

**EMMET COUNTY PLANNING COMMISSION**  
Emmet County Building | Board of Commissioners Room 160  
200 Division Street, Petoskey, Michigan 49770

**REGULAR MEETING**  
**April 9, 2026 – 7:00 PM**  
**AGENDA**

**I Call to Order and Roll Call**

**II Pledge of Allegiance**

**III Approval of Minutes:** February 5, 2026 Regular Meeting (updated or original)  
March 5, 2026 Regular Meeting

**IV Unfinished Public Hearings—None**

**V Unfinished Site Plans—None**

**VI New Public Hearings**

*Citizens will have an opportunity to offer comment on each case when the respective Public Hearing is opened by the chairperson. Please see reverse for **Public Hearing Procedures & Rules of Conduct**.*

**1. PSUP26-002 Roger Geitzen – SPECIAL USE PERMIT**  
Campground, 9400 W Robinson Rd, Section 25, Readmond Township – 1<sup>st</sup> hearing

**2. PPUDF26-01 Frederick Hackl – Planned Unit Development (PUD) Preliminary Amendment, PUD Final & Site Plan Review**  
Automobile sales, auto body/vehicle repair, oil change, 2430 E Mitchell Rd, Bear Creek Township – 1<sup>st</sup> hearing

**VII New Site Plan Reviews—None**

**VIII Public Comments**

*Citizens are invited to comment on any agenda item or general issue during this period. Please see reverse for **Rules of Conduct**.*

**IX Other Business**

- 1. Master Plan** – Review draft chapters 1-4
- 2. Text Amendment** – Storage Uses – Discuss input from townships and consultant analysis
- 3. Site Plans Reviewed Administratively**
- 4. Training opportunities** – MTA, MAP, MSUE

**X Commissioner Comments**

**XI Adjournment and Next Meeting**  
Next Planning Commission Regular Meeting – **May 7, 2026, 7:00 PM**

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**EMMET COUNTY PLANNING COMMISSION**  
**Public Hearing Procedures & Rules of Conduct**

*Welcome—*

We appreciate you taking the time to present your comments. Everyone who wishes to make public comment will be given an opportunity to speak during the Public Hearings and during the general Public Comment period. For Public Hearings, please note the case review procedures detailed below. In order for us to have an effective public meeting, we ask that you please abide by the following public hearing **Rules of Conduct**.

- 1. Wait for the Chair to acknowledge you before you speak.**
- 2. Please approach the podium so you are near the microphone.**
- 3. Offer your comments.**
  - **You may begin by stating your name for the record if you choose.**
  - **Please direct comments to the Planning Commission, not the applicant or other members of the public.**
  - **The Planning Commission will receive comments but will not engage in discussion with the public or respond to questions during the comment period.**
- 4. To ensure that everyone has time to speak and that we can address all of the items on the agenda, we limit public comment speaking time to three (3) minutes per speaker. A time clock will alert speakers when the three (3) minutes have ended and time for comment is over. The Chairperson may allow additional time to a speaker to provide new information.**
- 5. Above all, please be respectful of the Planning Commission, the applicant, and your neighbors.**

Again, thank you for attending,  
~ *Emmet County Planning Commission Chair*

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**Public Hearing Procedures**

- 1. Staff presents case introduction and zoning evaluation**
- 2. Applicant provides further details and addresses Commissioner questions**
- 3. Chairperson opens the Public Hearing**
  - **Public comments are received**
  - **Chairperson closes the Public Hearing**
- 4. Applicant may respond to public comments and offer final information for consideration**
- 5. PC deliberates and renders decision (approve, approve with conditions, deny, postpone)**

he has seen the survey show up organically on Facebook from people sharing it. Moreau stated that the drafts of chapters 1&2 were sent to the Planning Commission for preliminary review. Comments received from Neal and Hinterman that were administrative items were already incorporated. Any other comments or feedback on these drafts can be discussed, or we can hold off until the next meeting due to the late hour. Chapters 3&4 will be included with the next packet. It was decided to discuss next month.

**2. Annual Report – Distributed 1/8/2026 – Overview**

- Moreau reported that updates were made to the operating income and expenses and distributed a replacement page to the draft. Bates made a motion supported by Eby to forward the annual report to the Board of Commissioners for review. The motion passed on unanimous voice vote.

**3. Site Plans Reviewed Administratively**

- 1922 Harbor-Petoskey Rd, Food Trucks, Bear Creek Township (on hold)

**4. Text Amendment – Storage uses discussion**

- Moreau reported that the Board of Commissioners adopted the resolution and the pause on storage facilities is in effect until 9/1/2026. Townships were sent preliminary review information and comments were requested. It was also requested to add to the list of known storage facilities if they knew of any that weren't listed. March 26, 2026, is the deadline for comments anticipating a Planning Commission review in April.

**5. By-laws – Updated 1/8/2026 – copy distributed**

**6. Communications**

- Email from Amber Merrow
- Letter from Sean E. Madigan, American Legion—Carl O. Weaver Post 194
- Village of Pellston MP Amendment A-included in supplement-hard copy tonight.

**7. Commissioner Comments**

- Laughbaum stated that, regarding the Master Plan, he feels that it is most important to promote business within Emmet County because if you don't have business, you don't have jobs, housing, healthcare, transportation, or secondary education. He would like to promote businesses in Emmet County because we have a bad reputation for being a hard county to have a business in. Chairman Urman replied, "Ok, Laura will take that if there's something in there."
- Bates stated that in the draft Master Plan chapters it was interesting to see where the growth is and isn't in Emmet County; this is good insight.
- Alexander stated that the caseload in the annual report has been cut in half. Bates noted that the text amendments, administrative review, etc. helps these numbers be lower. Time invested in the front end saves time here. Moreau stated that there also was a tremendous amount of staff and Planning Commission time allocated to the Master Plan. She also noted that several cases over the last year were on the agenda for multiple months.
- Bates stated that a great point was made at the Bear Creek Township meeting about capturing infrastructure on the Future Land Use Map so we know where it exists and doesn't as the average lay person isn't aware of what is underneath them. Moreau stated that this was intentionally included on the maps presented at the October Master Plan open houses so people could indicate where certain uses belong.

**VIII Adjournment and Next Meeting**

Urman called the meeting adjourned at 10:45 p.m. The next Planning Commission Regular Meeting is scheduled for **March 5, 2026, 7:00 PM.**

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Jennifer Neal, Secretary

Date

# EMMET COUNTY PLANNING COMMISSION REGULAR MEETING

Emmet County Building  
Commissioners' Meeting Room  
200 Division Street  
Petoskey, MI 49770  
February 5, 2026 - 7:00 PM  
**UPDATED**

**MEMBERS PRESENT:** Brian Bates, John Eby, Brett Gooding, Charles Laughbaum, Julie Hinterman, Jennifer Neal, Scott Herceg, Tom Urman, Kelly Alexander

**MEMBERS ABSENT:** None

**STAFF:** Laura Moreau, Monica Linehan

## I Call to Order and Roll Call

Chair Urman called the meeting to order at 7:00 p.m. All members were present.

## II Pledge of Allegiance

Chair Urman lead the group in the pledge.

## III Minutes of January 8, 2026

Eby made a motion to approve the January 8, 2026 minutes as presented. Laughbaum seconded the motion which passed by unanimous voice vote of the members.

## IV Public Hearings

### 1. PREZN25-01 Robert Morales for Morales management LLC – REZONING

FF-1 Farm & Forest to B-2 General Business, 3765 S US 31 Hwy, Section 22, Maple River Township – 1<sup>st</sup> review – 3<sup>rd</sup> month on agenda

*Legal Notice: A request by Robert Morales to rezone property located at 3765 S US 31 Hwy from FF-1 Farm and Forest to B-2 General Business. The property is tax parcel 24-09-14-22-400-011 and is owned by Morales Management LLC. The rezoning request will be reviewed per Section 27.10 of the Zoning Ordinance.*

*Packet Items: Request & location map, tax parcel map, application, zoning map, land use matrix comparison, township recommendation, zoning evaluation*

Moreau presented this case showing the location and aerial maps. The applicant proposes to rezone tax parcel 24-09-14-22-400-011 from FF-1 Farm and Forest to B-2 General Business. The property is approximately 10 acres. Surrounding properties are zoned B-2 to the west, FF-1 to the south, PUD to the north and east. A small strip of land, to the north of the subject parcel, is zoned RR Recreational Residential. Access to the subject parcel is through the adjacent parcel to the west. That property is zoned B-2 and also is owned by the applicant. The subject parcel was approved for a Special Use Permit as a Sawmill in 1984 and SUP was amended on February 6, 2025. The zoning map was shown illustrating the current surrounding zoning districts. The review process and standards including items received for this case were summarized. Moreau reminded the board that future land use designations do not necessarily follow property lines. The future land use map was shown. Moreau showed the land use matrix comparison between FF and B-2 zoning reminding that with a rezoning, all B-2 listed uses should be considered. There are several commercial categories that would be allowed in B-2 which are not allowed in FF. Moreau noted that the neighboring property to the east and north was approved for a PUD with commercial land uses allowable including a campground. The site plan is not in effect as it was never initiated. On the subject parcel, a sawmill was

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**MEMBERS PRESENT:** Brian Bates, John Eby, Brett Gooding, Charles Laughbaum, Jennifer Neal, Scott Herceg, Kelly Alexander

**MEMBERS ABSENT:** Tom Urman, Julie Hinterman

**STAFF:** Tammy Doernenburg, Laura Moreau

**I Call to Order and Roll Call**

Vice Chairman Bates called the meeting to order at 7:00 p.m. Urman and Hinterman were absent.

**II Pledge of Allegiance**

Vice Chairman Bates lead the group in the pledge.

**III Minutes of February 5, 2026**

Laughbaum requested a change in the draft minutes on page 16, near the bottom, under item 7 he referenced his comment to promote business in Emmet County and noted that Chairman Urman's response to him was omitted. Laughbaum offered a sentence to be included the minutes: "Chairman Urman directed staff to include Laughbaum's recommendation promoting business in the Emmet County Master Plan."

Doernenburg asked that the Vice Chairman allow the Department to review the recording before making changes to the minutes. Bates asked Laughbaum if that was acceptable. Laughbaum requested that the minutes be approved with his change. Herceg and Alexander requested that the recording be reviewed. Laughbaum restated that the minutes should be approved as corrected. Bates said that there are two paths forward: adding a comment with Laughbaum's request or a review of the minutes. Eby stated that he did not believe Laughbaum's comments could be included legally without a review of the recording.

Eby made a motion to table approval of the February 5, 2026 minutes until the next regular meeting. Alexander seconded the motion. The motion passed by a voice vote of members present.

**IV Unfinished Public Hearings—None**

**V Unfinished Site Plans**

**1. PSPR25-005 Bryon & Holly Willcome – Site Plan Review**

Forest Production Operation, Log Storage Yard & Related, 5722 Rustic Rd, Section 36, Bear Creek Township – 2<sup>nd</sup> review

*Legal Notice: A request by Bryon & Holly Willcome for Site Plan Review for a Forest Production Operation, Log Storage Yard & Related at 5722 Rustic Road in Section 36 of Bear Creek Township. The property is zoned FF-1 Farm and Forest and is tax parcel 24-01-16-36-400-008. The request will be reviewed per the Emmet County Zoning Ordinance, Articles 8, 19, 20 and 22.*

*Packet Items: Cover sheet, updated site plan and supporting documents from applicant, emails from: Maria & Adam Yeager, Amanda Dow, historical information prepared by staff, updated zoning evaluation*

Doernenburg reviewed the case information. The location is a 10-acre parcel located on the west side of Rustic Road. The surrounding parcels are currently being used for residential use. The adjacent parcels are zoned FF-1. The properties across the road are zoned FF-2. The proposed use is Forest Production Operation, Log Storage Yard, and Related, and to allow two metal storage containers and a shed to remain on the property. A future pole barn is proposed. The hours of operation are proposed as 7am – 6pm Monday through Friday and occasional work on Saturdays and Sundays. Activities include delivery of logs to the site, expected to be three to four times per week, log storage, processing logs for firewood, dump truck delivery of firewood three to four times per day, and the starting/finishing location for three to four employees.

New information has been received since the February 5<sup>th</sup> meeting, including an updated site plan dated February 18<sup>th</sup>. The log storage size has increased from 150x100 to 200x100 on the graphic, but not in the legend; appendices A, B, C, and D added; and site photos submitted showing decibel levels. Photos were submitted by the applicant on 2/18/2025 with a narrative that has been provided to the Planning Commission.

Videos and emails of opposition were received from Maria and Adam Yeager through Denny Keiser, Township Supervisor and have been provided to the Planning Commission. Videos and emails of opposition were received from Amanda Dow and have been provided to the Planning Commission. Historical information requested by the Planning Commission was included in the packet. The fire department review is satisfied with the proposed site plan and has requested that an address sign be posted at the end of the driveway. The Road Commission has reviewed the site plan and indicated that this is a commercial drive that will need commercial access. The applicant is planning to attend an upcoming Road Commission meeting to ask that the standard be waived.

