

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

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

Moved by Commissioner Carmoney second by Commissioner Winter to approve the 08.31.16, 09.14.16, and 10.12.16 meeting minutes. Ayes: All. Nays: None. Absent: Steve Barnes and Josh Clark. *Motion approved.*

UNFINISHED BUSINESS: None.

NEW BUSINESS:

A. SITE PLAN REVIEW-AMERICAN MARBLE & GRANITE

American Marble & Granite has submitted a site plan application to construct a new 2,200 square foot paved parking lot on vacant property owned by the business proprietor on the west side its existing commercial building on McEwan Street in Clare. The City of Clare Planning Commission is the City's approval authority for the site plan.

The City Staff conducted a site plan review of the proposal new construction on November 2, 2016. The staff review determined that the proposed parking lot meets all the current zoning and building standards and requirements of the City and unanimously recommends that the Planning Commission approve the proposed site plan.

The Planning Commission is required to conduct a public hearing to receive comment related to the site plan. The City has published a public notice of the site plan proposal. To date the City has received no formal comment or correspondence related to the proposed development.

Prior to the conduct of the public hearing, the City Staff introduced the site plan and offered American Marble & Granite's representative an opportunity to offer any additional comments related to the proposed new parking lot.

The soil that is scraped from the proposed parking area will be used to build a berm to screen the lot from the adjacent residential area. A fence will be built on top of the berm, if necessary, to further screen the area from residences. We do not anticipate there will be an issue with headlights shining into homes with the berm built but if there is an issue we will require the fence be built; it will be a condition of the approval of the site plan.

Subsequent to the presentation, the Planning Commission was asked to conduct the required public hearing and then discuss, consider and render decisions regarding the site plan.

Motion by Winter second by Wyman to open a public hearing. Voice Vote: Ayes: All. Nays: None. Absent: Steve Barnes and Josh Clark. *Motion approved.*

Public Comment: None.

Motion by Carmoney second by Moser to close the public hearing. Voice Vote: Ayes: All. Nays: None. Absent: Steve Barnes and Josh Clark. *Motion approved.*

Motion by Winter second by Demasi to approve the site plan with the condition that a berm is built to separate the parking lot from the residential area and that if it is determined by the city at a later date that a fence is needed to further screen the residential area from the parking lot a fence will be built on top of the berm, by adoption of 2016-015PC. Roll Call Vote: Ayes: Darren Acton, Glenda Carmoney, Angie Cozat, Elaine Demasi, Brett Moser, Jan Winter and Nick Wyman. Nays: None. Absent: Steve Barnes and Josh Clark. *Motion approved.*

B. APPROVAL OF UPDATED MASTER PLAN

The Planning Commission completed a 12-month process to review and update the City's Master Plan in August 2016. The draft of the amended Plan was forwarded to the City Commission for review and approval of distribution for comment. The Commission approved distribution of the Plan, thereby commencing the required public review period, and concurrently relinquished authority to approve the amended plan (Resolution 2016-104) to the Planning Commission upon completion of the hearing period.

The City received only one formal comment from the Isabella County Planning Commission during the notice period – and that correspondence did not offer any recommendations for change or amendment. The Planning Commission may now, at its discretion, approve the Amended Master Plan. But prior to doing so, the Commission is required to hold one more public hearing; notice of the required hearing has been accomplished.

Greg Elliott of McKenna and Associates presented the information regarding the plan. The plan has proofread forwarded to the City Clerk in the event anyone wishes to review the marked up plan documents.

Commissioner Demasi wished to clarify whether there is enough of a transition area between the Special Use Multi-family Residential (school property) and the adjacent designated low income housing Multi-family Residential to the east and whether they will complement each other (will they be right next to each other, will there be landscaping in between, etc.) Mr. Elliott explained that the western section of the property is designated as Special Use Multi-family Residential. The Special Use language discussion in the Master Plan articulates how development of that property should be implemented and it is a policy for that area. It further provides that development design is to respect the natural layout of the land. The Master Plan does not specify the proximity of the Special Use Multi-family Residential to the adjacent, eastern Multi-family Residential area. If a developer desires to change the zoning they would have to come before the Planning Commission; the Planning Commission would then determine whether the transition will be appropriate to the Plan. Anyone can come before the Planning Commission to request Conditional Zoning and it is up to the Planning Commission to approve or disapprove the request dependent upon whether it is consistent in with the Future Land Use map. There is a great deal of property in that area and some of the property is not buildable so there should be a fairly large transition area.

Mr. James Paetschow has purchased the Beard property on McEwan Street. His intent is to use the property as an event center. We anticipate that he will come before the Planning Commission with a Request for Rezoning or a Conditional Zoning Request.

A zoning change for a specific person should not be considered, however, if the Planning Commission believes a zoning change to that parcel has merit they should consider doing so prior to adopting the updated Master Plan. Following discussion, the Planning Commission determined that a zoning change for that particular property does make sense due to the location and to promote development but they will consider it only if it is designated as a Special Use area to protect the natural features of the property.

Motion by Demasi second by Wyman to open a public hearing. Voice Vote: Ayes: All. Nays: None. Absent: Steve Barnes and Josh Clark. *Motion approved.*

Public Comment: None.

