

**CLEARWATER TOWNSHIP
PUBLIC HEARING
October 28, 2008**

A public hearing of the Clearwater Township board was called to order at 7:02 p.m. by Supervisor Grimm. Board members present were: D. Grimm, Belanger, Johnson, and S. Grimm. Vance was absent. Deputy Clerk, Gray took minutes in Vance's absence. Also present were 30 guests (see sign-in sheet, attachment A which is hereby incorporated by reference into these minutes).

Supervisor Grimm opened the meeting with the Pledge of Allegiance.

Purpose of the meeting and review of boundaries: Proposed rezoning of the Rapid City Road north corridor from Residential R-1 to Village Commercial with the following boundaries; "at the east from Plum Valley Road north to the northern boundary of the Village Market, and east to a depth of 500 feet or the rear property line, whichever is less; on the west from West Plum Valley Road north to Crystal Beach Road, and west to the western edge of the abandoned railroad right-of-way"

D. Grimm reviewed the definition of the Village Commercial District (Article XX) as written in Clearwater Township Zoning Ordinance #9.

Review of written comments from Township Residents:

D. Grimm read a document received from several individuals who oppose the proposed rezoning (see attachment "B" which is hereby incorporated by reference into these minutes).

D. Grimm also read a document from Cliff Thompson outlining various suggestions regarding the proposed rezoning (see attachment "C" which is hereby incorporated by reference into these minutes).

Public Comment: The following is a synopsis of comments. The full dialog is available on disc.

Virginia Lee spoke in opposition of the proposed change. She cited several reasons; the underground rivers and springs in the surrounding hills which run toward Torch Lake, and the potential for pollution in the Plum Valley Estates area; the highway in proposed change area is curvy and hilly with speed being a factor; south of town there are currently 40 unimproved lots which are zoned commercial; there is currently adequate property to be used for all purposes. She feels that a resolution should be passed stating that current commercial property is at least 80% used before additional commercial is zoned.

Ralph Kingsley spoke in favor of change. He stated Rapid City needs to have a reason to grow, and needs to have room to grow. Most of the property south of town is taken up by something. He wants to see young families move here with children and

help to keep the school going. He feels that Village Commercial in that corridor would be a good first step.

Margaret Vanover spoke in favor of change. Stated she uses a lot of Rapid City businesses, and doesn't understand why some people don't want business to grow in the area. She is very active in the Rapid City School and has lived in the area for 35 years.

Ed Parzych, owner of Lots of Rocks, spoke in favor of change. He feels the area is growing but that most people would not plan a retirement home on a Class A road. Village Commercial is a good step. He does recognize there is an issue to be resolved with current commercial business.

Al McShane does not feel it would be a good idea to expand the Village Commercial. He spoke of the lack of enforcement to the Zoning Ordinance. Specifically he mentioned the sign ordinance, change of use in businesses, and lack of certificates of occupancy for use of a property. He feels the township does not support State law when it comes to certain aspects of zoning and building codes.

Elmer Veen agrees with everyone who opposes the rezoning. He sees no need for it and feels it would not be good planning. He suggested that revitalization of the close end area would be more advisable instead of skipping over and starting another commercial area. He doesn't feel it's wanted by the community and wouldn't produce any jobs to speak of. Suggested that a land planner be hired to see what they think should be done in the community.

Ed Parzych agreed that Al McShane was correct and we do need to address changes in commercial use. He doesn't feel rezoning will make a great change, but you can't grow in the community without the space to do it.

Cliff Thompson feels there is no compelling reason for rezoning. When there are mixed uses there is a loss of value in property. There are 14 homes that risk devaluation if rezoning occurs. When people purchase their property it is with the expectation that it will continue to remain as it was zoned. He reiterated his suggestion as outlined in his written comment attached.

Ron Robinson stated that a lot of businesses have been here over the years and most of it is now gone. There is a need for commercial business that will provide jobs; otherwise there is no reason to make a change. He is not in favor of rezoning the area.

Joe Mariage stated that those people who do not live on Rapid City Rd. still pay their taxes, use the services in the community and want what's best for Rapid City.

Huse Johnson stated the reason the issue of rezoning this stretch of Rapid City Rd. was brought up was because someone applied to the Zoning Board for a rezoning of their property to commercial.

Adam Parzych stated that all the property from Crystal Beach Road to Alden is zoned commercial. He doesn't see a problem with bringing the commercial zoning further south because we would stay away from the water. Every township and county around here has spot zoning.

Lucy Gerlach stated that we have a great blessing here because we have a lot of land, and feels it is necessary to find the best use for what we have. She hopes we can work together to try to get a better plan for the community.

Don Risk feels that we need to create opportunities for growth and as a planning commission member he voted for the rezoning.

Darlene Zurawski stated that she and her husband bought their property thinking it was residential and would stay that way. She sees no problem with rezoning the area from the Village Market south, but doesn't feel that the section to the north of the Village Market should be rezoned. She feels this is a resort area and that is what brings people here. She doesn't understand why the issue of rezoning keeps coming up when the majority of the people in that area do not want it.

Ralph Kingsley understands the concern of everyone. He wants to see Rapid City stay quaint, but he wants to see it grow and move forward. Rapid City was so large at one time that people came from Kalkaska to shop. Because it burned down it has had to start over.

Public comments closed – Board Deliberations began at 8:10 p.m.

D.Grimm summarized what he sees in the area; the Spink/West building which has the appearance of commercial use; the Village Market that exists as a non-conforming use under a special use permit; Ed Parzych's Lot's of Rocks business that started as a garage, and has become a home-based business. D. Grimm does have concerns about the Krogel piece where a car repair business is operating that could potentially have an effect on the environment.

Johnson summarized past public hearings on the rezoning subject, stating that in 2006 the majority at the meeting were in favor of rezoning. At the last public hearing the majority wanted the rezoning denied. The planning commission decided there should be some commercial property along the road. When the Village Market was allowed that stretch of road no longer became strictly residential. There is now the appearance of commercial use all along the road. He feels small business is the backbone of this country. It brings people in and provides jobs. He would like to see a mall anchored by the Village Market. Rapid City was a thriving community at one time, and it has digressed. He felt the suggestion of a professional planner might be a good idea.

Belanger does not feel that property along that area will be bought by families for residential use. He recapped the home businesses that are on that stretch of road. He

feels it would be almost impossible to put any additional business in the downtown area. He had concerns that Village Commercial could allow trailers in the area.

S. Grimm favors Cliff's proposal which includes the Village Market, Lot's of Rocks, the Spink/West compound, and the Krogel property. She is willing to compromise and feels this suggestion might be the best way to go, or just leave everything the same.

Johnson moved to delay a decision on this matter until we have consulted with a professional planner. No support for motion.

Belanger moved to rezone the area to Village Commercial but striking Village Residential from the proposed rezoning. No support for motion.

S. Grimm moved to leave everything as it currently is. No support for motion.

D. Grimm moved to reiterate Johnson's motion to hire a professional planner to advise the Planning Commission and the Township Board. Seconded by Johnson. Motion passed.

Meeting adjourned at 8:55 p.m.

Respectfully submitted,

Julie K. Vance
Township Clerk.