Additional information provided at the meeting includes: A follow up letter was received from the applicant dated 2/24/2026. An additional email with photos and video was received from Maria and Adam Yeager dated 2/24/2026. An additional email and video were received from Maria and Adam Yeager dated 2/22/2026. The fire department review was received on 2/20/2026. The Emmet County Road Commission review was received on 2/19/2026. An additional letter was received from Adam Yeager on 2/28/2026. A letter of opposition from Rebecca McKinley was received on 3/5/2026. A letter from the Bear Creek Township Supervisor was received on 3/5/2026, as directed by the Bear Creek Township Board, requesting that the Emmet County Planning Commission request an interpretation from the Zoning Board of Appeals.

With regard to the request for historical context, Doernenburg listed other uses that were similar this request and how they were reviewed and approved. None of those uses have been approved or reviewed to completion under the current ordinance, which was adopted in 2023. There is one other similar case that is currently ongoing. It is a violation case in Maple River Township and the Township believes it is a Contractor's use, requiring a special use permit. That case has stalled and the Department is working through enforcement. All other similar cases were approved under previous versions of the ordinance. There was a similar case for Firman Tree Service on Howard Road, which was a special land use. Doernenburg said that Eby had mentioned a case on Sterly Road, but she was unable to find approval for that property. It may be a nonconforming use that started prior to zoning. There is another case in Carp Lake Township that was approved through site plan review under a previous ordinance. Therefore, there is no precedent because the

ordinance has changed. Each case must be decided on its own merits and must be reviewed based on current zoning ordinance standards.

Doernenburg stated that, at the last meeting, Commissioner Laughbaum had asked if this case could be reviewed with legal counsel. Doernenburg stated that she had started reviewing this case with legal counsel in November and staff has consulted with legal counsel three additional times since then. The Right to Farm Act and the Right to Forest Act do not exempt this use from zoning ordinance standards.

Doernenburg then provided definitions from the Merriam-Webster Dictionary for “Harvesting” (The act or process of gathering in a crop.), and “Limited” (Confined within limits : restricted : characterized by enforceable limitations prescribed [as by a constitution] upon the scope or exercise of powers.) Doernenburg further explained that if there is a word or term that is not explicitly defined in the ordinance definitions section, it shall be assumed to have the meaning customarily assigned to it and any necessary interpretation shall be the responsibility of the Zoning Administrator. If an interpretation is needed, it can be done at the Zoning Board of Appeals.

Doernenburg stated she still believes that the applicant’s use of the property is a Contractor’s use and should be reviewed as a special land use. She noted that there has been a lot of discussion about Forest Products Processing (Limited), but that use was not applied for in this application. It was not on the site plan, impact statement, or application. This request is for site plan review for Forest Production Operation. Bear Creek Township recommended denial.

Doernenburg then showed the site plan. She noted the change in the size of the log storage area. The Planning Commission had requested installation of berms. The applicant explained in their narrative why berms were included and added additional trees for screening. Doernenburg stated that the Planning Commission still needed to consider if the use is allowable and the other items of the site plan review checklist, including screening.

Bates asked if there were any questions for staff. Neal asked what information Doernenburg could share from the legal review. Doernenburg stated that the legal opinions were reflected in the zoning evaluation as well as the PowerPoint slide discussing the precedent of the case. Alexander asked if Doernenburg allowed the applicant to continue the use without approval. Doernenburg stated that when an applicant under enforcement action is cooperative; Planning & Zoning department staff will often allow continued use while the compliance process takes place. Doernenburg stated that she also looked for alternative sites for the business, including the applicant’s current residence. Neal asked what changes were made in the 2023 ordinance update. Doernenburg stated that the term “Limited” was added. In past ordinances, there were two entries for different types of forest products processing, other forest industries, and sawmills. Those uses, other than the sawmills, were consolidated to Forest Products Processing (Limited). Doernenburg continued that there was lengthy discussion over the term “limited” and a question of if “unlimited” should be added and what that would include. The topic was supposed to come up for review and potential changes, but no changes have been made. Gooding asked if Doernenburg had looked for other sites for the applicant. Doernenburg stated that she had suggested other sites for the business.

Holly and Bryon Willcome then spoke. Holly read a written statement. She stated that it was never their intention to “kick a nest of hornets.” They understood that the forest products processing use was allowed by right and moved their business to the site. They did not intentionally try to break any rules or laws. They have tried to treat their neighbors with respect. Despite their efforts the neighbors are up in arms. It was their understanding that the issue of use was settled at the previous meeting, and they thought tonight would be finalization of the site plan. They found out at the March 2026 Bear Creek township meeting that the Supervisor intended to appeal the case if it was decided in the Willcome’s favor. The Willcomes stated they were surprised because the Supervisor had previously wished them luck and said that maybe the case would be approved.

They agree that interpretation is up to the zoning administrator, but argue that an interpretation was not necessary. She stated that their operation clearly fits into the “Forest Production Operations” category. The definition includes terms like cord wood and pulp wood and the term “operation” is self-explanatory. The word “limited” does not follow “Forest Production Operations” in the ordinance. She believes that this is common sense and should be the end of the story. Instead, she waited for three weeks for the zoning administrator to decide what the terms meant. They then had to spend several hundred dollars on maps for the Township. She believes that it is a simple phrase with a simple meaning and she does not understand why the zoning administrator had to make an interpretation. She does not believe that the zoning administrator should be able to decide the fate of an application. They have researched all of the concerns raised by the Planning Commission at the previous meeting and feel that the updated site plan addresses those concerns. They increased the size of the log storage area to allow the log piles to be shorter.

Bates asked what the new height would be. Bryon Willcome answered that the size of the storage area would be 200x100x12 feet.

Holly Willcome stated that there were many neighbors in the audience, but if the use is permitted by right, then the opinions of the neighbors were inconsequential.

Alexander asked if the driveway was going to be brought up to commercial standards. Bryon Willcome stated that he was meeting with the Road Commission to try to come to an agreement about the Driveway. Holly Willcome stated that farms are not required to install commercial driveways.

Laughbaum asked if the Planning Commission required the applicant to install a commercial driveway and a six-foot-high berm around the ten-acre property with additional screening, would that create a financial hardship? The applicants stated that it would. Doernenburg reminded the Planning Commission that they do not determine if a commercial driveway is required. The Planning Commission does ask if the sight distances are compliant, which the Road Commission has determined that they are.

**PUBLIC COMMENT:**

Robert Phillippe, 5390 Rustic Road, stated that the site plan does not address three things: the first is damage to infrastructure; the corner near Flynn’s gravel pit is a tight, 90 degree, blind corner. The road was not designed for industrial traffic. He does not believe that a log truck can fit around the corner without crossing into the opposite lane. He noted that the site plan does not have any earthen berms, like the gravel pit across from his house. He is not here to complain about the

gravel pit. The whole neighborhood acknowledges the pit and accepts it. The pit has a 10-12 foot tall berm around it and you can still hear the klaxons. Bates noted that Mr. Phillippe's time had expired.

Maria Yeager, 5720 Rustic Road, stated she is a direct neighbor and is here to object to the business. She purchased the property because she believed that it was zoned as Residential – Rural. The peace matters to her and she had the expectation that operations like this would not be set up near her home. The wood splitter is one issue, but the crane to move timber is a whole other level. She has submitted video to the Planning Commission of the crane starting at 5:34 AM. This operation has changed the character of the neighborhood. She is no longer able to enjoy the outdoors. She asked the Planning Commission if they would like to live next to this noise every day. She urged the Planning Commission to deny the application and restore her community.

Amanda Dow, 5620 Rustic, stated she has never met the applicants despite being a neighbor. She believes that this is a slap in the face of Tammy Doernenburg and Laura Moreau after all the work they have done. She lives on the corner that Robert Phillippe was referencing. She also invited the Planning Commission to sit on her front porch and listen to the trucks go by. She questioned if the Planning Commission had reviewed the videos of the noise. She also agreed with comments made by Doernenburg on February 19<sup>th</sup> that it was inappropriate for a Board member to use their committee report to bring forward their personal opinion on a current open case. She wonders how many times she will have to hear "I'm sorry" or "we didn't know" from the applicants. She has to follow the rules, but it appears that the applicants do not. She theorized that she could start a business on her property, as her husband is a marine mechanic, and it would be beneficial to her, but may not be to the neighbors. She requested that the Planning Commission send this case to the ZBA, deny the case, and encourage the applicants to use their own home for their operation.

Matthew Breed, 5450 Rustic, stated he has reviewed the minutes and done research of his own. He stated that staff had determined that the applicant's use of the property had not met the requirements of the Farm Forest district. Section 8.00 under Article 8 articulates the intent of the Farm and Forest District. He then read the section. He noted the key words of "agriculture" and "forestry purposes". He then read the definition of "forestry" and does not believe that forestry is happening at this property. He then read a definition of "forestry" from the USDA. Bates noted that Mr. Breed's time had expired.

Matthew Dow, 5620 Rustic, stated he does not believe that use by right should apply to commercial operations.

Debra Still, 5990 Rustic Rd, stated she has lived in the area a long time. She said that the business will cause lower property values. There are gas trucks coming onto the property and she is concerned about gas affecting the artesian wells. She said that it is not personal. She just wants the applicants to follow the law.

Robert Phillippe was allowed to continue his comments. He stated that no realtor would try to say the business would increase property values. He compared the noise of the applicants' business to the noise from the gravel pit and questioned why a berm was not being put in place. The site plan does nothing to improve the safety of the public. Many people walk, jog, and bike on the road. He does not believe it is justifiable to allow a business with such large trucks to operate on this road.

He asked if there were better locations for the business. He requested that commercial operations be located in commercial or industrial districts.

Matthew Breed continued his comments by reading Article 2, Section 2, Subsection K, which allows the zoning administrator to make interpretations of the ordinance. He noted that the staff evaluation determined that the use did not fit within the zoning district and that the Planning Commission did not have the authority to interpret the ordinance. He requested that the case be forwarded to the Zoning Board of Appeals for review.

Holly Willcome stated that the area is not Residential–Rural but Farm and Forest. It is not a residential district. Commercial farms are allowed, which means that commercial operations are allowed. She stated that forestry purposes don't require any permits and wondered what would be considered forestry production if her business is not. She stated that the PC should just be doing site plan review.

Tana Baldwin requested more information on a creek in the area that Chairman Urman had mentioned at the previous meeting. She did not see it on any maps, but wanted to make sure it was discussed.

Holly Willcome stated a culvert was put in place near a freshwater spring by the driveway. Bryon Willcome explained there is a cement pad for the fuel storage, and the fuel tanks meet State standards.

Robert Phillippe noted that the Township had recommended denial. He would like the PC to ask themselves what would happen if they set a precedent with this case.

Holly Willcome stated that the neighbors of the apartment development on Intertown Road were opposed, but the project was approved.

#### PLANNING COMMISSION REVIEW

Alexander stated that he is sorry if the applicants got the impression that the use was approved at the previous meeting. He stated that, looking at the work that the Township and planning staff have done, he is not in favor of it.

Gooding stated that he had made his decision prior to the meeting. He feels that he made a mistake voting to postpone at the previous meeting. He wanted to give the applicants a chance to make their case. Given time to reflect, he trusts the planning staff and would like to support their recommendation. He takes offence to the idea that the Planning Commission is against small businesses.

Laughbaum stated that he had read through his notebook, especially the sections of FF-1 and FF-2. It is clear to him that the use is permitted by right. Article 8, Farm and Forest 1 and 2, permits by right forest products processing, forest production operations, log storage yards, and related. Article 19 provides qualifications. The site must be at least one acre in size, and you cannot have any buildings over 30 feet high or cover more than 35% of the lot. The applicant appears to meet those requirements, in his opinion.

Eby stated that the ordinance has a problem. The Planning Commission keeps running into words that they have trouble defining. This use does belong in Farm and Forest. He wondered if the case should be remanded to the ZBA. He questioned if the Planning Commission should postpone the case to allow the ZBA time to weigh in.

Neal stated that there was a long discussion at the previous meeting about the use. She noted that the use listed by the applicant is Forest Production Operation, Log Storage, Related, and the use is permitted by the ordinance. The site plan meets the requirements. She believes that the case is "cut and dry."

Herceg stated he sees two issues. One is the question of whether the use is allowable, and it is. The second issue is if it is a good idea in this location, and it does not appear to be. He believes that the neighbors have made excellent points about nuisance and infrastructure.

Alexander referenced comments made by Phillippe and a letter from Bear Creek Township. He believes that a precedent will be set. Eby stated that this is not precedent setting if the ordinance is later amended. Bates agreed and referred to the previous cases that were similar, but approved under previous ordinances. Gooding stated that changing the ordinance again would set a pattern of changing the ordinance every time a case comes up.

Bates stated that this case is site plan review for a use permitted by right. The discussion around it is important, but may not be pertinent.

Gooding stated that a motion was never made to approve the use. He asked Doernenburg to clarify if the use was in question. She stated that part of site plan review was determining if the use was valid for the location and based on the zoning evaluation, it did not fit. Gooding asked if the applicants could appeal a denial to the ZBA. Doernenburg stated that they could.

