

The regular meeting of the Clare City Planning Commission was called to order in the City Hall Commission Chambers, at 6:33 p.m. by Chairperson Jason Lowe, who then led with the Pledge of Allegiance. Commissioners present were: Lisa Benic, Glenda Carmoney, Angie Cozat, Jason Lowe, Brett Moser, Stacy Pechacek, and Nick Wyman. Absent: Elaine Demasi and Ken Hibl. Also present were Jeremy Howard, City Manager; and Diane Lyon, City Clerk.

APPROVAL OF CONSENT AGENDA:

Moved by Commissioner Pechacek, second by Commissioner Carmoney to approve the Consent Agenda items listed with an asterisk (*) (Amended Agenda, Minutes, and Professional Development) that are routine by the Planning Commission. Voice vote: Ayes: All. Nays: None. Absent: Elaine Demasi and Ken Hibl. *Motion Carried.*

APPROVAL OF MINUTES: *Approved by consent agenda

APPROVAL OF AGENDA: *Approved by consent agenda

PUBLIC COMMENT: None.

OLD/UNFINISHED BUSINESS: None.

NEW BUSINESS

A. ORDINANCE 2024-001-REQUEST TO REZONE 506 W. FIFTH ST.

Mr. James Frank has submitted a request for a zoning change for his property located at 506 West Fifth Street. The property is currently zoned Commercial (C2). Mr. Frank had the commercial property listed for sale in July 2023. Mr. Frank moved out of state and had the listing taken down because he has not received any offers from buyers for this commercial property; he has, however, recently received inquiries from individuals who have an interest in purchasing the building to transform it into a single-family residence. The property bordering the northern boundary along with multiple properties located in the immediate area are designated R2 zoning. Thus, Mr. Frank has submitted a Request for Rezoning application to change the zoning from Commercial (C2) to residential (R2) to allow the property to be rezoned for residential purposes.

Building uses change over time as markets shift and demands change. Adaptive reuse promotes sustainable development by reusing existing structures, which reduces construction waste, and leveraging the embodied carbon already invested in the building. It is one of the single most effective ways to reduce climate impact. By utilizing existing structures and converting previously non-residential buildings to housing, already-invested materials and labor can be redeployed.

The City's Future Land Use Map identifies the future use of this property as neighborhood commercial, however due to a very limited housing market, no buyers interested in this property for a commercial use, and the north adjoining property and neighborhoods zoned as residential use, we are inclined to agree that all factors are clear indications that this is the best use/zoning of this property long term.

The approval authority for all ordinance changes in the City is the Clare City Commission. But in matters related to Chapter 52 (Zoning), the City Planning Commission is required to provide a formal recommendation to be considered by the City Commission in its discussions regarding the proposed ordinance change.

The Planning Commission is required to hold a public hearing regarding the proposed ordinance/zoning change and public notice has been accomplished. Subsequent to the public hearing, the Planning Commission is asked to consider, discuss, and render a formal recommendation, which will be forwarded to the City Commission for consideration in its actions related to the proposed ordinance/zoning change.

Motion by Commissioner Wyman seconded by Commissioner Moser to open a public hearing. Voice vote: Ayes: All. Nays: None. Absent: Elaine Demasi and Ken Hibl. *Motion Carried.*

Public Comment: None.

Motion by Commissioner Carmoney seconded by Commissioner Wyman to close the public hearing. Voice vote: Ayes: All. Nays: None. Absent: Elaine Demasi and Ken Hibl. *Motion Carried.*

Commissioner Pechacek voiced concern regarding safety with the proximity of the building being so close to a main thoroughfare through the city, and the lack of yard space as it doesn't meet the (Chapter 52) minimum required setbacks for residential zoning.. Commissioner Wyman spoke about the district's frontage being appropriately zoned commercial, and that this property is zoned Neighborhood Commercial on the city's (current) Master Plan's Future Land Use Map. He also noted that the lack of adequate parking and that the building itself looks like a commercial building, it is not aesthetically compatible with other homes in the area. However, the consensus was that they didn't necessarily want to interfere with the property owner selling the property so that it isn't left vacant.

Motion by Commissioner Lowe seconded by Commissioner Wyman to approve the site plan by adoption of Resolution 2024-016PC. Roll call vote: Yeas: Commissioners Lisa Benic, Glenda Carmoney, Angie Cozat, Jason Lowe, Brett Moser, Stacy Pechacek, and Nick Wyman. Absent: Elaine Demasi and Ken Hibl. *Motion Carried.*

B. EXCUSAL OF COMMISSIONER KEN HIBL

The Planning Commission bylaws stipulate "If a Planning Commissioner shall miss three consecutive meetings or 30% or more of regular scheduled meetings in any calendar year, his/her office shall be considered vacant unless the Planning Commission shall formally excuse such absence in advance and a record of said excusal is annotated in the official proceedings of the Planning Commission."

Commissioner Ken Hibl has formally requested that she be excused from attending tonight's regularly scheduled Planning Commission meeting as he is presently out of state.

The Planning Commission is asked to formally approve the excusal of Commissioner Hibl.

