



Planning Commission
97 North Broad Street
Hillsdale, Michigan 49242-1695
(517) 437-6440 Fax: (517) 437-6450

Planning Commission Agenda **January 19, 2021**

- I. Call to Order 5:30**
 - A. Pledge of Allegiance
 - B. Roll Call

- II. Public Comment**
 - Any Commission related item – 3 min. limit

- III. Consent Items/Communications**
 - A. Approval of agenda – **Action**
 - B. Approval of Planning Commission 11-17-2020 minutes – **Action**
 - C. Communications

- IV. Old Business**
 - No Old Business

- V. New Business**
 - Rezone 450 Hidden Meadows Drive – **Discussion**

- VI. Master Plan Review**
 - Goals and Objectives – **Discussion**

- VII. Zoning Ordinance Review**
 - None

- VIII. Zoning Administrator Report**

- IX. Commissioners' Comments**

- X. Adjournment**

Next meeting February 16, 2021 at 5:30 pm

Planning Commission Meeting Minutes
Hillsdale City Hall
Council Chambers
October 20, 2020
5:30 pm

Call to Order

Chairman Eric Moore called the meeting to order at 5:30 pm.

Members Present

Chairman Eric Moore, Vice-Chairman Ron Scholl, Mayor Pro-Tem Will Morrissey, Commissioner Jacob Parker, Commissioner Elias McConnell, and Commissioner Kerry Laycock.

Alan Beeker recorded the minutes in the absence of the Secretary

Members Absent

Secretary Penny Swan

Public Present

Alan Beeker, Zoning Administrator, Jack McLain

Public Comment

No public comment

Consent Agenda and Minutes

Motion to approve the consent agenda and minutes from 10-20-2020 made by Commissioner Morrissey, seconded by Commissioner Scholl. Motion Approved.

Old Business

Keefer House Hotel Site Plan – the owners of the Keefer submitted plans for review in January of 2020. City staff reviewed the plans and asked for several clarifications to be made on the plans. The owners intended to submit to Planning Commission in March for final approval. Due to the onset of Covid-19 and the subsequent upheavals in normal procedures, the plans were not submitted to the Commission until the end of October 2020. Mr. Beeker told the Commission that all of the issues raised by City staff have been addressed satisfactorily and unless the Commission had any objections, requested that they grant the project approval for a Zoning permit. After a brief discussion, Commissioner Scholl moved to approve, Commissioner McConnell supported, motion passed.

New Business

None

Master Plan Review

More Master Plan discussion and fine tuning, specifically looking at the two new goals that were established at the goal setting meeting in January 2020.

Commissioner's Comments

None

Adjournment

Motion to adjourn made by Commissioner Parker, seconded by Commissioner McConnell at 6:05 pm, motion passed unanimously.

Next meeting: December 15, 2020 at 5:30 pm.

**Planning Commission Meeting Dates
For 2021
City Hall
2ND Floor Conference Room
5:30 p.m.**

January 19
February 16
March 16
April 20
May 18

June 15
July 20
August 17
September 21
October 19
November 16
December 21

The Forgotten Law

Planning Commission Review of Capital Expenditures

By Brad Neumann—Updated from an original article written by Kurt H. Schindler



Reprinted with permission from an article that originally appeared on Michigan State University Extension's website on Sept. 1, 2020.

Maybe the most forgotten part of the Michigan Planning Enabling Act—or the most ignored—is the requirement for the planning commission review of a government's proposed construction or purchase of a street, square, park, playground, public way, ground, other open space, new building, addition, or other structure.

Following adoption of a master plan, Section 61 of the Michigan Planning Enabling Act (MCL125.3861) requires a planning commission to review the "location, character, and extent of the street, public way, open space, structure, or utility..." before construction or authorization for construction begins (MCL 125.3861(1)).

The planning commission only has 35 days to act on the review. If it does not meet that deadline, work on the project may proceed without planning commission review.

"The planning commission shall submit its reasons for approval or disapproval to the body having jurisdiction. If the planning commission disapproves, the body having jurisdiction may overrule the planning commission" (MCL 125.3861(1)). The override vote is 2/3 of the entire membership in a city, village, or township (with a planning commission originally created under the now repealed Municipal Planning Act), or a majority of the membership in other townships and counties (MCL 125.3861(1) and (2)).

Value of Planning Commission Review

There are a number of reasons for planning commission involvement in the decision to expend public resources on infrastructure and other capital projects. Historically, this system was put in place for there to be another public review of major expenditures of public funds. This was in reaction to the Tammany Hall corruption scandals near the turn of the century, when many public works projects were based on providing government construction contracts to "friends" rather than based on need or planned development of a community. The planning commission review, based on compliance with a master plan, was a reform intended to end that practice and tie public works construction to larger picture plans for the community.