Gooding made a motion to:

Deny Case #PSPR25-005, Bryon & Holly Willcome, for Site Plan Review for a Forest Production Operation, Log Storage Yard & Related use at 5722 Rustic Rd, Section 36, Bear Creek Township, tax parcel 24-01-16-36-400-008, as shown on the site plan dated Received February 18, 2026 because the standards of Articles 8, 19, 20, and 22 have not been met based on the following findings:

1. The facts, as presented in the Zoning Evaluation dated 2/19/2026 and during Site Plan Review, are accepted as presented.

The motion was seconded by Alexander. The motion failed on the following roll-call vote: Yes: Alexander, Gooding. No: Laughbaum, Neal, Eby, Bates, Herceg. Absent: Hinterman, Urman.

Laughbaum made a motion to:

Approve Case #PSPR25-005, Bryon & Holly Willcome, for Site Plan Review for a Forest Production Operation, Log Storage Yard & Related use at 5722 Rustic Rd, Section 36, Bear Creek Township, tax parcel 24-01-16-36-400-008, as shown on the site plan dated Received February 18, 2026 because the standards of Articles 8, 19, 20, and 22 have been met and the approval is conditioned on the following:

1. The applicant is to install an address sign at the road.

Bates stated that the address sign is already installed and asked if Laughbaum wanted to add that the standards of the Emmet County Road Commission must be met. Laughbaum did not wish to amend his motion except to retract the condition to install an address sign. The final motion is:

A motion to approve Case #PSPR25-005, Bryon & Holly Willcome, for Site Plan Review for a Forest Production Operation, Log Storage Yard & Related use at 5722 Rustic Rd, Section 36, Bear Creek Township, tax parcel 24-01-16-36-400-008, as shown on the site plan dated Received February 18, 2026 because the standards of Articles 8, 19, 20, and 22 have been met.

The motion was seconded by Neal. The motion failed on the following roll-call vote: Yes: Laughbaum, Neal, Bates. No: Alexander, Herceg, Eby, Gooding. Absent: Hinterman, Urman.

Herceg and Eby both stated that a motion to approve would require more details before they could support it. Doernenburg asked that the Planning Commission consider the hours of operation and using the property for personal use. Enforcing personal use and hours of operation on the weekend is very difficult.

Bates asked for a motion. Eby asked to reach consensus. Neal stated that she would support reducing the hours of operation. Herceg suggested operation hours of 9am – 5pm. Eby cautioned the Planning Commission against creating a “poison pill” and asked again to reach consensus on the conditions. He stated that personal use could be done during regular business hours.

Bates asked the applicant if the regular hours of operation could be adjusted. Holly Willcome stated that many small business owners use their businesses after regular hours. Bryon Willcome stated that he would need to be on the property to take care of livestock. Bates stated that livestock were not related to the application and asked if the hours could be modified. Bryon Willcome stated that they could be modified. Herceg asked if 9-5 would work. Willcome stated that it would not, but 7:30-5 would be acceptable. Eby stated that this type of operation is affected by temperature and they would want their hours to be earlier in the day. Bates is hesitant to support work hours longer than 9 hours. Holly Willcome stated that the Flynn gravel pit starts work at 7am. Bryon Willcome stated that 8-5 would be acceptable.

Herceg reiterated that he is worried about the neighbors and the infrastructure, but he also worried that too many conditions would make the site unusable. He would need to see hours of operation, berms, and public safety taken into account before he votes to approve a site plan.

Bates then read through the site plan review staff report. Bates asked the other Planning Commission members if walkways should be required between buildings. Due to the lack of buildings proposed, it was determined that the standard be waived.

Bates then asked if the proposed and existing tree screening was sufficient. Eby and Herceg both felt that additional screening should be required. Eby requested that a privacy fence be installed on the north side of the log storage area to help reduce noise from the operation. Eby is concerned about creating a berm, especially in the southeast corner of the lot. Bates is also hesitant to request a berm because the logistics of creating a berm are more complex, the ordinance does not

list it as a requirement, and comments from Robert Phillippe suggest that a berm has not effectively blocked noise from a gravel pit nearby. Bates asked if Eby wanted trees as well as the fence installed. Eby stated that the fence would serve as a screen while the trees mature. Doernenburg requested that the types of trees be identified. Holly Willcome stated that she had provided information on the types of trees to Doernenburg via email and they would be a type of evergreen.

In reference to the site plan, Bates stated that any location on the site plan marked with an "O" would be a newly planted evergreen tree of at least six feet tall and that a privacy fence would be installed on the north edge of the log storage area. Eby would like the fence to be as tall as the log pile, or a couple feet shorter. Bates asked if the fence needed to be height of the logs or just the height of the equipment. Eby stated that there was a screening component that should be considered.

Neal asked what type of fence should be installed. She wondered if a ten-foot-tall wood or vinyl fence would be stable. Eby stated that it was possible. Eby stated that he wanted to see a solid fence, whether it was wood or roofing steel. Bates asked what term should be used. Eby stated that it should be a solid fence of steel or wood. Doernenburg questioned if a metal fence would reflect sound instead of dampening it. Bates suggested the fence be made of wood and asked what the height should be.

Laughbaum is concerned that a solid wood fence, twelve feet high, would fall down in a storm. Doernenburg stated that any fence over eight feet high would require a building permit and be designed to withstand the wind. Bates believes that it is unlikely that any equipment making noise would be taller than eight feet in height. He then asked if the fence should be wider than the log storage area. Herceg would like the fence to be wider and he believes the fence should be taller than eight feet. Bates asked if the height of the fence should be tied to the height of the log pile. Herceg believes that it should. Bates then restated: "a solid fence of wood to meet or exceed the height of the log storage area" and asked if there was consensus on the condition. Laughbaum stated he is not comfortable with a fence higher than six feet.

Bates asked if the fence should be wider than the log storage area. Eby stated that the fence location was close to the woods to the east of the storage area and making it too long would hinder emergency response in the event of a grass fire. Bates asked if the size of the fence could be increased by 10% on either side. Doernenburg stated that for enforcement purposes, it would be better to have an exact length, like 240 or 250 feet. Bates asked if 250 feet was acceptable. Herceg agreed.

Bates restated the conditions so far. Herceg asked if there should be an additional fence on the southeast side of the property. Eby stated that there was already heavy vegetation in that area and that planting more trees would help screen the site from the road. Bates asked if there should be a fence and trees in that location. Eby stated that trees should be sufficient. Bates agreed. He then stated that, from the scale, it appeared to be 75 feet of space and asked if there was any opposition to the condition. Hearing none, Bates continued with the review.

Bates asked if storm water management was needed or if the Planning Commission would waive the requirement. He noted that this condition was discussed at the February meeting and it was waived due to the fact that the impervious surface coverage was less than 1% of surface area and

the soil type is Kalkaska Sand. Bates asked if there was consensus on the condition. Neal and Eby agreed.

Bates then asked if an enclosure was required for the outdoor waste receptacle or if the existing screening was sufficient. Laughbaum asked if evergreen trees could be planted instead of the privacy fence. Bates stated that the trees on the north property line would provide a visual buffer and the fence would provide a sound buffer. Laughbaum stated that trees would look much better than a wood fence. Doernenburg stated that the conversation resulted in both the trees and the fence being required; the trees were proposed by the applicant and the fence imposed from the Planning Commission. Bates asked if Laughbaum would like to see trees at the property line and along the log storage area. Laughbaum believed that the fence was going to be along the property line. Bates clarified that there would still be trees along the property line. Eby believes that the waste receptacle is properly screened. Neal agreed.

Bates asked if anyone would like to propose hours of operation. Laughbaum suggested 7am – 6pm. Eby stated that the applicant had agreed to 8am – 5pm. Bates asked if there was consensus on the hours of operation. Neal, Alexander, and Herceg support 8am-5pm. Gooding does not believe the case should be approved, but he would prefer hours of 8am – 5pm. Eby asked about the days of operation. Bates stated it would be Monday through Friday, no work on the weekends, with the understanding that livestock and other uses unrelated to this use are not prohibited.

Herceg asked if a limit to the decibel level could be imposed. Doernenburg stated that noise limitations were not in consideration for this site plan.

Herceg asked if there were any considerations for the infrastructure and trucks driving on the road. Bates stated that the connecting road was public and there is no rule stopping any large truck from driving on the road. Bates stated that is why the Road Commission regulates commercial driveways, to help mitigate the impact of heavy vehicles entering the road.

Gooding hoped that, after the lengthy discussion attempting to make the plan go forward, that no one would say that Emmet County does not cater to small businesses. In his opinion, the Planning Commission is going through a lot of effort when they have not determined if the use fits the parcel. If the Planning Commission decides that it fits, they would be going against Tammy Doernenburg, Laura Moreau, and the legal counsel.

Neal made a motion to:

Approve Case #PSPR25-005, Bryon & Holly Willcome, for Site Plan Review for a Forest Production Operation, Log Storage Yard & Related use at 5722 Rustic Rd, Section 36, Bear Creek Township, tax parcel 24-01-16-36-400-008, as shown on the site plan dated Received February 18, 2026 because the standards of Articles 8, 19, 20, and 22 have been met.

Approval is conditioned on the following:

1. Installation of a 250-foot-long solid wood privacy fence located on the north side of the log storage area.
2. All proposed evergreen trees will be at least six feet tall.
3. The hours of operation shall be 8am-5pm on weekdays only.
4. Additional evergreen trees, at least six feet in height, shall be placed east of the east snow storage area.

5. The requirement for additional screening for the waste receptacle has been waived.
6. The requirement for installation of walkways from parking areas to building entrances has been waived.
7. The requirement for a storm water management plan has been waived.

Bates asked that the motion include that the fence meet or exceed the height of the log piles. He also requested that the driveway meet Emmet County Road Commission standards. Neal accepted those modifications. The complete motion is:

Approve Case #PSPR25-005, Bryon & Holly Willcome, for Site Plan Review for a Forest Production Operation, Log Storage Yard & Related use at 5722 Rustic Rd, Section 36, Bear Creek Township, tax parcel 24-01-16-36-400-008, as shown on the site plan dated Received February 18, 2026 because the standards of Articles 8, 19, 20, and 22 have been met.

Approval is conditioned on the following:

1. Installation of a 250 foot long, solid wood privacy fence, to meet or exceed the height of log piles, located on the north side of the log storage area.
2. All proposed evergreen trees will be at least six feet tall.
3. The hours of operation shall be 8am-5pm on weekdays only.
4. Additional evergreen trees, at least six feet in height, shall be placed east of the east snow storage area.
5. The requirement for additional screening for the waste receptacle has been waived.
6. The requirement for installation of walkways from parking areas to building entrances has been waived.
7. The requirement for a storm water management plan has been waived.
8. The driveway must meet the standards of the Emmet County Road Commission.

The motion was seconded by Eby. The motion passed on the following roll-call vote: Yes: Laughbaum, Bates, Eby, Neal. No: Alexander, Gooding, Herceg. Absent: Hinterman, Urman.

RECESSED 9:20 to 9:25pm

## VI New Public Hearings

### 1. PSUP26-001 Alexis Holmes – SPECIAL USE PERMIT

Home Based Business—Dog grooming, 7668 M-68 Hwy, Section 11, Littlefield Township – 1<sup>st</sup> review

*Legal Notice: A request by Alexis Holmes for a Special Use Permit to operate a Home Based Business for dog grooming at 7668 M-68 Hwy, Section 11, Littlefield Township. The property is zoned R-1 Residential and is tax parcel 24-07-17-11-401-008. The request will be reviewed per Emmet County Zoning Ordinance Articles 4, 19, 20, 21, 22 & Section 26.09. Packet Items: Request & location map, tax parcel map, application and supporting documents from applicant, Email from MDOT, Email from Littlefield Twp, Email from Fire Chief, zoning evaluation*

Moreau presented the facts of the case. The site is on the south side of M-68, roughly 1.5 miles east of US-31. The subject parcel is lot 7 of the Sugar Maple Hills subdivision and is approximately one-half acre in size. It is zoned R-1 Residential. The lot is surrounded by R-1 zoning to the west, north, and east, and FF-1 zoning to the south. The business is proposed to operate within a new 420 square foot accessory structure. Communications from Littlefield Township, MDOT, and the fire department have been received. The proposed structure will be on the edge of the driveway with existing trees for screening. The structure is a barn style building that fits in with residential

uses. The case will be reviewed per Articles 4, 19, 20, 21, 22, and 26.09. MDOT had no concerns. The fire department had no concerns. Littlefield Township was not able to have a quorum and deferred to the Emmet County Planning Commission. No public comments have been received.

Moreau noted that staff identified items for additional discussion including Supplemental Regulations and that snow storage locations were not shown on the original site plan. The applicant provided an updated site plan on 2/26/2026, which was after the packets were sent out. The new site plan was provided to all Planning Commission members at the start of the meeting and is in the PowerPoint. The Planning Commission must decide if the standards are met to approve a Special Use Permit for the Home Based Business.

Herceg asked for clarification about Littlefield Township. Moreau stated that they are short members on their Planning Committee right now and do not have a quorum.

The applicant did not have additional comments. Bates thanked the applicant for her thorough application.

#### PUBLIC HEARING

Vice Chair Bates opened the Public Hearing. There was no public comment on this case.

#### PLANNING COMMISSION REVIEW

Alexander asked what information was received from Littlefield. Moreau stated that the only communication was notification that they were unable to hold a meeting.

