



Planning Commission  
97 North Broad Street  
Hillsdale, Michigan 49242-1695  
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## **Planning Commission Agenda** **September 21, 2022**

### **I. Call to Order 5:30 pm**

- A. Pledge of Allegiance
- B. Roll Call

### **II. Public Comment**

Any agenda item – 3 min. limit

### **III. Consent Items/Communications**

- A. Approval of agenda – **Action**
- B. Approval of Planning Commission 08/17/2022 minutes – **Action**

### **IV. Communications**

- A. Region 2 Planning Commission Packet – September  
[https://www.cityofhillsdale.org/sites/default/files/fileattachments/planning\\_commission/meeting/12941/september\\_8\\_2022\\_pkt.pdf](https://www.cityofhillsdale.org/sites/default/files/fileattachments/planning_commission/meeting/12941/september_8_2022_pkt.pdf)

### **V. Site Plan Review**

- A. Meijer (3600 W Carleton) – **Action**  
[https://ftp2.hillsdale.us/public/folder/\\_K8\\_C5VavkilPVXgzZVFNg/MEIJER](https://ftp2.hillsdale.us/public/folder/_K8_C5VavkilPVXgzZVFNg/MEIJER)
- B. College Baptist Church (200 N Manning) – **Action**  
<https://ftp2.hillsdale.us/public/folder/Uc5CjhmXi0G5bliEL1skgA/COLLEGE%20BAPTIST%20CHURCH>

### **VI. Old Business**

- A. No Old Business

### **VII. New Business**

- A. Ordinance Review – Secs. 36-431 and 36-432 – **Action**

### **VIII. Zoning Administrator Report**

### **IX. Commissioners' Comments**

### **X. Public Comment**

Any Commission related item – 3 min. limit

### **XI. Adjournment**

Next meeting Wednesday, October 19, 2022 at 5:30 pm

**Planning Commission Meeting Minutes**  
**Hillsdale City Hall**  
**Council Chambers**  
**August 17, 2022**  
**5:30 pm**

**I. Call to Order**

Meeting opened at 5:30 pm followed by the Pledge of Allegiance, and Roll Call.

**II. Members Present**

- A. Members Present: Chairman Eric Moore, Commissioner William Morrisey, Commissioner Penny Swan, Commissioner Kerry Laycock, Commissioner Elias McConnell
- B. Public Present: Zoning Administrator Alan Beeker, Michelle Loren, Jack McLain
- C. Members Absent: Secretary Jacob Parker, Vice Chair Ron Scholl

**III. Public Comment**

Jack McLain suggested that if a neighbor does not desire the fence between zoning districts, the fence should not be required. He also noted that the college ball park lights were taller than allowed in Sec. 36-631 and was still approved. Commissioner Laycock pointed out that the ball park lights are not parking lot lights. Mr. McLain also thinks that the ZBA is not being properly utilized.

**IV. Consent Agenda and Minutes**

Motion to approve the Consent items as presented made by Commissioner Swan, seconded by Commissioner Morrisey, motion approved unanimously.

**V. Public Hearing**

**A. Opened at 5:37 pm**

**B. Discussion**

- a. Started with Sec. 36-150, no public comment
- b. Next with Sec. 36-631, no public comment
- c. Next with Sec. 36-681
  - 1. Chair Moore noted that in the Wall and Fence Height Requirements table, Numbers 9 and 12 should include Side Yard.
  - 2. Commissioner Morrisey noted in the same chart Number 3 height should read Four to Six feet high.

**C. Closed at 5:48 pm**

Motion to recommend as amended Secs. 36-150, 36-631 and Sec. 36-681 to Council for adoption made by Chair Moore, support by Commissioner Swan. Motion passed.