Motion by Carmoney second by Winter to close the public hearing. Voice Vote: Ayes: All. Nays: None. Absent: Steve Barnes and Josh Clark. *Motion approved.*

Motion by Demasi second by Moser to direct an amendment of the Future Land Use Map to designate parcel 051-027-300-09, 1601 North McEwan Street, as a Special Use area. Roll Call Vote: Ayes: Darren Acton, Glenda Carmoney, Angie Cozat, Elaine Demasi, Brett Moser, Jan Winter and Nick Wyman. Nays: None. Absent: Steve Barnes and Josh Clark. *Motion approved.*

C. ORDINANCE 2016-002-AMENDMENTS RELATED TO MEDICAL MARIHUANA LEGISLATION

City Attorney Jaynie Hoerauf presented the Planning Commission an overview of Michigan's new Medical Marihuana law, Public Act 281 of 2016, at its scheduled October meeting. The law impacts local municipalities in that it allows licensed medical marihuana provisioning centers, medical marihuana processing centers, secure transport centers, safety compliance centers, and medical marihuana grow centers which are required to comply with specific licensing procedures and requirements.

Jaynie provided three memos outlining basic provisions of the medical marihuana law at the aforementioned meeting. Based on the subsequent discussion with the Commission, she drafted a proposed change to City's current ordinance based on guidance provided her by the Planning Commission.

The Planning Commission is now asked to hold a public hearing to receive comment pertaining to the proposed ordinance amendment; direct the inclusion of any additional any desired changes to the proposed ordinance amendment; and make a recommendation(s) to the City Commission (the approval authority of all ordinance changes) related to the ordinance amendment.

Motion by Acton second by Moser to open a public hearing. Voice Vote: Ayes: All. Nays: None. Absent: Steve Barnes and Josh Clark. *Motion approved.*

Public Comment: None.

Motion by Carmoney second by Wyman to close the public hearing. Voice Vote: Ayes: All. Nays: None. Absent: Steve Barnes and Josh Clark. *Motion approved.*

Motion by Demasi second by Cozat to recommend approval of Ordinance 2016-002 by adoption of 2016-017PC. Roll Call Vote: Ayes: Darren Acton, Glenda Carmoney, Angie Cozat, Elaine Demasi, Brett Moser, Jan Winter and Nick Wyman. Nays: None. Absent: Steve Barnes and Josh Clark. *Motion approved.*

D. REDEVELOPMENT READY COMMUNITY PROGRAM

The City has been very successful in obtaining grant funding from a wide variety of sources during the past two decades. One of our most-utilized sources of grant funding has been the Community Development Block Fund Grant (CDBG) program, which is now primarily managed by the Michigan Economic Development Corporation (MEDC). Commencing in October 1, 2017, MEDC's prime criteria for grant eligibility will be formal certification as a Redevelopment Ready Community. The three-step process to attain certification is delineated in an outline document. The RRC Program definitely has its merits, and it is difficult to dispute its' municipal marketability benefits. But the process is somewhat lengthy, is resource and time intensive, and is bureaucratic – particularly from the aspect of still more Lansing micromanagement of local government. But if we want to continue our successful track record of grant funding for Clare, we need to endure the bureaucracy and expend the resources needed to attain certification. The City Staff has completed the first three blocks of required Best Practices training, and we are scheduled to attend the second training iteration in February. We will attempt to complete (or at least commence) the bulk of the mandatory self-assessment in December and January. We have to successfully complete each step before MEDC will formally

acknowledge our advancement to the next step; our goal will be to attain certification by Oct 1st.

We anticipate that the Planning Commission will have active involvement in the certification process as the bulk of the self-assessment process is a review of our site plan processes; the review of City Plans – to include the City's Master Plan, Capital Improvement Plan, and Recreation Plan, as well as some we don't currently have, e.g., a Corridor Plan; and a complete review of our zoning codes.

We will keep you informed of our progress and update you on your required participation as we move through the process. For the present time, we're sharing this information with you so that you are aware of the state's RRC Program and its impact on local municipalities.

PUBLIC COMMENT: None.

INTRACOMMISSION COMMUNICATIONS:

Woodlawn Bridge

The City is required to replace the Woodlawn Bridge. The bridge had passed an inspection last year but did not pass a surprise inspection this year. Center timbers of the bridge are cracked and in need of repair. A 3 ton weight limit was placed on the bridge and DPW has been hauling residential waste across the bridge for pickup by the city's waste hauler but the problem was exacerbated when truck traffic ignored the imposed limit. Lane delineators have since been put in place to limit traffic on the bridge.

The City has no choice but to replace the bridge because there is no other access for residents living across the bridge. We have had GFA look into options to repair the bridge and it appears that the lowest cost option will be to replace the timbers. The cost estimate for repairs is \$69.5K and \$14.5 for installation and will come out of the street funds. The supplier of the timbers has offered his time to come and teach DPW how to repair the bridge to save costs. We will likely need to rent equipment to complete the needed repairs. Lead time on ordering the timbers is 8-10 weeks.

Streets Millage The 3 mil Streets Millage passed nearly 2 to 1. We will make sure that we manage those funds appropriately. There will be a tremendous improvement in our streets over the next five years.

Colonville Road Realignment

Due to the costs involved with repairing the Woodlawn Bridge, we will likely need to defer the Colonville Realignment Project for two years. We are eligible for the Small Urban Grant which is \$375K this year for the project but we need to spend the matching funds that had been allocated for that project toward bridge repairs.

Recreation Complex

The pathways in the Complex will be finished this year and then construction will be put on hold until next spring.

PM1225 75th Anniversary Celebration

The 75th Anniversary Event sponsored by the Clare Chamber was hugely successful. There was a very large crowd awaiting the train's arrival and passengers coming in on the train were thrilled with the reception they received. Businesses were packed downtown. \$627 dollars was raised for the train depot restoration at this event.

ADJOURNMENT

Moved by Commissioner Carmoney second by Commissioner Moser Ayes: All. Nays: None. Absent: Steve Barnes and Josh Clark. *Motion approved.* Meeting adjourned at 7:30 p.m.