Bates noted that hours of operation needed to be defined. The applicant proposed 8:30am-4:30pm Monday through Thursday and 9:00am-noon on Fridays. Bates recommended changing the Friday hours to 8:30-4:30. The applicant stated that she does not currently work Fridays, but may pick up clients occasionally. Bates recommended the change to save the applicant from returning to the Planning Commission to adjust the hours of operation in the future. Bates noted that MDOT and the fire department had no issues and that the current site plan is dated 2/26/2026.

Eby made a motion to:

Approve Case #PSUP26-001, Alexis Holmes, for a Special Use Permit to operate a Home Based Business for dog grooming at 7668 M-68 Hwy, Section 11, Littlefield Township, as shown on the site plan dated Received February 26, 2026 because the standards of Articles 5, 18, 19, and 20 have been met based on the following findings:

1. The facts, as presented in the Zoning Evaluation dated 2/17/2026, are accepted as presented.

And further, that approval is conditioned on the following:

1. Hours of operation will be limited to 8:30 – 4:30 Monday through Friday.

The motion was seconded by Gooding. The motion passed on the following roll-call vote: Yes: Laughbaum, Herceg, Neal, Eby, Bates, Alexander, Gooding. No: None. Absent: Hinterman, Urman.

## VII New Site Plan Reviews—None

## VIII Public Comments

- Karla Buckmaster asked if Beckett and Raeder is considering changing the order/table of contents in the Master Plan. She had heard that the implementation and future land use map sections would be moved to the beginning, which are ordinarily at the end of the Master Plan. She is excited about the idea. Many Master Plans are filled with “fluff and puff” and the public really wants to know about the future land use plans and action plans. She would like the Planning Commission to figure out what they want in the action plan instead of waiting for a consultant to tell them.
- Tana Baldwin saw that there is a minor amendment to Legends Bear Creek on the agenda. She then read examples of minor amendments under Article 16, Section 16.04.3 (B). The request involves relocating the dog park and playground, which includes the elimination of restroom facilities. She stated that the ordinance does not list the relocation of amenities or elimination of previously approved facilities among the examples of minor amendments. She requested that the Planning Commission determine if the change was actually a minor amendment or if it should require rehearing.

## IX Other Business

1. **Text Amendment** – Storage Uses – Input from Townships to be reviewed at the April 9, 2026 Regular Meeting

Doernenburg stated that the Townships were provided with a zoning evaluation of the suggested text and requested that they provide feedback before the April meeting. No Townships have responded as of yet. Beckett and Raeder has been contracted to review the proposal as well as battery storage and data centers. Information on data storage centers was submitted by Jackie Hall and will be provided at the next meeting.

2. **Master Plan** – Update on survey #2, review draft chapters 1-4

Moreau stated that survey 2 ended on 2/28/26. Roughly 2000 responses have been received. The Master Plan is in the background and foundational stages right now. Moreau reminded the Planning Commission that we are not at the point of working on goals such as supporting local businesses; that will come later in the process. The Master Plan is still in the stages of working on background studies, looking at data, and hearing what our citizens have to say. Herceg stated that this is the right direction, building a strong base for the eventual goal section. Moreau stated that all parts of a master plan inform Planning Commission decision making; it provides the basis and rationale for major development decisions and possible legal challenges.

Moreau stated that there were requests from Planning Commissioners and the public to make the Master Plan user friendly. Staff requested to flip the Master Plan so that the action plan would be near the front. Staff feel that an executive summary or synopsis is important to have at the beginning. Moreau acknowledged comments from Neal about some sections being difficult to read, but she appreciated Beckett and Raeder adding key-takeaways at the end of chapters.

The proposed revised table of contents would front-load policy, putting the synopsis, goals, and future land use first. The Master Plan will address housing because it is a requirement of the Planning Enabling Act and the grant received. Supporting analysis is grouped together; transportation, public services, natural resources, coastal resiliency, etc., provide context and rationale for the decisions.

Background would be moved to the end. The reorganization proposed would be ten chapters, with the first chapter being a synopsis.

Bates is in favor of the proposal because it is more citizen-centric and feels appropriate. Moreau asked Neal if the proposal addressed her concerns. Neal stated that she was interested in having the summary at the beginning of the chapters and liked the synopsis chapter.

Bates noted that there are occasional text modifiers that seem to indicate a bias or opinion. He provided a couple examples. Moreau asked that the Planning Commission review the chapters and provide feedback and suggestions. She asked the Planning Commission members to mark up the plan and send it to staff. If there is a major change requested, it can be brought to the Planning Commission.

Due to the length of the meeting, Moreau asked if the Planning Commission wanted to continue with review of chapters 1-4, move the review to April, or schedule a special meeting to review. Bates asked how many cases were on the next agenda. Doernenburg stated that there are two. Bates did not like the idea of pushing off review again, but he suggested pushing the review to April and if they were not able to conduct the review, scheduling a special meeting at that point.

Doernenburg clarified that the Engagement Committee is not involved in the draft of the Master Plan in any way. It is meant to get people involved. Bates stated that the engagement committee is why there were 2,000 responses to the survey. Moreau referenced the requested change to the previous meeting minutes suggested by Laughbaum and stated that the Planning Commission is not ready to work on the action plan for the Master Plan. She reiterated that the engagement committee does not add anything to the plan. Doernenburg stated that every public comment that is received will be read and taken into account, but not all comments will be brought before the board.

Laughbaum believes that there is a liberal agenda bias in the plan. Bates clarified that is not the bias he referenced; he believes there are certain words that carry more weight than the writer intended, not that the whole plan has a bias. Laughbaum stated that page two in chapter four talks about diversity and he believes that we should treat all people the same. He then stated that page two of chapter five talks about prioritizing public transit. He is not in favor of that and stated that the Emmet County Board of Commissioners tried it several years ago. They spent a lot of money, and it failed. Cheboygan Straits Regional Ride buses come to Petoskey every morning and leave late in the afternoon. There are taxis, cabs, and so forth, and most care facilities have their own transportation. On page seventeen, he disagrees with the statement "direct growth towards Petoskey, Harbor Springs, and Pellston, while discouraging scattered rural development". He does not want to discourage any development in Emmet County. Page 18 talks about strengthening only small, locally owned businesses. He asked about medium and large sized businesses.

Bates asked if he was reading a previous master plan. Laughbaum stated that he was reading from a black book he had received a few days ago. Bates asked him to clarify if his book had a chapter five on housing. Laughbaum stated that it was a chapter on public transit. Laughbaum stated that he had received a new notebook at the meeting and has not had a chance to go through it. Bates stated that, as far as he was aware, the chapters on those sections have not yet been reviewed and wondered if Laughbaum was reading a previous plan. Doernenburg requested that Laughbaum provide comments to staff for review.

### **3. Site Plans Reviewed Administratively**

- 1922 Harbor-Petoskey Rd, Food Trucks, Bear Creek Township

Doernenburg stated staff are waiting for updated site plans to provide to the committee.

- 8383 S US 31 Hwy, Office Building, Littlefield Township

Doernenburg stated staff are waiting for updated site plans to provide to the committee.

### **4. Site Plan Minor Modification Request – JB Donaldson, Legends Bear Creek PUD**

Doernenburg stated that this is a request for a minor modification to the site plan. In December of 2025, the final PUD and site plan were approved with two separate motions. The motion to approve the site plan had ten conditions. The conditions that relate to the request are #7: the fenced play area shall be moved away from the access drive, as determined by the zoning administrator; and #9: restroom facilities to be located near the fenced-in play area, as offered by the applicant. A request was submitted to eliminate the condition to provide a bathroom near the playground based on 1) the new playground location within 300 feet of all residential buildings so residents could use their own bathroom, and 2) the safety and maintenance concerns regarding an unsupervised, lockable bathroom near a kids' playground. Doernenburg feels that #7 has been met, but #9 must be discussed. Bates stated that he did not feel that the bathroom was necessary now that the playground was moved. Doernenburg agreed, but did not feel that she could approve the change administratively.

Herceg made a motion to:

Amend the site plan approved December 4, 2025 to allow a minor modification and eliminate condition #9 for JB Donaldson, the Legends PUD.

The motion was seconded by Gooding. The motion passed on the following roll-call vote: Yes: Laughbaum, Neal, Eby, Bates, Alexander, Gooding, Herceg. No: None. Absent: Hinterman, Urman.

### **5. Zoning Coordinating Committee – Resort Township, Conditional Rezoning, a 49-acre portion of 7341 Upper Bay Shore Rd**

Doernenburg stated that the Resort Township Planning Commission made a recommendation to their Township Board to rezone property near the trailer park near Bay Shore. Doernenburg provided a letter of support for the rezoning, which is in compliance with the Emmet County Master Plan. Bates made a motion to support the Chairman signing the letter and a voice vote was taken. All members were in favor of the motion.

### **6. Communications –**

- 1) Beckett & Raeder newsletter—Distributed
- 2) Doernenburg explained a series of bills moving through the Michigan House of Representatives. HB 5530, 5531, 5581 – 5585. A synopsis was included in the PowerPoint, and she offered to email that synopsis to anyone interested. She would be happy to send an email to the legislators on behalf of the Planning Commission. The bills reduce lot sizes to a maximum of 1500 square feet for single family residences, which is 29 units per acre, if they are served by water and sewer. Site plan reviews would have to be completed within 60 days of submittal. Minimum dwelling size could not exceed 500 square feet. A maximum of one parking space per dwelling unit. Mobile homes would have to be allowed in any single-family dwelling district. Bill 5583 would not apply to Emmet County. Bill 5584 would require duplexes to be allowed in all single-family districts and regulated as single family dwellings. Bill 5585 would allow accessory dwelling units with additional standards and five-

foot rear and side yard setbacks. All of these bills would require changes to the Emmet County Zoning Ordinance.

The MTA opposes these bills. The Michigan Association of Planning supports the bills with changes. The MML is opposed as well. No direction was provided by the Planning Commission.

#### **X Commissioner Comments**

- Neal thanked Bates for chairing and staff for working on the master plan.
- Bates asked if there could be Zoom functionality for planning commission meetings. He believes that the community is being underserved. He would like to thank Eye on Emmet for their recording of public meetings.

Moreau asked what level of engagement Bates would like to see with Zoom meetings. Bates would like to see a broadcast function to start. Gooding agreed with Bates.

- Laughbaum stated he and Gooding recommended that the pay for Planning Commission members be paid the higher per diem rate. Laughbaum recently received the judgement from the Court of Appeals regarding the Crooked Lake Yacht Club case. The case started at the Zoning Board of Appeals and the applicant appealed to the Circuit court. The Circuit Court sided with the applicant. The Board of Commissioners were afraid that would set a precedent and appealed to the Michigan Court of Appeals, which was quite expensive. The Court of Appeals also sided with the applicant.

#### **XI Adjournment and Next Meeting**

Bates made a motion to adjourn the meeting. Laughbaum supported the motion. Bates called the meeting adjourned at 10:29 p.m. The next Planning Commission Regular Meeting is scheduled for **April 9, 2026, 7:00 PM**

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Jennifer Neal, Secretary

Date

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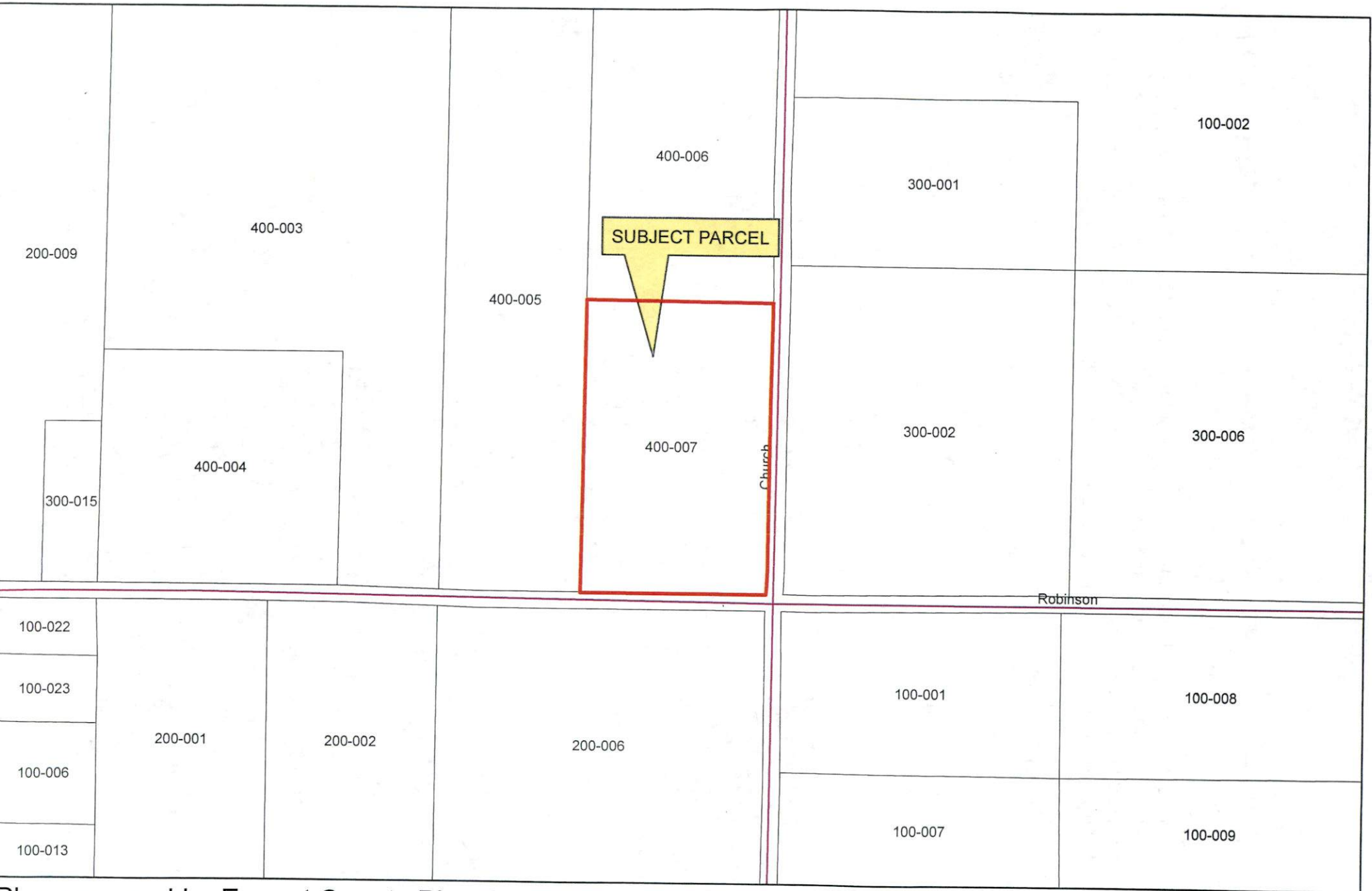
# REQUEST