**VI. Old Business**

No Old Business

**VII. New Business**

**A. Baw Beese Park System Project Plan**

- a. Michelle Loren, City Recreation Director, explained that the City has discussed updating the playground equipment in order to bring them up to code. The current equipment is grandfathered as long as it is maintained and not moved.
- b. In order to be more inclusive for those disabled. The City has begun by replacing swing sets. Add “expression swings” to Sandy Beach, Owen Memorial and Waterworks parks. During a grant application, the grantor asked if the City would create a plan that encompassed all of the parks starting with the Baw Beese Lake parks.
- c. Eric was impressed that the vintage equipment currently in our parks is so well maintained.
- d. Kerry asked to add some notes to find an alternate location for the vintage equipment that is to be removed so that is not just scrapped.
- e. The plan helps create an inventory and phasing plan.
- f. Kerry asked about the trail expansion and connection to Jonesville.
- g. Michelle explained that the plan has been downgraded and split into smaller project pieces. The matches were overwhelming and the fund raising did not meet the need.
- h. The proposed 18-hole disc golf course would allow the pro leagues to have a better place to play. It could also host tournaments in the future. The existing 9-hole course would be utilized by amateurs.

Motion to recommend the amended plan to Council for adoption by Commissioner Swan, Commissioner Laycock seconded. Motion passed.

**VIII. Zoning Administrator Report**

- Alan gave a brief update for the upcoming Train Excursion that will be stopping in Hillsdale on August 27 & 28.
- Alan gave a brief update of the Meijer project. The Commission will be reviewing the plans at the September meeting.

**IX. Commissioner’s Comments**

No commissioner comment

**X. Public Comment**

No public comment.

**XI. Adjournment**

Commissioner Swan moved adjourn the meeting, Commissioner Laycock seconded. Motion passed unanimously. Meeting adjourned at 6:22 pm.

**XII. Next meeting: September 21, 2022 at 5:30 pm.**



**TO: Planning Commission**

**FROM: Zoning Administrator**

**DATE: September 21, 2022**

**RE: Site Plan Review – Meijer**

**Background:** Meijer has submitted drawings for proposed retail facility to be located at 3600 W. Carleton. The project will include a 160,000 s.f. retail building with a 3400 s.f. convenience store and gas station. City staff has reviewed the project with the owner and design engineer. The notes are included in the packet.

September 1, 2022

Plans for the proposed Meier store located at 3600 W. Carleton Rd. were reviewed by the City Dept. Heads on September 1, 2022. Their comments are as follows:

Present: Kristin Bauer (City Engineer), Chief Scott Hephner (Police Department), Jason Blake (Dept. of Public Services), Alan Beeker (Planning & Zoning), Jeff Geir (Board of Public Utilities), Eric Sheffer (Board of Public Utilities), Mark Hawkins (Fire Department), Paul Furtaw (Project Engineer), Ian Graham (Project Engineer), Cris Jones, Jr. (Meijer), Susan Ausman (Meijer)

#### Public Safety

- Questions were lodged regarding the proposed traffic light on the drawings.
  - Engineer explained that Meijer and MDOT were still in negotiation as to whether there would be a traffic light or a round-about located at the entrance and Moore Rd.
- City Engineer suggested Chief Hephner contact MDOT with the PD preference.
- Wished to verify that the EV Charging Station was far enough away from the store and gas station to not pose a risk if there was a fire.
- Verified stand-pipe and hydrant locations for fire suppression.
- Requested that all construction traffic enter and exit W. Carleton Rd.

#### Board of Public Utilities

- Electrical:
  - Verified transformer locations
  - Paul Furtaw asked for confirmation as to all entities with lines on the poles to be relocated.
  - Paul confirmed that his office, Meijer, MDOT and BPU will work together to relocate the line. The goal is to have it moved prior to the spring of 2023.
- Water
  - Jeff confirmed that there would be an additional hydrant located along the new water line south of the job site.
  - BPU and Engineer would continue to work together to complete the new 12" water main design and installation.
- Sanitary
  - Existing sanitary is capable of handling the new project.

#### City Engineer

- Requested copies of approvals from MDOT, EGLE, County Road Commission, and County Building Dept. prior to final City approvals.
- MDOT may require trench drain at each drive approach.

