Clerk