PSUP26-002

A request by Roger C. Gietzen, MD for a Special Use Permit to allow a campground on property located at 9400 W. Robinson Rd in Section 25 of Readmond Township. The property is tax parcel 12-07-25-400-007 and is zoned FF-2 Farm and Forest. The proposal will be reviewed per Emmet County Zoning Ordinance Articles 8, 19, 20, 21, 22 and Section 26.21

# LOCATION






SUBJECT PARCEL

Robinson

Church



1 in = 500 ft  
Date: 3/10/2026

	Application for Zoning Action
	Emmet County Office of Planning, Zoning and Construction Resources
	3434 Harbor-Petoskey Rd., Suite E
	Harbor Springs, MI 49740
	P: (231)348-1735 F: (231)439-8933
Email: <a href="mailto:pzcr@emmetcounty.org">pzcr@emmetcounty.org</a>	

Date Received: FEB 03 2026	Application # PSUP 216-002
\$ Fee: 450.00	Date Paid: 02-03-2026
Please make checks payable to EMMET COUNTY, cash or charge also accepted	

Applicant's Name: Roger C Gietzen, MD	Phone: 586-838-0404
Applicant's Address: 9400 W Robinson Rd, Harbor Springs, MI 49740	
Applicant's email address: rgietz@hotmail.com	

Owner's Name: Roger C. Gietzen, MD	Phone: 586-838-0404
Owner's Address: 9400 W Robinson Rd, Harbor Springs, MI 49740	
Owner's email address: rgietz@hotmail.com @	

<b>JOB SITE LOCATION:</b>	
Township: Readmond	Tax Parcel #: 12-07-25-400-007
Address: 9400 W Robinson Rd, Harbor Springs, MI 49740	

<b>ZONING REQUEST:</b> Planning Commission	
<input checked="" type="checkbox"/>	Special Use permit
<input checked="" type="checkbox"/>	Site Plan Review
<input type="checkbox"/>	Planned Unit Development
<input type="checkbox"/>	Zoning map change
<input type="checkbox"/>	Zoning text change

<b>SITE PLAN REQUIRED:</b>	Attach a complete site plan and checklist per Article 20, digital plans and data layers may be required
	2 full sized plans, 24" x 36"
	14 reduced size plans, 11" x 17"
	14 copies of checklist and impact statement

<b>Date Submitted:</b>					
Site Plan/Checklist		Road Agency Review		Elevations	
Impact Statement		Fire Department Review		Drainage plan	

**SIGNATURE:** As owner/and or applicant representing the owner, I do  do not  authorize Emmet County (staff, appointed board, and/or commissioners, or committee members) to enter upon the subject property for purposes of making inspections related to the project or request identified in this application. If authorized, such inspections or site-walks shall be conducted at reasonable hours and times.

**I certify that all the above information is accurate to my fullest knowledge:**

Signature of Applicant: Roger Gietzen, MD	Date: 1/31/26
* Required Signature of the Property Owner: Roger Gietzen, MD	Date: 1/31/26



## IMPACT STATEMENT FOR SITE PLAN REVIEW

**To be filled out completely**

APPLICANT'S NAME \_\_\_ Roger Gietzen \_\_\_\_\_

PHONE  
NUMBER \_\_\_ 586-838-0404 \_\_\_\_\_ DATE \_\_\_ 1-31-2026 \_\_\_\_\_

PROJECT TITLE  
\_\_\_\_\_ Campground SUP for Robinson Rd \_\_\_\_\_

PROPERTY TAX ID # or ADDRESS \_\_\_\_\_ TOWNSHIP  
\_\_\_ Parcel ID: 12-07-25-400-007 \_\_\_\_\_ \_\_\_ Readmond Township \_\_\_\_\_

### DIRECTIONS TO APPLICANT

THE EMMET COUNTY ZONING ORDINANCE REQUIRES AN IMPACT STATEMENT TO BE SUBMITTED AS PART OF SITE PLAN REVIEW. **EACH OF** THESE ITEMS MUST BE ADDRESSED AND AN IMPACT STATEMENT SUBMITTED WITH THE SITE PLAN REVIEW APPLICATION AS REQUIRED BY THE ZONING ORDINANCE. ITEMS LISTED ARE MINIMUM REQUIREMENTS. ADDITIONAL INFORMATION MAY BE SUBMITTED TO DESCRIBE THE PROJECT IMPACT. COMPARE THE EXISTING CONDITIONS TO THE PROPOSED CONDITION.

### **1. PROJECT DESCRIPTION**

A campground special use permit is requested for the development of 4 recreational units on the property at 9400 W Robinson Rd, Harbor Springs. To be developed according to the EGLE legislation governing campgrounds. The spaces could be used for tents, RV's or camping cabins. A maximum of 2 vehicles and 8 people per recreational unit.

Whether the spaces remain tent campsites or are developed into camping cabins would be dictated by the demand for private camping accommodations in the area. If cabins are built, they will adhere to local zoning standards and EGLE size restrictions. Customers would have access to the bathroom facilities at the existing home or a separate porta-potty will be provided. Water and sanitation would meet all requirements of the Health Department.

The applicant will be living in the existing home and oversee the development of the property. He would operate this as housing for farm labor, college interns and/or seasonal short term rentals. He plans to use a service such as Hipcamp or Airbnb which allows the vetting of potential customers through personal reviews. The intention is for this space to have the atmosphere of a retreat. People will be encouraged to come to recharge, not to party.

## **2. EXPECTED DEMANDS ON COMMUNITY SERVICES**

Explain what the impact will be on the following community services and describe how services will be provided (if applicable):

**a. Sanitary Services:** Provided on the property using private septic or porta-potty.

**b. Domestic Water:** Provided on the property using private well.

**c. Traffic Volumes:** Small seasonal traffic, requesting 4 units maximum.

**d. Schools:** None.

**e. Fire Protection:** Small impact related to 4 recreational units.

## **3. ENVIRONMENTAL IMPACTS**

Include statements relative to the impact of the proposed development on (if applicable):

**a. Soil Erosion:** None to minimal. Will use existing 2-track for the emergency access road.

**b. Storm Drainage:** None to minimal. Development is only to affect highlands, ravines and lowlands are not involved.

**c. Shoreline Protection:** Not applicable.

**d. Wildlife:** None to minimal. Campgrounds will embrace the presence of wildlife.

**e. Air Pollution:** Not applicable.

**f. Water Pollution:** Not applicable.

**g. Noise:** Minimal. Quiet hours from 10pm until 8am.

**SITE PLAN REQUIREMENTS**  
**EMMET COUNTY PLANNING COMMISSION**  
 3434 Harbor-Petoskey Rd, Suite E  
 Harbor Springs, MI 49740  
 231-348-1735  
[pzcr@emmetcounty.org](mailto:pzcr@emmetcounty.org)

**DIRECTIONS TO APPLICANT**

The following items are needed to comply with the site plan requirements of the Emmet County Zoning Ordinance. All items must be submitted to the Emmet County Planning Department at least **36 days prior** to the Planning Commission meeting in order to be heard at the Planning Commission meeting the following month. (Regular meeting date is the first Thursday following the first Monday of each month.)

1. Application for Zoning Action.
2. Site Plan Review Checklist in accordance with Article 20 of the Emmet County Zoning Ordinance. Applicable agency reviews as required.
3. Impact Statement for Site Plan Review.
4. Site Plans - (2) full sized and fourteen (14) reduced size (maximum 11"x17") copies of all maps or graphics. Digital format including data layers may be required, if deemed necessary by the Zoning Administrator.

**IN ADDITION:**

**The applicant should distribute one copy of the completed plan to each of the following agencies (if required):**

AGENCY	ADDRESS	PHONE
Health Department	3434 Harbor Petoskey Rd Suite A Harbor Springs, MI 49740	231.347.6014 nwhealth.org
Emmet County Road Commission (ECRC)  OR  Michigan Department of Transportation (MDOT)	2265 E. Hathaway Harbor Springs, MI 49740  Gaylord Transportation Service Center 1088 M-32 East Gaylord, MI 49735	231-347-8142 emmetcrc.org  989-731-5090 michigan.gov/mdot
Fire Department	(obtain from local source)	
Soil Erosion Officer (If the project is within 500' of surface water or an acre or more of land is disturbed, including roads.)	3434 Harbor-Petoskey Rd Suite E Harbor Springs, MI 49740	231.439.8996 emmetcounty.org
Affected Township	See instruction sheet	

## SITE PLAN REVIEW CHECKLIST

**This checklist is intended to be used to ensure the site plan provided with the Zoning Action Application is complete. Use the checklist to cross reference the site plan to ensure all required elements are included on the plan. Special Land Uses or Permitted Uses with supplemental regulations may require additional information. See the Emmet County Zoning Ordinance for detailed descriptions and standards.**

Case # PSUP 216-002

Date Received 02-03-2021

**Subject Property Address** 9400 W Robinson Rd, Harbor Springs, MI 49740  
**Township** Readmond Township  
**Tax Parcel Number:** 12-07-25-400-007  
**Existing Use of Property** FF-2  
**Proposed Use of Property** FF-2 with Campground SUP  
**Proposed Number of Employees** One

### CHECKLIST

	Map Information	Yes	No	N/A	Comments
1	Proposed site location map (indicate sufficient area reference to locate site). May use plat map, Google map or other map to identify parcel.	X			
2	Appropriate scale	X			
3	Date, North Arrow, Street Names (existing and proposed rights-of-way).	X			
4	Name, Address and Phone Number of person preparing plan	X			
5	Property line dimensions	X			
6	Zoning setback lines -Building (including the eave) Setbacks	X			
7	Distance between buildings (nearest point to nearest point)	X			
8	Location of existing buildings, including dimensions and distances from lot lines	X			
9	Location and dimensions of new buildings	X			

10	Proposed building elevations (to scale).	X			
11	All existing structures (labeled) within 100 feet of perimeter property lines.	X			
12	Multiple housing units, Number of units, composition (efficiency, one bedroom, two, three).			X	
13	Location of walls or fences, including height.			X	
14	Surrounding zoning (properties immediate to subject site)	X			
15	Lot coverage of proposed buildings.	X			
16	Boundaries of existing natural features (trees, lakes, ponds, streams, severe topography, wetlands, woodlands, etc.).	X			
17	Location of landscaping.	X			
18	Method for ensuring landscaping will be maintained.	X			
19	Identify trees to be removed or retained.			X	All trees retained
20	Wetlands identified.			X	
21	Existing topography.	X			
22	Soil analysis.			X	
23	Site Inventory provided.	X			
24	Are there scenic view considerations?			X	
25	Access drives, internal roads (note public or private) service roads. Width of Right-of-Way.	X			
26	Loading/unloading, service areas.			X	
27	Sidewalks, paths, and trails (internal and public within road right-of-way).	X			
28	Parking areas (dimensioned typical parking space, maneuvering lanes).	X			
29	Parking spaces required, parking spaces provided.	X			

30	Required landscaping in parking areas.			X	
31	Location of snow storage.			X	
32	Snow management plan.			X	
33	Waste receptacle location, screening indication.	X			
34	If no waste receptacle, describe how waste to be managed.			X	
35	Existing easements (utility, access) within site limits.			X	
36	Location of Water/well, Sewer/septic.			X	
37	Site grading and drainage plan (on-site elevations for pavements, drives, roads, parking lots, curbs, sidewalks and finished grades at building facades).			X	
38	Engineered drainage plan sealed by a Michigan Registered Professional Engineer must be provided (unless waived by the Planning Commission).			X	
39	Estimated cost of drainage work.			X	
40	Request waiver of engineered drainage plan?			X	
41	Location of mechanical or electrical equipment (ground level or roof-mounted equipment).			X	
42	Location and description of any existing or proposed outdoor storage facilities (above ground and below ground storage).			X	
43	Location of outdoor lights, pole heights, bollards, building attached, luminary shielding techniques*			X	
44	Location of sign(s)*			X	
45	Site amenities (play area, pools, beaches, tennis courts, etc.).			X	
46	Impact Statement attached?			X	
47	Fire Department approval?	X			
48	Road Agency approval?	X			
49	Health agency approval?	X			