#### Public Services

- Requested that curb and gutter be extended to ADA sidewalk ramps prior to termination.
- Call out pedestrian controls on drawings.
- Show pedestrian pavement markings on drawings.
- Show ADA sidewalk ramp termination details on drawings.

#### Planning/Zoning

- The roof height above the clerestory area over the entrance lobbies exceeds the height listed in Sec. 36-411 by 12”
- The fuel station pylon sign exceeds the allowable square footage for a free standing sign in Sec. 26-35 by 56 s.f.
- The Planning Commission will review the drawings at the regular September meeting.

The Planning Commission will review the drawings for final approval at the regular meeting which will be held on September 21, 2022 at 5:30 pm. The location will be at City Hall, 97 N. Broad St. in the 3<sup>rd</sup> Floor Council Chambers.



**TO: Planning Commission**

**FROM: Zoning Administrator**

**DATE: September 21, 2022**

**RE: Site Plan Review – College Baptist Church Addition**

**Background:** College Baptist Church, located at 200 N Manning Street is proposing an addition on the north side of the existing church building. The submitted drawings propose a 5200 s.f. addition. The addition will include a kitchen, meeting space and classrooms. City staff has reviewed the project with the owner and design engineer. The notes are included in the packet.

September 7, 2022

Plans for the proposed addition to College Baptist Church located at 200 N Manning St. were reviewed by the City Dept. Heads on September 7, 2022. Their comments are as follows:

Present: Kristin Bauer (City Engineer), Jason Blake (Dept. of Public Services), Alan Beeker (Planning & Zoning), Jeff Geir (Board of Public Utilities), Jake Hammel (Board of Public Utilities), Travis Munn (Project Engineer), Rod Stewart (Church Representative), Pastor Ben Cuthbert. (Church Pastor)

#### Public Safety

- Public Safety notified by phone prior to meeting they had no issues with the plans.

#### Board of Public Utilities

- Electrical:
  - Exist. 3 phase service
  - BPU will work with engineer and contractor to establish a temporary elec. service during construction.
  - Transformer lead times are 40-60 weeks. The sooner it is ordered the better. Jake asked the engineer to submit an order request in writing so that the transformer would be here when construction began. No deposits would be necessary.
- Water
  - Abandon and remove the existing service during installation of new
  - Live tap for new water connection
  - Existing service comes from Fayette St., new service will come from N. Manning St.
  - Project will require a 6" tap for fire suppression and 2" tap for domestic water
- Sanitary
  - Abandon and remove the existing service during installation of new
  - Existing service comes from Fayette St., new service will come from N. Manning St.

#### Public Services

- C-1 – trees to be relocated will require a 5 yr. guarantee. Alternative would be to pay an evaluation of the trees and remove and replace.
- C-2 – ADA guidelines must be met at intersection of new lead walk and city sidewalk.
  - 6" thk. Conc. required at drive approaches and must continue 5' either side.
  - Use MDOT details for walks, drives and ADA requirement.
- C-7 – relocate new trees shown either side of new north drive to alley side of parking lot.

#### City Engineer

- C-2
  - Add detail of Heavy Duty pavement to sheet C-6
  - Verified that the infiltration rate had been tested.
  - Verified that the impervious numbers included the structures.
  - Requested clarification of the new storm structure operation
    - 4" outlet will meter water out of the structure.
    - 12" outlet is for extreme storm floods



- Kristin asked if the Engineer could find a model for a 10 year high-intensity storm.

#### Planning/Zoning

- Planning had no issues
- The Planning Commission will review the drawings at the regular September meeting.

The Planning Commission will review the drawings for final approval at the regular meeting which will be held on September 21, 2022 at 5:30 pm. The location will be at City Hall, 97 N. Broad St. in the 3<sup>rd</sup> Floor Council Chambers.



**TO: Planning Commission**

**FROM: Zoning Administrator**

**DATE: September 21, 2022**

**RE: Ordinance Review – Renewable Energy**

**Background:** After discussions with the BPU, it was determined that the easiest way to add both small scale solar and wind energy systems to the zoning chapter would be to include them as accessory structures. Secs. 36-431 and 36-432 are the current accessory structure ordinances. Both solar and wind energy systems and related guidelines have been added for review.