Currently, a local government is not subject to its own zoning ordinance. Thus, a local government does not have to obtain a zoning permit from itself when performing a governmental function (*Morrison et al. v. City of East Lansing*, 255 Mich. App. 505 (2003)). The capital improvements (public works) review is one means for the planning commission to review and look at the same things that would otherwise be covered during the process of obtaining zoning approval.

The review by the planning commission should focus on if the proposed capital project/public works project is within the adopted master plan, or at least does not contravene the

adopted master plan. The review with the master plan is to find if the project fits within the future direction for the community.

Each review comment made by a planning commission should be specific and should include a direct citation to the chapter and verse of the master plan and working papers (e.g., page number, paragraph, or goal, objective, strategy enumeration). If the concern or comment cannot be directly tied to such direct citations, then the comment should not be made by the planning commission.

You may frequently find that the master plan does not reference a particular project, or the plan is just not specific enough. In such cases, it is appropriate for the planning commission to respond to the request for review by saying something to the effect that, "we have no comment."

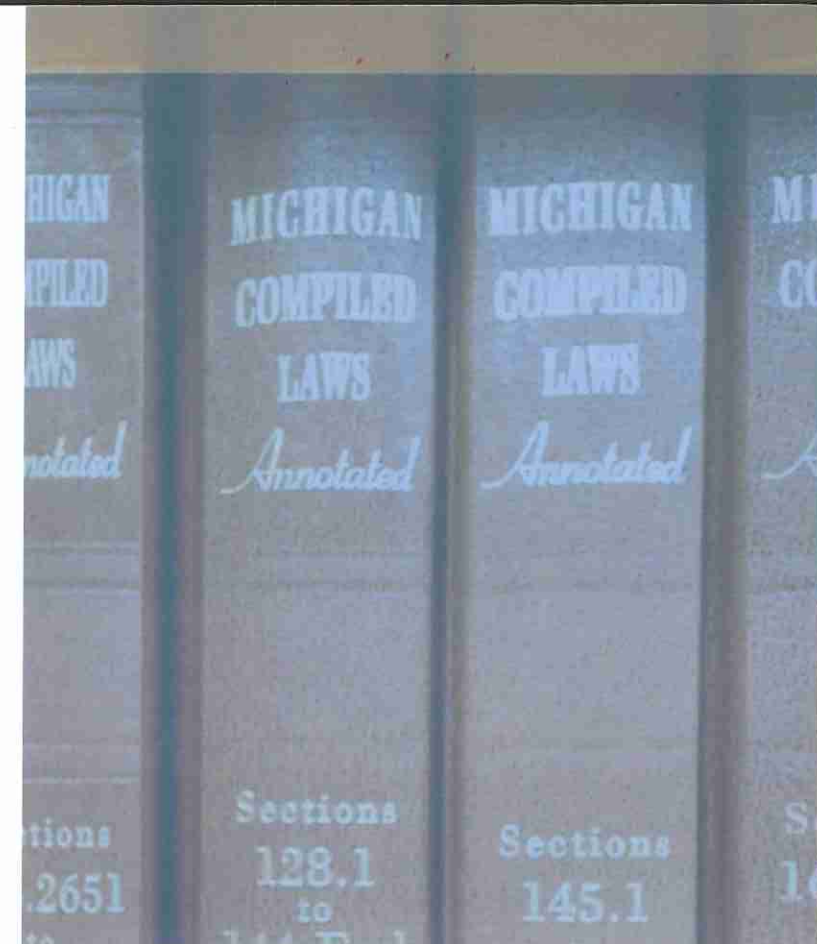
Local Variations

The Planning Act does not provide a clear definition of what is a capital improvement versus what is ongoing maintenance or minor work. Some governments or planning commissions have adopted a policy that details when they will or will not review a capital improvement. For example, replacing a door in a building or other interior renovation is not something likely to be reviewed. Routine replacement of patrol cars may not be subject to planning commission review, but items over a certain amount of dollars, or any acquisition, addition, or renovation of real property would need to undergo the review process. Policies are as varied as there are governments that have adopted such policies.

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Michigan communities have a 22-person planning department.

You can, too.

"They're always available to provide advice on most planning or zoning issues and their advice is based on 35 years of experience in numerous communities throughout Michigan."

R. Brent Savidant, planning director, City of Troy



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TO: Planning Commission

FROM: Zoning Administrator

DATE: January 6, 2021

RE: 450 Hidden Meadows Rezoning

Background: The City of Hillsdale Economic Development Corporation (EDC) owns the property at 450 Hidden Meadows Drive. The property is a vacant lot located at the northwest corner of E. Hallett and Hidden Meadows Dr. It is directly west of the Hillsdale Hospital medical office building and adjacent to the Three Meadows subdivision. It is currently zoned B-1 Local Business. The EDC would like to rezone it R-1 Single Family Residential.