50	US Army Corps of Engineers approval?			X	
51	Michigan Department of Environment Great Lakes and Energy approval?			X	
52	Is the site located in the Shoreline Bluff Protection Overlay Zone?			X	
53	Is the site located in a Flood Plain?			X	
54	Is the site a Critical Dune?			X	
55	General Floor Plan must be provided.	X			
56	Elevation Plan must be provided.	X			

**\*Signs and lights will need to be approved by the Emmet County Zoning Administrator.**

**ADDITIONAL COMMENTS:**

*Roger Lietzen, MD*

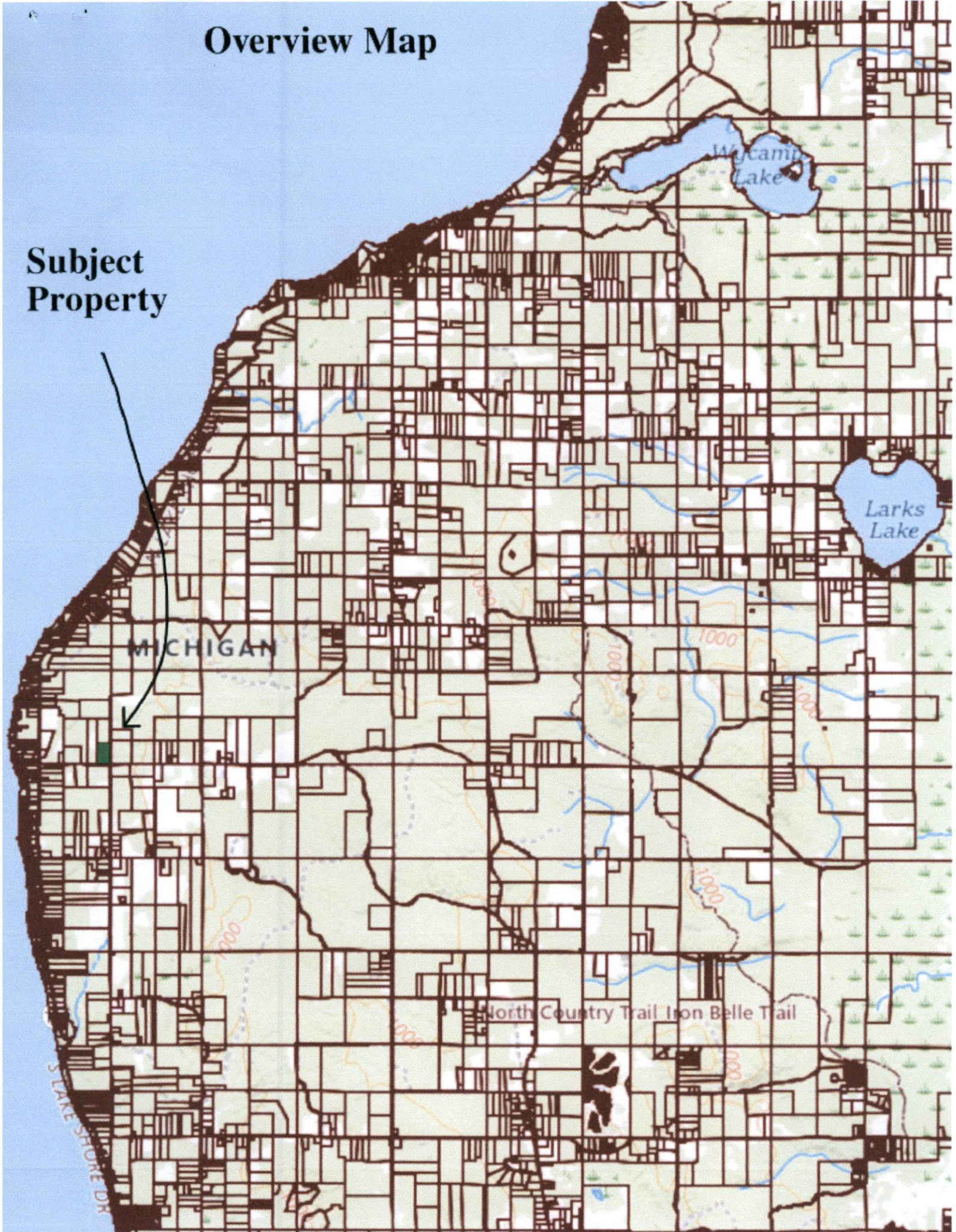
Applicants Signature

1/31/2026

Date

# Overview Map

**Subject Property**



35' - Rear setback

# Zoned: FF-2



Preparer: Roger Gietzen, 9400 W Robinson Rd,  
586-838-0404, 1/28/26

Scale: 30' = —

Seasonal activity, snow storage not required

Trash bins to be kept adjacent to existing garage

4 Recreational units (RU): tent space (approx 40' X 40') or  
camping cabin (max 400 sqft) at elevation of 880'.

Nearest home is 945' to the south-east of RU's

Parcel dimensions: 745' X 1169'

Maximum lot coverage = 0.57%

All surrounding zoning: FF-2

CHURCH RD

Mature trees

Two-track for  
walk path and  
emergency

20' - Side  
setback

Existing barn  
30' X 33'

8  
parking  
spaces

44' 4

3

50' 2

35' 1

58'

Existing home  
45' X 33'

63' 76'

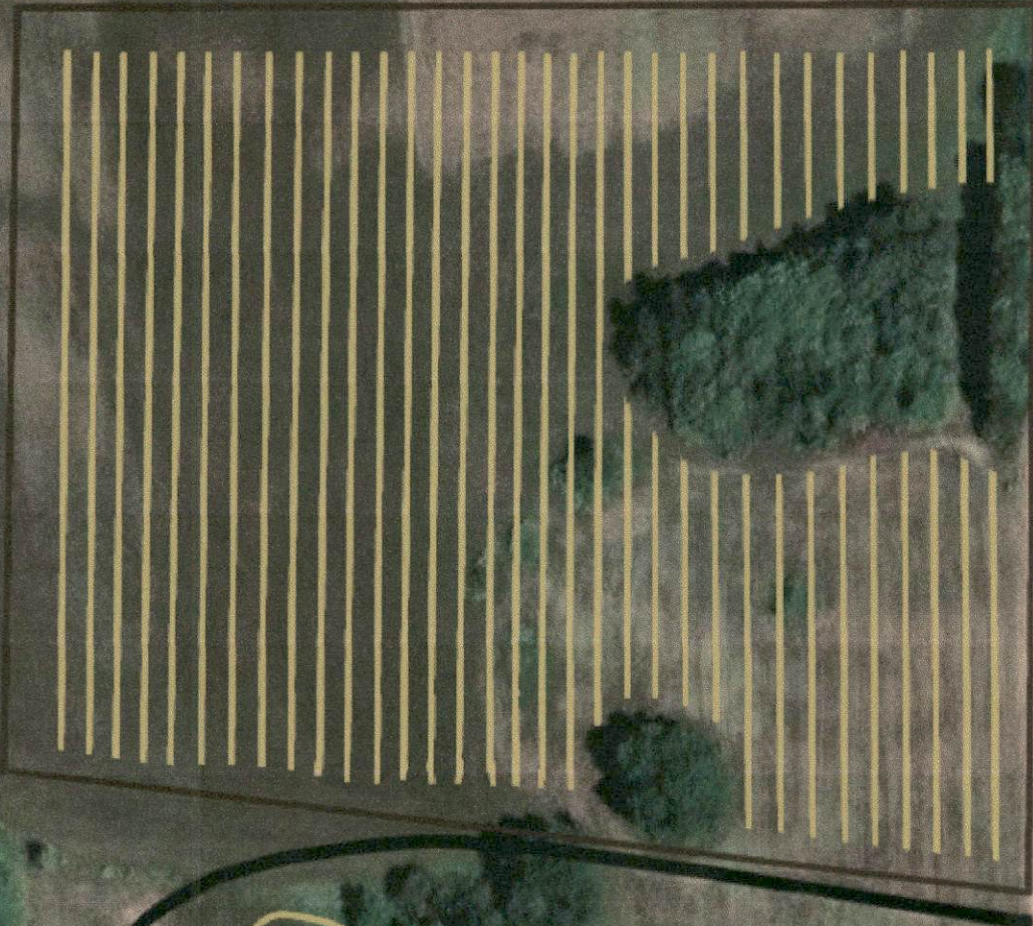
Existing  
garage

43' X 43'

40' - Front setback

CHURCH RD

# Orchard Layout



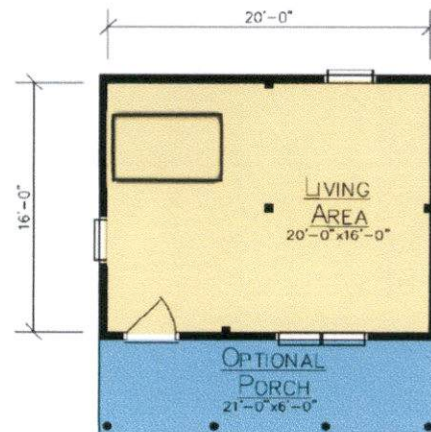
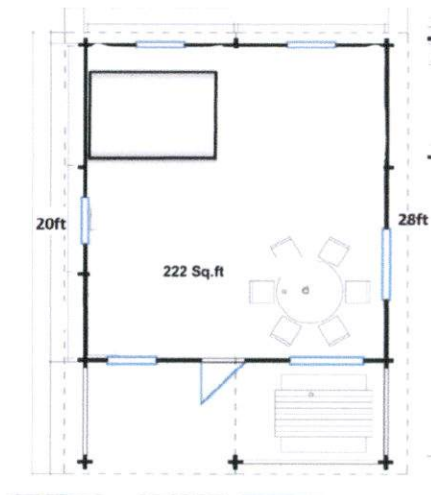
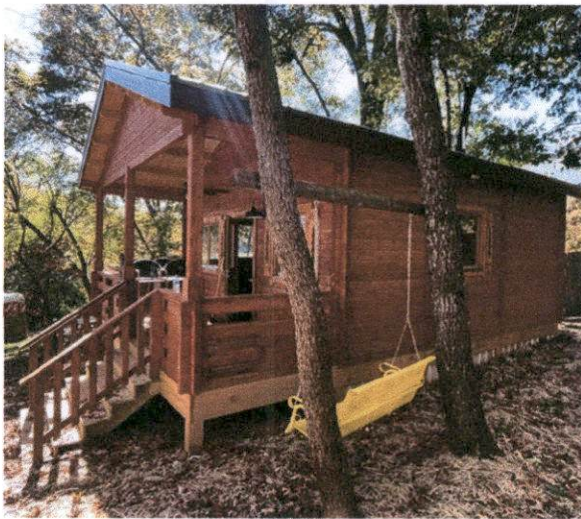
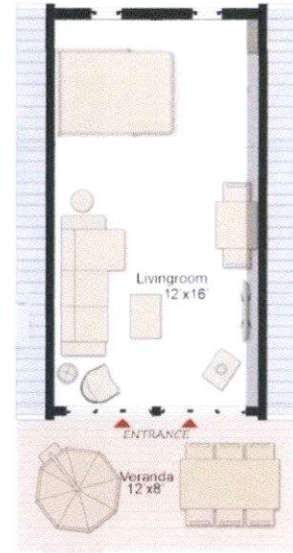
Campsites



Parking



# Camper Cabin Examples



# Health Department Approval

**From:** Emmet EH Front Office <[emffront@nwhealth.org](mailto:emffront@nwhealth.org)>  
**Sent:** Tuesday, January 6, 2026 1:27 PM  
**To:** Roger Gietzen <[rgietz@hotmail.com](mailto:rgietz@hotmail.com)>; Emmet EH Front Office <[emffront@nwhealth.org](mailto:emffront@nwhealth.org)>  
**Cc:** Linda Smith <[L.Smith@nwhealth.org](mailto:L.Smith@nwhealth.org)>; Michelle Hughey <[M.Hughey@nwhealth.org](mailto:M.Hughey@nwhealth.org)>  
**Subject:** RE: Approval for Campground SUP

Hi,

A port-a-potty from a licensed septage hauler would not require a permit from the Health Department. This would require any existing privies to be abandoned by pumping and filling with suitable soil.

A friendly reminder that a site with more than 4 campsites requires a state license application and review.