Sec. 36-431. - Accessory buildings.

**Definitions:**

**BUILDING-INTEGRATED SOLAR ENERGY SYSTEM:** *A solar energy system that is an integral part of a primary or accessory building or structure (rather than separate mechanical device), replacing or substituting for an architectural or structural component of the building or structure. Building-integrated systems include, but are not limited to, photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings.*

**GROUND-MOUNTED SOLAR ENERGY SYSTEM:** *A solar energy system mounted on support posts, like a rack or pole that are attached to or rest on the ground.*

**MAXIMUM TILT:** *The maximum angle of a solar array (i.e., most vertical position) for capturing solar radiation as compared to the horizon line.*

**MINIMUM TILT:** *The minimal angle of a solar array (i.e., most horizontal position) for capturing solar radiation as compared to the horizon line.*

**PRINCIPAL-USE SOLAR ENERGY SYSTEM:** *A commercial, ground-mounted solar energy system that converts sunlight into electricity for the primary purpose of off-site use through the electrical grid or export to the wholesale market.*

**ROOF-MOUNTED SOLAR ENERGY SYSTEM:** *A solar energy system mounted on racking that is attached to or ballasted on the roof of a building or structure.*

**SOLAR ARRAY:** *A photovoltaic panel, solar thermal collector, or collection of panels or collectors in a solar energy system that collects solar radiation.*

**SOLAR CARPORT:** *A solar energy system of any size that is installed on a structure that is accessory to a parking area, and which may include electric vehicle supply equipment or energy storage facilities. Solar panels affixed on the roof of an existing carport structure are considered a Roof-Mounted SES.*

**SOLAR ENERGY SYSTEM (SES):** *A photovoltaic system or solar thermal system for generating and/or storing electricity or heat, including all above and below ground equipment or components required for the system to operate properly and to be secured to a roof surface or the ground. This includes any necessary operations and maintenance building(s), but does not include any temporary construction offices, substation(s) or other transmission facilities between the SES and the point of interconnection to the electric grid.*

**DECIBEL** *means the unit of measure used to express the magnitude of sound pressure and sound intensity.*

**ON SITE WIND ENERGY SYSTEM** *means a land use for generating electric power from wind and is an accessory use that is intended to primarily serve the needs of the consumer at that site.*

**ROTOR** *means an element of a wind energy system that acts as a multi-bladed airfoil assembly, thereby extracting through rotation, kinetic energy directly from the wind.*

**SHADOW FLICKER** *means alternating changes in light intensity caused by the moving blade of a wind energy system casting shadows on the ground and stationary objects, such as but not limited to a window at a dwelling.*

**SOUND PRESSURE** *means an average rate at which sound energy is transmitted through a unit area in a specified direction. The pressure of the sound measured at a receiver.*

**SOUND PRESSURE LEVEL means the sound pressure mapped to a logarithmic scale and reported in decibels (dB).**

Accessory buildings and accessory structures shall be subject to the following regulations, which shall apply in all zone districts:

1. All accessory buildings and accessory structures are permitted in all zone districts subject to compliance with all of the following:
  - a. The accessory building and/or accessory structure is customarily and clearly incidental to a use that is permitted under this chapter and/or is a permitted use in the zone district in which it is ~~or they are located~~ or to be located;
  - b. The accessory building and/or accessory structure does not create a nuisance or hazard; and
  - c. The accessory building and/or accessory structure meets and is in accordance with all applicable limitations, requirements and provisions of this article and the applicable zone district.
2. No accessory buildings or accessory structures shall be established until the principal use to which it is an accessory has been established or a building, placement or construction permit for the principal use has been obtained.
3. Where the accessory building is structurally attached to a main building, it shall be subject to and must conform to all yard regulations of this title, applicable to the main buildings.
4. Accessory buildings or other accessory structures shall not be erected, placed or established in any required yard, unless otherwise permitted by this chapter.
5. No detached accessory building or other accessory structure shall be located closer than ten feet to any main building or structure, unless it can conform to all other yard regulations as required for the main building or structure. It shall not be located any closer than three feet to any side or rear lot line, unless otherwise permitted by this chapter. In those instances where the rear lot line is coterminous with an alley right-of-way, the accessory building or accessory structure shall be no closer than one foot to such rear lot line. In no instance shall an accessory building or accessory structure be located within a dedicated easement right-of-way.
6. When an accessory building or accessory structure is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, the accessory building or accessory structure shall not project beyond the front line of the existing main structure on the lot in rear of such corner lot. An accessory building or accessory structure shall not be located within ten feet of a street right-of-way line.