RECEIVED



CITY OF HILLSDALE

For Office Use Only	
Date Received:	
Received By:	Planning Dept
Amount Paid/Check #	

Fee: \$500.00

REZONING REQUEST PETITION FORM

Re-zoning may be requested by the property owner or at the request of Planning Commission. A public hearing must be set to be heard at the regular session of the City of Hillsdale Planning Commission, which meets on the third Tuesday of each month at 5:30 p.m. A \$500.00 filing fee must accompany the application. Return application to: **City Clerk, City Hall, 97 N. Broad St. Hillsdale, Michigan 49242** or email to: abeeker@cityofhillsdale.org

Applicant's Name Dean Affholter	Owner's Name Economic Development Corporation
Mailing Address 97 N Broad Street	Mailing Address 97 N Broad St
City, State, Zip Hillsdale, MI 49242	City, State, Zip Hillsdale, MI 49242
Telephone Number	Telephone Number

IF APPLICANT IS NOT THE PROPERTY OWNER, WHAT IS THE APPLICANT'S INTEREST IN THE PROPERTY? (LAND CONTRACT, LEASE, OPTION, ETC.)

Property Address: **450 Hidden Meadows Drive**

Property Address: _____

Current Zoning District: **Commercial**

Proposed Zoning District: **Residential**

Explain the nature of the Practical Difficulty or Hardship with the current zoning:
Currently listed for sale as a commercial lot. The EDC board is interested in re-zoning to be more appealing to sell as residential.

(Attach additional sheets, as needed)

Dean P. Affholter
Signature

12/15/20
Date

BELOW FOR OFFICE USE ONLY

Signature of City Clerk

Date of Hearing

Disposition of Planning Commission _____



- (4) Continue and promote the TIFA façade program and restoration grants (TIFA Board)
- (5) Enforce existing code (City Code Enforcement Office)
- (6) Seek programs and grants for Blight Removal
- (7) Encourage non-profit involvement especially the arts
- (8) Obsolete Property Rehabilitation Abatement (OPRA)
- (9) Rental Rehabilitation Grants
- (10) Redevelopment Ready Communities Program (RRC)
- (11) TIFA Business incentive programs
- (12) Creation of Local Historic District

B. IMPROVED DRIVABILITY, WALKABILITY, AND SAFETY

- a. Improve Paser ratings on City streets
- b. Expand walking trail facilities
- c. Reduce M-99 to two lanes with center turn lane from Steamburg Rd. to East Carleton St.
 - 1. Work with MDOT to design road alterations
- d. Require sidewalks in new development projects
 - 1. Create streetscape ordinances

C. NEIGHBORHOOD REVITALIZATION:

The City of Hillsdale features a high percentage of older stock, most of it well worth preserving and rehabilitating in order to enhance the quality of life of residents and increase property values.

- a. Goals
 - 1. Support neighborhood revitalization
 - 2. Encourage a variety of new residential development that will assure safe and sanitary housing to meet the needs of existing and future residents
 - 3. Provide affordable housing for working families and senior residents
- b. Action Steps
 - 1. Adoption of form-based code and historic preservation tools.
 - 2. Consider zoning changes that better manage multi-family housing and work to preserve single-family housing where appropriate.
 - 3. Analyze & Recommend Neighborhoods for future Neighborhood Enterprise Zone (NEZ)
 - 4. Zone for appropriate mixed-use in residential neighborhoods that encourages redevelopment, walkability and small business development.
 - 5. Locate new residential development in areas where potential conflicts with incompatible land uses can be avoided.
 - Ongoing
 - 6. Amend ordinances that allow for variable density of residential uses to be mixed with commercial uses.

7. Creation of Local Historic Districts
8. Increase Neighborhood involvement through competition
9. Research Adopt-A-Neighborhood and implement with non-profits
10. Seek programs and grants for Blight Removal
11. Create neighborhood pocket parks or gardens on empty lots
12. Neighborhood Enterprise Zones (NEZ)
13. Market Hillsdale as a great place to live

D. DEVELOP EXISTING WATER AND WATERWAY ACCESS

- a. Improve St. Joseph River through City
 1. Remove dam and drain Millpond
 2. Annual clean up of trash
 3. Clear riverbanks of brush and trees
- b. Expand amenities in Waterworks, Owens and Sandy Beach parks
 1. Remove old house in Owens park
 2. Build new indoor/outdoor facility for gatherings in Owens park
 3. Build storage facilities for dock renters in Owens or Sandy Beach parks
 4. Replace existing boat launch in Waterworks park
 5. Install new breakwater along park road

E. IMPROVE UTILITIES

- a. Upgrade Electric, Water and Wastewater infrastructure
- b. Improve Storm Water control
 1. Create storm water ordinance
 2. Replace or install new storm water infrastructure in conjunction with other projects.