Wendy Adams,  
Office Coordinator  
3434 M119, Harbor Springs, MI, 49740  
Office: (231) 356-4382 | Fax: (231) 347-2861  
[www.nwhealth.org](http://www.nwhealth.org)



**From:** Linda Smith <[L.Smith@nwhealth.org](mailto:L.Smith@nwhealth.org)>  
**Date:** 1/7/26 2:11 PM (GMT+01:00)  
**To:** Roger Gietzen <[rgietz@hotmail.com](mailto:rgietz@hotmail.com)>  
**Cc:** Michelle Hughey <[M.Hughey@nwhealth.org](mailto:M.Hughey@nwhealth.org)>, Wendy Adams <[W.Adams@nwhealth.org](mailto:W.Adams@nwhealth.org)>  
**Subject:** RE: Approval for Campground SUP

Good morning – the email provided below should be sufficient for the building department. If you need anything further, please reach out and we would be happy to help. Thank you – Linda

Linda K. Smith, REHS, CP-FS  
Environmental Sanitarian III  
Emmet County  
3434 M-119  
Harbor Springs, MI 49740  
Office: (231) 347-4102  
Cell: (906) 286-2371  
[www.nwhealth.org](http://www.nwhealth.org)





# R.F.C. Fire/Rescue

8338 W. Robinson Rd  
Harbor Springs, MI 49740  
(231) 526-2565

*Proudly serving the townships of Readmond, Friendship & Cross Village*

To Whom it may concern:

In regard to a special use permit request for a campground located on Robinson road, Readmond Township, Tax ID#586-838-0404, my recommendation as RFC Fire Chief is a 20 ft wide road be constructed of 22A, or equivalent, road gravel with a depth of 6" to 8", enough to accommodate a 48,000 lb fire truck or other necessary apparatus, with and exit on each end or a minimum 96 ft turn around.

Please feel free to contact me at (231)838-4879 if you should have any questions or concerns.

Best Regards,

Marty MacGregor

RFC Fire Chief

MAR 26 2026

# MEMO

To: James Godzik, Permit/CADD Tech, Emmet County Road Commission  
From: Laura Moreau, Assistant Director, Emmet County Planning and Zoning  
Date: 3/11/2026  
Re: Review of Case PSUP26-002

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Attached is an Application Packet dated 2/3/2026 for Roger C. Gietzen MD for review of a proposed campground at 9400 W Robinson Rd, Readmond Township.

We are asking that you review and offer any comments from the Road Commission perspective.

Any input you have is appreciated, but we understand the Road Commission will conduct a complete review if the applicant is required to upgrade the driveway access.

Thank you for your time in this matter.

---

## Emmet County Road Commission

JAMES GODZIK

REVIEWER'S NAME

PERMIT TECHNICIAN

TITLE

MARCH 23, 2026

DATE OF REVIEW

### Comments:

I have reviewed the access locations for the proposed campground. I was not able to find an access location that meets Emmet County Road Commissions sight requirements. To meet sight distance requirements for the proposed usage with a road that has a 55mph speed zone is a minimum of 650 feet. The proposed access from Robinson Road has a sight distance of 700 plus feet to the west (meets requirements) and 414 feet to the east (does not meet requirements). The proposed access from Church Road does not meet requirements with 522 feet south to the intersection at Robinson Rd (meets requirements). and 218 feet to the north (does not meet requirements).

APPLICANT:	<b>ROGER C. GIETZEN, MD</b>
OWNER:	<b>GIETZEN ROGER</b>
ADDRESS/PARCEL ID:	<b>9400 W ROBINSON RD</b>
TOWNSHIP:	<b>READMOND</b>
REQUEST:	<b>Special Use Permit – Campground</b>
MEETING:	<b>April 9, 2026</b>

**LEGAL NOTICE**

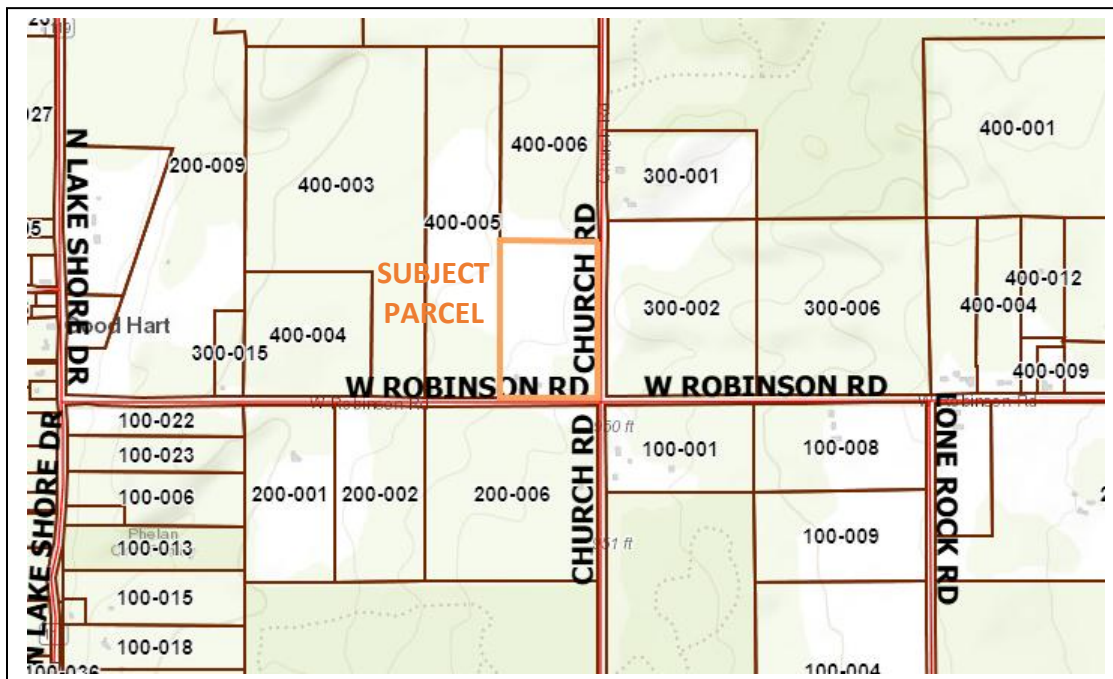
PSUP26-002

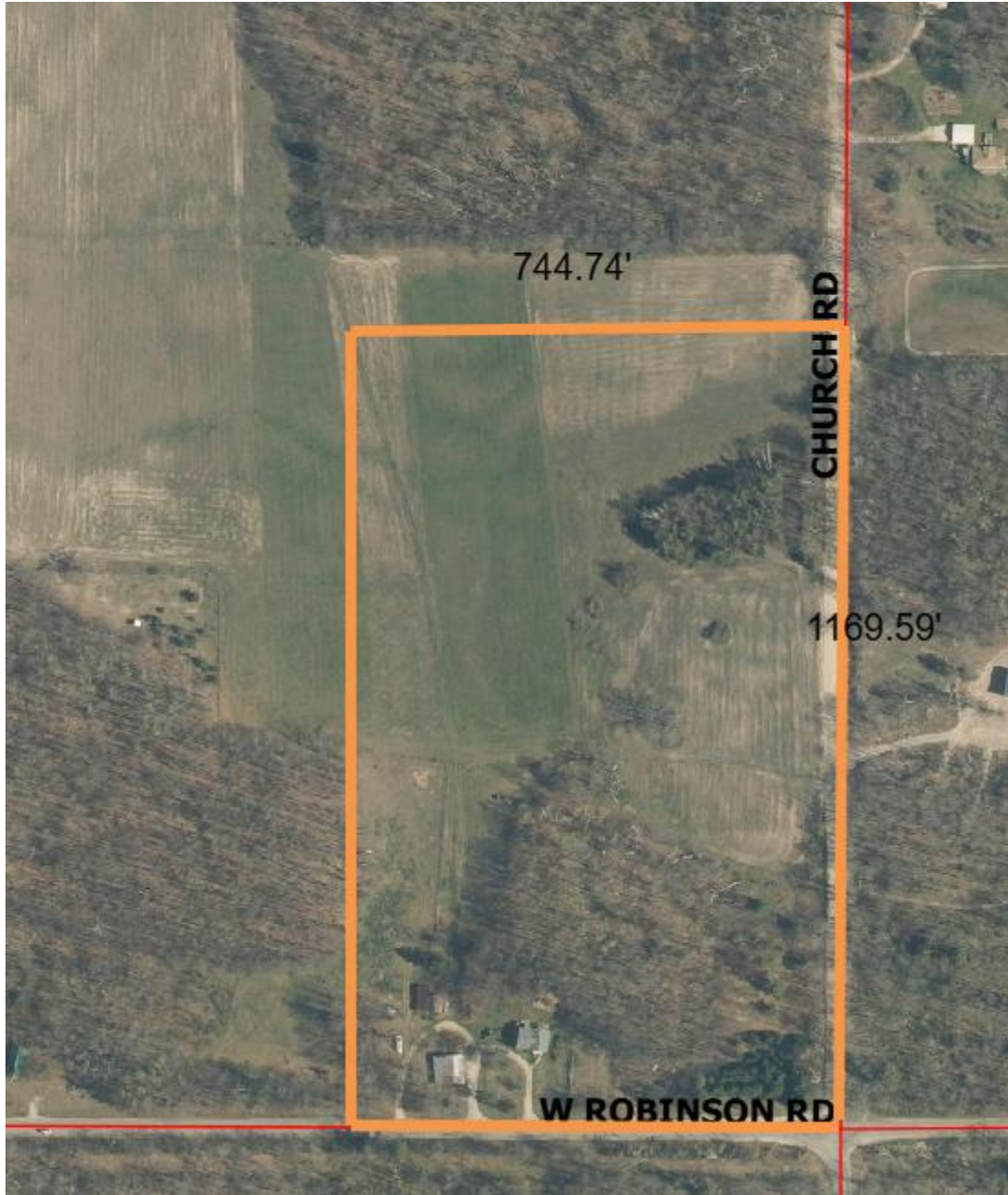
A request by Roger C. Gietzen, MD for a Special Use Permit to allow a campground on property located at 9400 W. Robinson Rd in Section 25 of Readmond Township. The property is tax parcel 12-07-25-400-007 and is zoned FF-2 Farm and Forest. The proposal will be reviewed per Emmet County Zoning Ordinance Articles 8, 19, 20, 21, 22 and Section 26.21

**FACTS**

- The applicant proposes to develop a campground with four recreational units on a parcel which also contains the applicant’s residence.
- The subject property is approximately 18.79 acres and is zoned FF-2 Farm and Forest.
- Surrounding zoning is also FF-2 and uses are residential and agricultural. The site plan indicates the nearest residence to the proposed campground is 945’ to the southeast.
- Applicant intends that the four recreational units would be available for rent. Initially the units would be space for tents or RVs, with the possibility of building camping cabins.

**SITE LOCATION MAPS**





**ZONING ORDINANCE STANDARDS****Section 21.00 Special Land Uses – Intent**

Special Land Use permits are required for proposed uses which are essentially compatible with permitted uses within a zoning district, but which possess characteristics or locational qualities which require individual review. Special Land Uses are identified in each zoning district and the Land Use Matrix in Article 18 with an “S”. The purpose of this individual review is to ensure compatibility with the character of the surrounding area, with public services and facilities, with adjacent properties, and to ensure conformance with the standards set forth in this Ordinance. Special Land Uses shall be subject to the schedule of regulation (Article 19), site plan review (Article 20), general provisions (Article 22) and supplemental regulations (Article 26) provisions of this Ordinance as well as to the provisions of the zoning district where it is located. Each use shall be considered on an individual basis.

**Section 21.02 Special Land Use Review Standards**

In reviewing all requests for Special Land Uses, the Planning Commission or Zoning Administrator shall require compliance with any of the following as may reasonably apply to the particular special land use under consideration (See also **Article 20** and **Section 21.01**):

- A. The proposed use is listed as a special land use within the Zoning District within which it’s proposed.
  - ✓ **Standard is met.** The property is zoned FF-2 and campgrounds are permitted as a SLU in this district.
- B. The proposed special use does not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact upon the surrounding uses in the vicinity. A traffic impact study may be required by the Planning Commission.
  - ✓ **Standard appears to be met.** With a limit of four campsites, the use is not likely to create a substantially negative impact on the surrounding residential uses. Applicant indicates quiet hours will be imposed from 10pm to 8am. Note: Four camping sites may be permitted in FF-2 by the Zoning Administrator but does not allow the sites to be rented. Since the applicant intends the four camping sites for a commercial purpose, he was directed to the SUP permit process for approval as a campground.
- C. The proposed special land use is on a large enough parcel or project site to accommodate the use, its future expansion, customary accessory uses and on-site services (such as but not limited to sewage disposal and water supply).
  - ✓ **Standard appears to be met.** The property is nearly 19 acres which appears sufficient to accommodate four camping sites in addition to the existing residence.
- D. The proposed special land use complies with the standards of this Ordinance, including, but not limited to, setback standards, parking requirements, greenbelts, and building height. The proposed special land use shall comply with the applicable standards of Article 26.
  - **Requires further review.** Setbacks and building standards appear to be met per the review that follows. For standards of Article 26, see Supplemental Regulations review for Campgrounds below.
- E. The proposed special land use shall not have a negative impact on the natural resources of the County. The proposed special land use shall not have a negative impact on the quality and quantity of water resources, domestic water supplies and capacity to accommodate the anticipated sewage disposal demand. The Planning Commission may require a hydrologic study or a sewer capacity study.
  - ✓ **Standard appears to be met.** Applicant indicates lot coverage of 0.57%. Property is served by an existing well. Sewage disposal is proposed by portable restrooms and facilities in the existing residence.