**An On-site Ground-Mounted Solare Energy System is an accessory use which shall meet the following standards:**

1. **Ground-Mounted SES shall not exceed 15 feet measured from the ground to the top of the system when oriented at maximum tilt. Ground mounted SES may not be placed in the front yard. Ground mounted SES shall be subject to and must conform to all yard regulations of this title, applicable to the main buildings as measured when oriented at minimum design tilt.**

2. *A Small Principal-Use SES is a permitted use in all zoning districts subject to site plan review and shall meet all of the following requirements:*
  - a. *Total height shall not exceed 15 feet measured from the ground to the top of the system when oriented at maximum tilt.*
  - b. *Setback distance shall be measured from the property line or road right-of-way to the closest point of the solar array at minimum tilt or any SES components and as follows:*
  - c. *A Ground-Mounted SES shall follow the setback distance for primary buildings or structures for the district in which it is sited.*
  - d. *A Ground-Mounted SES is not subject to property line setbacks for common property lines of two or more participating lots, except road right-of-way setbacks shall apply.*
  - e. *A Small Principal-Use SES shall be secured with perimeter fencing to restrict unauthorized access. If installed, perimeter fencing shall be a maximum of 6 feet in height. Additional screening may be required upon review.*
3. *Roof-Mounted SES shall not exceed the combined height of the building and the roof mounted SES, when oriented at maximum tilt, for principal structures in any zoning district. A Roof-Mounted SES or Building-Integrated SES installed on a nonconforming building, structure, or use shall not be considered an expansion of the nonconformity.*

*All Ground mounted SES applications must include a site plan and drawings that show the height and dimensions of the SES. Applications for Roof-Mounted SES must include horizontal and vertical elevation drawings that show the location and height of the SES on the building and dimensions of the SES. All SES drawings shall include dimensions of the minimum and maximum tilt. Reflection angles for solar collectors shall be oriented such that they do not project glare onto adjacent properties. Any connection to the public utility grid shall be inspected and approved by the appropriate public utility.*

*All solar energy equipment shall be maintained and kept in good working order. If it is determined by the Zoning Administrator that a solar energy system is not being maintained, kept in good working order, or is no longer being utilized to perform its intended function for six consecutive months, the property owner shall be given 30 day notice for removal of unit and all equipment. If the solar energy system is not removed within 30 days, any person, or anyone acting in behalf of the person, violating any of the provisions of this section shall be guilty of a misdemeanor. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this chapter.*

*An On-site Wind Energy System (WES) is an accessory use which shall meet the following standards:*

1. *Designed to primarily serve the needs of a home or small business.*
2. *Shall have a tower height of 15 meters or less.*
3. *Property Set-back: The distance between an On-site Use wind energy system and the owner's property lines shall be equal to the height of the wind energy system*

tower including the top of the blade in its vertical position. The distance between an anemometer tower and the owner's property lines shall be equal to the height of the tower. No part of the wind energy system structure, including guy wire anchors, may extend closer than ten feet to the owner's property lines, or the distance of the required setback in the respective zoning district, whichever results in the greater setback.

