

**EMPIRE VILLAGE PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, APRIL 2, 2024**

The Village of Empire Planning Commission held a regular meeting on Tuesday, April 2, 2024, in the Empire Township Hall.

Schous opened the meeting at 7:00 PM.

ROLL CALL –Bacon, Collins, Ellibee, Schous, and Ford present. Deering and Chase were excused. Zoning Administrator Hall was also present.

Motion by Bacon, supported by Ford to approve the March 5, 2024, regular meeting minutes as presented. AYES: 5, NO: 0. MOTION PASSED.

TREASURERS REPORT – Bacon reported that Council approved a not to exceed amount of \$10,000 for planning services to update the master plan.

ADDITIONS/CHANGES TO THE AGENDA – Schous moved the Light Industrial District ZO Text Amendment to the first item of business.

CONFLICT OF INTEREST – None.

PUBLIC COMMENTS & CORRESPONDENCE – A letter from Cherry Republic attorney, Marc McKellar was read and will be posted as a handout on the village website.

ZONING ADMINISTRATORS REPORT – Hall passed out land division zoning information and provided a sample of an Ordinance. Hall also reported that he met with Cherry Republic for pre-application meeting.

Zoning Ordinance Amendment to the Light Industrial District

Commissioners reviewed Village Attorney, Tim Figura’s recommendation to move “combination of uses” from “permitted uses” to “uses subject to special use permit”. Figura’s opinion stated that “it is not appropriate to list “combination of uses” as permitted by right. A use by right is subject to site plan review and is not reviewed for compatibility with uses on neighboring parcels. Consideration of combined uses by right under this amendment would require that the planning commission find that the uses are mutually compatible with one another, but it would not require compatibility with neighboring uses”.

Cherry Republic attorney Marc McKellar, cited in his correspondence that this would add an additional process, cost and time. McKellar asked that the language not be changed and argued that “the use by right language is appropriate and provides that it is further subject to special use review for any special use that is considered in the combination of uses”.

Zoning Administrator Hall understood both attorneys’ concerns and did not recommend one over the other. Hall noted that if “combination of uses” was left as permitted uses, there is discretionary language in the ZO that permits the zoning administrator to forward any future site plan review to the planning commission for approval if need be.

Motion by Bacon, supported by Ellibee to forward the zoning amendment as requested by Cherry Republic to Village Council for consideration. AYES: 5, NO: 0. MOTION PASSED. Bacon asked that Schous attend the Council meeting to answer questions.

Planner RFP Review

Bacon summarized the planning services RFP drafted by Bacon and Ellibee. The expected project timeline was described as aggressive and a Master Plan subcommittee was discussed to cover the groundwork, keep on schedule, and create focus. Subcommittee meetings will be posted and open to the public.

Motion by Collins, supported by Ford to form a master plan update subcommittee comprised of Ford, Bacon and Ellibee with Chase as an alternate to meet and preform work as directed by the planning commission. AYES: 5, NO: 0. MOTION PASSED.

Motion by Bacon, supported by Ellibee to release the RFP to the identified planners and place it on the village website. AYES: 5, NO: 0. MOTION PASSED.

Sign Ordinance No. 142

Motion by Bacon, supported by Ford that the Planning Commission recommend that Village Council amend the Zoning Ordinance of the Village of Empire by adding Section 3.12: Signs and to repeal all ordinances in conflict herewith. AYES: 5, NO: 0. MOTION PASSED.

Redevelopment Ready Communities (RRC) Next Steps

Commissioners reviewed the RRC Empire Snapshot prepared by MEDC community planner, Pablo Majano. The recommended action items need to be addressed to achieve the RRC Essentials designation. Currently, Empire is fully aligned with 26% of the Redevelopment Ready Communities expectations. Members discussed the following items: Master Plan, Public Participation Plan, Concentrated Development, Housing Diversity, Conceptual Review Meetings, Internal Review Process, Recruitment Process, Training Strategies. The full snapshot can be viewed in the meeting ePacket.

Election of Officers

Motion by Bacon, supported by Collins to elect Schous as Planning Commission Chair. AYES: 5, NO: 0. MOTION PASSED.

Motion by Bacon, supported by Ellibee to elect Collins as Planning Commission Vice Chair. AYES: 5, NO: 0. MOTION PASSED.

Motion by Collins, supported by Bacon to elect Chase as Planning Commission Treasurer. AYES: 5, NO: 0. MOTION PASSED.

Motion by Collins, supported by Bacon to elect Ellibee as Planning Commission Secretary. AYES: 5, NO: 0. MOTION PASSED.

COMMITTEE REPORTS – Ford reported that an STR Committee meeting will be held on April 9th. Bacon reported on the STR Committee and Wastewater Committee, the status of the new village office real estate purchase, stating that Council has been planning/saving for office options since at least 2018.

PUBLIC COMMENT – None.

PLANNING COMMISISON MEMBERS AND CHAIRPERSON COMMENTS – None.

ADJOURNMENT – There being no further business, the meeting adjourned at 8:37 pm.

Alacia Acton, Recording Secretary

These minutes were approved at the May 7, 2024, Village of Empire Planning Commission meeting.