Motion made by Commissioner Wyman seconded by Commissioner Pechacek to approve the excusal of Commissioner Hibl by adoption of Resolution 2024-017PC. Roll call vote: Yeas: Commissioners Lisa Benic, Glenda Carmoney, Angie Cozat, Jason Lowe, Brett Moser, Stacy Pechacek, and Nick Wyman. Absent: Elaine Demasi and Ken Hibl. *Motion Carried.*

C. EXCUSAL OF COMMISSIONER ELAINE DEMASI

The Planning Commission bylaws stipulate "If a Planning Commissioner shall miss three consecutive meetings or 30% or more of regular scheduled meetings in any calendar year, his/her office shall be considered vacant unless the Planning Commission shall formally excuse such absence in advance and a record of said excusal is annotated in the official proceedings of the Planning Commission."

Commissioner Elaine Demasi has formally requested that she be excused from attending tonight's regularly scheduled Planning Commission meeting due to medical necessity.

The Planning Commission is asked to formally approve the excusal of Commissioner Demasi.

Motion made by Commissioner Wyman seconded by Commissioner Pechacek to approve the excusal of Commissioner Hibl by adoption of Resolution 2024-017PC. Roll call vote: Yeas: Commissioners Lisa Benic, Glenda Carmoney, Angie Cozat, Jason Lowe, Brett Moser, Stacy Pechacek, and Nick Wyman. Absent: Elaine Demasi and Ken Hibl. *Motion Carried.*

EXTENDED PUBLIC COMMENT: None.

CITY MANAGER COMMUNICATIONS:

Lake Shamrock Dredging and Dam Project. Mechanical and hydraulic dredging both continue with great progress. Mechanical dredging by the city operates 10 hours a day Monday through Thursday each week. With the time change happening Sunday, November 3rd, we will have to evaluate if there is enough daylight to continue the four ten-hour days; in the near future the schedule will go back to 8 hours a day Monday through Friday for the City mechanical dredging operation.

Hydraulic dredging by Savin Lake Services, is still operating Monday through Friday 24 hours a day on most days, and alternate day and night shifts on the weekends as well. They have one barge still working on the north side of Barnes Island and have been making great progress in the West finger of the lake. Great news, EGLE finished reviewing the permit for the East finger and area on the East end of the lake by the dam, and we now have a fully executed permit for those sections of the lake as well. Savin will move into those sections next after they complete the areas they are currently working in on the lake.

For the dam project, our engineering firm GEI, has begun design work for the dam and we had a very productive kickoff meeting with them and staff for the project on Tuesday, October 22nd. This grant (Dam Risk Reduction Grant Program – DRRGP) is the one for \$600,000, with the total project cost at \$670,000, \$70K is the city's match. The project will be quite extensive and should finish late Summer or early Fall next year. We are still waiting on a grant agreement for the second grant (High Hazard Potential Dams – HHPD) to cover the next phase of the project. However, we do have more good news regarding the grant amount. Multiple applicants dropped out of the grant, so our grant share has increased to \$758,971.50. The city will pay a 35% match of the total project cost. The next phase will be the actual bidding and construction of the dam. As you recall, the total cost of all the phases to design, bid, and construct the dam and emergency spillway was around \$7,000,000. These two grants add \$1,358,971.50 to our funding for the project. The city's matching funds for these grants, as well as additional dollars for the project, will come from the original 6.8M state revenue allocation we received for the dredging and dam project. We will also be pursuing further rounds of both the DRRGP and HHPD grants in hopes of receiving additional grant dollars for the project to get us all the way to the preferred design of the dam as recommended by the engineer, and to meet all the requirements of EGLE.

Rail Trail. The project is nearly complete. The only major piece that was left was the rail crossing gates and fencing at the end of Pioneer Parkway. Those are beginning to be installed as I write this memo and will be fully completed in the next week. The ribbon cutting and official trail opening celebration was held Wednesday, October 23, 2024, at 3:00 p.m. at the new trail head located at the Depot. It was a wonderful celebration of a project that had been decades in the making. Approximately a hundred people were there to celebrate; many people took to the trail after the ceremony. Representative Tom Kunse presented an official proclamation to the City of Clare at the ceremony. It will be in the Commission Chambers on the night of your meeting for you to see. Thank you again to all those who participated in bringing this project to completion.

November General Election Information is available at the following link:

<https://app.enhancedvoting.com/results/public/clare-county-mi/elections/2024General>

City Hall Generator – Transfer Switch. City Hall has had a generator in place for years. However, this generator currently must be manually switched over in times of power loss. Recently City Clerk Diane Lyon was able to obtain two grants for election location upgrades and we will be able to utilize that funding to install an automatic transfer switch. This will allow City Hall to immediately switch over to generator power if there is a loss and then switch back to line power when it comes back. This will be smoother transfer of power and safer for all our equipment in City Hall and provide protection for uninterrupted power at City Hall for elections if a power outage event were to happen on election day.

Depot Elevator. The elevator at the Depot Building was down for over two months due to the storms that went through the city on August 28th which caused electrical spikes and power outages for days. The parts finally arrived and were installed, and the elevator is now fully functional again.

PLANNING COMMISSION DISCUSSION:

PROFESSIONAL & EDUCATIONAL TRAINING OPPORTUNITIES: *Approved by consent agenda.

ADJOURNMENT - Moved by Commissioner Moser and seconded by Commissioner Wyman to adjourn. Voice Vote: Ayes: All. Nays: None. Absent: Angie Cozat, Brett Moser, and Stacy Pechacek. *Motion Carried.* The meeting adjourned at 7:52 p.m.

Diane M. Lyon, City Clerk