4. Sound Pressure Level: On-site Use wind energy systems shall not exceed 50 dB(A) at the property line closest to the wind energy system. This sound pressure level may be exceeded during short-term events such as utility outages and/or severe wind storms. If the ambient sound pressure level exceeds 50 dB(A), the standard shall be ambient dB(A) plus 5 dB(A).
5. Construction Codes, Towers, & Interconnection Standards: On-site Use wind energy systems including towers shall comply with all applicable state construction and electrical codes and;
  - a. local building permit requirements. On-site Use wind energy systems including towers shall;
  - b. comply with Federal Aviation Administration requirements, the Michigan Airport Zoning Act (Public Act 23 of 1950, MCL 259.431 et seq.), the Michigan Tall Structures Act (Public Act 259 of 1959, MCL 259.481 et seq.), and local jurisdiction airport overlay zone regulations.
  - c. An interconnected On-site Use wind energy system shall comply with Michigan Public Service Commission and Federal Energy Regulatory Commission standards.
  - d. Off-grid systems are exempt from this requirement.
6. Safety: An On-site Use wind energy system shall have automatic braking, governing, or a feathering system to prevent uncontrolled rotation or over speeding. All wind towers shall have lightning protection. If a tower is supported by guy wires, the wires shall be clearly visible to a height of at least six feet above the guy wire anchors. The minimum vertical blade tip clearance from grade shall be 20 feet for a wind energy system employing a horizontal axis rotor.

All On-site Wind Energy System applications must include a site plan and drawings that show the height and dimensions of the WES. Any connection to the public utility grid shall be inspected and approved by the appropriate public utility.

All wind energy equipment shall be maintained and kept in good working order. If it is determined by the Zoning Administrator that a wind energy system is not being maintained, kept in good working order, or is no longer being utilized to perform its intended function for six consecutive months, the property owner shall be given 30 day notice for removal of unit and all equipment. If the wind energy system is not removed within 30 days, any person, or anyone acting in behalf of the person, violating any of the provisions of this section shall be guilty of a misdemeanor. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this chapter.

Sec. 36-432. - Accessory buildings in residential districts.

Accessory buildings and accessory structures located in any residential zone districts shall be subject to the following regulations except as otherwise permitted in this chapter:

1. No detached accessory building or accessory structure in an R-1, RD-1, or RM-1 district shall exceed one story or 15 feet in height.
2. No accessory building or accessory structure inclusive of the main structure may exceed the required density requirements of section 36-411.
3. Playhouses, greenhouses and gazebos may not be located in side and rear yards within three feet of the property line.
4. Swimming pools shall be regulated by the Michigan Residential Building Code. Swimming pools, excepting inflatable swimming pools having a length or diameter of less than five feet and/or a depth of less than 18 inches, shall be placed in the rear yard only. Inflatable swimming pools having a length or diameter of five feet or more and/or a depth of 18 inches or more shall be located within the rear or side yards only. No hot tub or swimming pool shall be located within three feet of the property line.
5. Porches and decks must conform to all yard setback, bulk and height requirements. Construction of new porches and decks and the reconstruction of existing porches and decks shall be subject to compliance with the requirements of sections 36-411 and 36-787.
6. Game courts, as defined in section 36-6, excepting basketball hoops, are allowed within the rear and side yards only. Notwithstanding anything herein to the contrary, basketball hoops may be located in the driveway to the main residential building or to an accessory building, to an attached or detached accessory building or accessory structure. No game courts, playground or other recreational equipment may be located within three feet of the property line.
7. Garbage and trash containers are allowed in the side and rear yards only, except at designated times of pickup, during which they may be located at the property line in accordance with and subject to the provisions of chapter 28 of this Code.
8. Clothes lines, supporting poles and similar natural laundry drying equipment are allowed within the side or rear yard but shall not be located within three feet of the property line.
9. Pet shelters, pens, cages and runs are allowed only in the rear yard but shall not be located within three feet of the property line.
10. The use of semi-trailers, enclosed trailers, trucks, rail cars or vehicles as storage buildings or structures or as accessory buildings or structures is prohibited.
11. **Ground-Mounted Solar Energy System shall meet the requirements listed in Sec. 36-431.**
12. **Roof-Mounted Solar Energy System shall meet the requirements listed in Sec. 36-431.**
13. **On-site Wind Energy System shall meet the requirements listed in Sec. 36-431.**