- F. Suitability of vehicular access to the use, assuring that minor residential streets are not used to serve uses that are open to the public.
  - ✓ **Standard appears to be met.** The subject property is located on W. Robinson Rd and no minor residential streets will be used to serve the use.
  
- G. Allowance is made for vehicles to enter and exit the property safely and there are no visibility impediments to drivers created by signs, buildings, land uses, lighting, plantings, etc. The use will not generate traffic which will exceed the intended capacity of the roads serving the property. Road agency review shall be required.
  - **Requires further review.** An existing circular drive provides access and maneuverability on the property. No visibility impediments are apparent. Road agency review is pending.
  
- H. The use is in accord with the principles, goals, or objectives of the County Master Plan and applicable township master plan.
  - ✓ **Standard appears to be met.**
  
- I. The proposed use would not constitute a public or private nuisance. The proposed use will not adversely affect the health, safety of the public and the workers and residents of the area. The proposed use will not be detrimental to the use or development of adjacent properties or of the general neighborhood. The proposed use shall not place undue demands on fire, or other public resources.
  - ✓ **Standard appears to be met.** With the limit of four camping sites, the standard appears to be met.
  
- J. Open spaces and common areas, when offered by an applicant as an integral element of a Special Land Use Project, may be required to be formally assured by one or more of the following instruments: Scenic Easement; Conservation Easement; Deed Restriction; or similar dedication mechanism. The open space dedication instrument shall name the State, the County, a Local Unit of Government, or a land conservation/conservancy organization, as a party to the instrument, as determined to be most acceptable for the particular property and agency involved.
  - ✓ **Standard appears to be met.** Not applicable.

**Section 20.05 Site Plan Review Standards**

The Planning Commission, or the Zoning Administrator in consultation with two (2) designated Planning Commissioners, shall approve an application for a site plan only upon a finding that the proposed site plan complies with all applicable provisions of this Ordinance and the standards and considerations listed below unless the Planning Commission waives a particular standard upon a finding that the standard is not applicable to the proposed development under consideration and that waiver of that standard will not be detrimental to surrounding property or the intent of the Ordinance.

**A. Compliance with District Requirements**

The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, yard space, density and all other requirements as set forth in the Zoning Ordinance.

- ✓ **Standard appears to be met.** Total lot size, setbacks, and density comply with standards.

SETBACKS	W Robinson FRONT	West SIDE	North SIDE	Church Rd FRONT		BLDG HGT	LOT SIZE	DENSITY
Standard	40'	20'	20'	40'		30'	2 acres	35%
Proposed	~150'	~360'	~600'	~185'		NA	18.79	.57%

**B. Vehicular and Pedestrian Circulation**

Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. A pedestrian circulation system shall be provided and shall be as insulated as much as possible from the vehicular circulation system. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves the project area shall be capable of safely and effectively accommodating the traffic volume and pattern proposed by the project. Where possible, shared access drives shall be encouraged.

✓ **Standard appears to be met.** A parking area is provided off the driveway from W. Robinson Rd with a two-track continuing around to the east to Church Rd intended for a walking path and emergency access. 2 parking spaces per camping site are provided for a total of 8 spaces. Per Section 22.02, one (1) space per bed and breakfast unit or hotel/motel sleeping room would be required.

1. Walkways from parking areas to building entrances.

- a. Internal pedestrian walkways shall be developed for persons who need access to the building(s) from internal parking areas. The walkways shall be located within the parking areas and shall be designed to provide access from these areas to the entrances of the building(s).
- b. The walkways shall be designed to separate people from moving vehicles.
- c. These walkways shall have a minimum width of five (5) feet with no car overhang or other obstruction.
- d. The walkways shall be distinguished from the parking and driving areas by use of any of the following materials: special pavers, bricks, or scored concrete. Other materials may be used if they are appropriate to the overall design of the site and building and acceptable to the review authority.

✓ **Standard appears to be met.** The campground is planned for rustic accommodations. An unpaved walking path is proposed from the parking area to the camping sites.

**C. Emergency Vehicle Access**

All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access as required by the fire department serving the development. Approval by the Fire Department serving the property shall be required.

➤ **Requires further review.** Main access is off W. Robinson Rd. and a two-track is shown connecting to Church Rd for emergency access. A letter from Marty MacGregor, Fire Chief for the Readmond, Friendship, & Cross Village Fire Department, was included in the application packet with a recommendation to construct a road that will accommodate emergency vehicles and apparatus.

**D. Loading and Storage**

All loading and unloading areas and outside storage areas which face or are visible from residential districts or public thoroughfares shall be screened by a vertical screen consisting of structural or plant materials of sufficient height to obscure the direct view from adjacent first floor elevations. The site plan shall provide for adequate space for the proposed use being screened.

✓ **Standard appears to be met.** Not applicable.

**E. Snow Storage**

Proper snow storage areas shall be provided and it shall not adversely affect neighboring properties, vehicular and pedestrian clear vision lines, and parking area capacity.

✓ **Standard appears to be met.** Not applicable. The proposal is for a seasonal campground so use will not be conducted during snow season.

**F. Buffers**

To provide reasonable visual and sound buffers, techniques such as screening, fences, walls, greenbelts, and landscaping may be required by the Planning Commission in furtherance of the objectives of this Section and/or as a condition of the establishment of the proposed use.

- ✓ **Standard appears to be met.** Setback distances and existing vegetation appear sufficient to screen and buffer the camping sites.

**G. Drainage**

1. Stormwater drainage plans shall be designed to follow Best Management Practices (BMP), as referenced in Michigan Department of Transportation's Drainage Manual, Section 8.2, designed to prevent pollutants from entering into stormwater flows, to direct the flow of stormwater, or to treat polluted stormwater flows. The drainage plan shall indicate the manner in which surface drainage is to be disposed of on site. This may require making use of the existing ditches, natural watercourses, or constructing tributaries, but shall not result in stormwater that exits the detention pond and/or property site at an erosive velocity. All plans shall meet the standards of Section 20.02 paragraph M.
2. All proposed hard surfaces, including additions to existing development, for a site shall provide for detention and/or retention. The applicant shall show in plans and elevations the proposed stormwater management facilities. *(Refer to subsection 20.05.G.2. for complete minimum design requirements.)*
3. Stormwater retention basins designed to keep a pool of water shall include one or more of the specified safety features listed in zoning ordinance subsection 20.05.G.3.
4. For stormwater management, the Planning Commission has the authority to a.) waive the requirement, b.) defer the requirement, or c.) determine that a fully engineered storm drainage plan is not necessary and can be completed without a sealed drawing.
5. Zoning Administrator can waive the requirement for a fully engineered storm drainage plan for site plan review that does not increase the impervious surface coverage by 25% or more on the site or for new development on sites with less than 15% impervious surface.
6. Performance Guarantees shall be required, unless the requirement for a stormwater plan has been waived, for all stormwater drainage plans in the amount estimated by the design professional to guarantee completion of the project in accordance with the approved site plan. The performance guarantee will be released upon final inspection and approval by the Zoning Administrator, and receipt of sealed as-built plans for stormwater drainage. The Performance Guarantee may be in the form of a bond, cash, certified check, or irrevocable letter of credit.

- **Requires further review.** Per G.5. above, the Zoning Administrator may waive the requirement for an engineered storm drainage plan based on the impervious surface coverage of less than 15% of the site. Subsection G.4. authorizes the Planning Commission to waive or defer the plan or determine that a drainage plan can be completed without a sealed drawing. A motion approving the site plan should reference the waiver decision.

**H. Waste Receptacles**

1. Receptacles, including waste receptacles, waste compactors, and recycling bins shall be designed, constructed, and maintained according to the requirements of this Section.
2. Waste receptacles, including dumpsters or compactors, shall be required for all nonresidential uses unless interior facilities are provided. The requirement to provide a waste receptacle may be waived by the Planning Commission or Zoning Administrator if the applicant provides documentation that the development will not necessitate a waste receptacle.
3. All outdoor waste receptacles shall be enclosed on three (3) sides and screened. The enclosure shall be constructed of brick or decorative concrete material, or other permanent structure, consistent with the building materials of the principal building.
4. The enclosure shall also include a gate made of wood or other high-quality material, as determined by the Planning Commission or Zoning Administrator, on the fourth side. If the waste receptacle is a dumpster, it must have an enclosing lid or cover.
5. The enclosure shall have a minimum height of six (6) feet or one (1) foot above the height of the waste receptacle, whichever is greater.

6. Waste receptacles and enclosures shall be located in the rear yard, not closer than three (3) feet to the side or rear lot line, unless otherwise approved by the Planning Commission and shall be as far as practical, but in no case be less than twenty (20) feet, from any off-site residential use. If practical, the back side of the waste receptacle enclosure should be placed against the building. In this circumstance, the wall may count as one (1) side of the enclosure.
7. Waste receptacles shall be easily accessed by refuse vehicles without potential to damage automobiles parked in designated parking spaces and without interfering with the normal movement of vehicles on or off the site.
8. The Planning Commission may waive or modify the standards of this Section, provided the intent of the Section is maintained.

✓ **Standard appears to be met.** Waste will be managed utilizing trash bins and standard residential waste removal.

**J. Mechanical or Electrical Equipment.**

1. Ground mounted mechanical or electrical equipment, such as blowers, ventilating fans, and air conditioning units are permitted only in side yards or in the rear yard, unless fully screened.
2. Mechanical or electrical equipment shall be placed no closer than three (3) feet to any lot line.
3. Any ground, building, or roof mounted mechanical or electrical equipment or utilities, including water and gas meters, propane tanks, utility boxes, transformers, elevator housings, stairways, tanks, heating, ventilation and air conditioning equipment (HVAC), and other similar equipment, shall comply with the following standards:
  - a) All such equipment shall be screened by a solid wall, fence, landscaping, and/or architectural features that are compatible in appearance with the principal building.
  - b) Roof mounted equipment shall not exceed a height of ten (10) feet above the roof surface. All roof mounted mechanical units must be screened so they are not visible from ground level, even if not specifically addressed as part of site plan review.

✓ **Standard appears to be met.** Not applicable.

### Section 26.00 Supplemental Regulations—General

In every case the uses referred to shall be prohibited from any Districts not specifically listed. These uses require special consideration since they may service large areas, require sizeable land areas and/or may create problems of control with reference to abutting use Districts.

### Section 26.21 Campgrounds, RV Sites, & Camping Areas

#### RR, SR, FF-1, FF-2

##### A. Campgrounds

1. The minimum health requirements governing campgrounds shall be met.
 

✓ **Standard appears to be met.** Applicant indicates he will develop/operate the site according to EGLE regulations. A letter from the Health Department of Northern Michigan was included in the application packet indicating a permit is not required for a port-a-potty and state license is not required for 4 camp sites.
2. The use shall be developed on a site of at least ten (10) acres and no less than 600 feet of lot width or property width.
 

✓ **Standard appears to be met.** The parcel is approximately 18.79 acres and is 745 feet in width.
3. The use shall not be visible from public streets and shall be screened using a combination of privacy fencing and natural or planted greenbelts.
 

✓ **Standard appears to be met.** The camping sites are proposed behind existing trees and vegetation that appear to provide screening from public roads.

OUTSTANDING ITEMS

- Road Agency Review
- Readmond Township Recommendation

ITEMS FOR FURTHER REVIEW AND/OR POSSIBLE CONDITIONS

Special Land Use – Section 22.02

- D. Compliance with Supplemental Regulations for Campgrounds—*Determine if met.*
- G. Road Agency Review—*Review is pending.*

Site Plan Review Standards – Section 20.05

- C. Fire Department Review—*Determine if Fire Chief requirements are to be met.*
- G. Stormwater Management—*Determine if waiver will be granted.*
- Any exterior lighting or signage to be reviewed by the Zoning Administrator.

Supplemental Regulations – Section 26.21

- Standards appear to be met—*Determine if Zoning Evaluation is accepted as presented.*

MOTION TEMPLATE

To **APPROVE / DENY** Case #PSUP26-0002, Roger C. Gietzen MD, for a campground at 9400 W. Robinson Rd., Section 25, Readmond Township, tax parcel 24-12-07-25-400-007, as shown on the site plan dated Received February 3, 2026 because the standards of Articles 8, 19, 20, 21, 22 and Section 26.21 **HAVE BEEN MET / HAVE NOT BEEN MET** based on the following findings:

[STATE FINDINGS]

1. The facts, as presented in the Zoning Evaluation dated 3/10/2026 and during Site Plan Review, are accepted as <b>PRESENTED / AMENDED</b> [if amended, state what is being changed]
2. Readmond Township recommended <b>APPROVAL / DENIAL</b>
3. The Stormwater Management Plan is <b>WAIVED / REQUIRED</b> based on [state findings]
4. Emmet County Road Commission determined [state findings]
5.

[IF APPLICABLE, continue motion by listing all conditions of approval.]

And further that approval is conditioned on the following:

1. Fire Chief requirements for the access road shall be met as <b>PRESENTED / AMENDED</b> [if amended, state what is being changed]
2. Any exterior lighting or signage to be reviewed by the Zoning Administrator.
3.

---

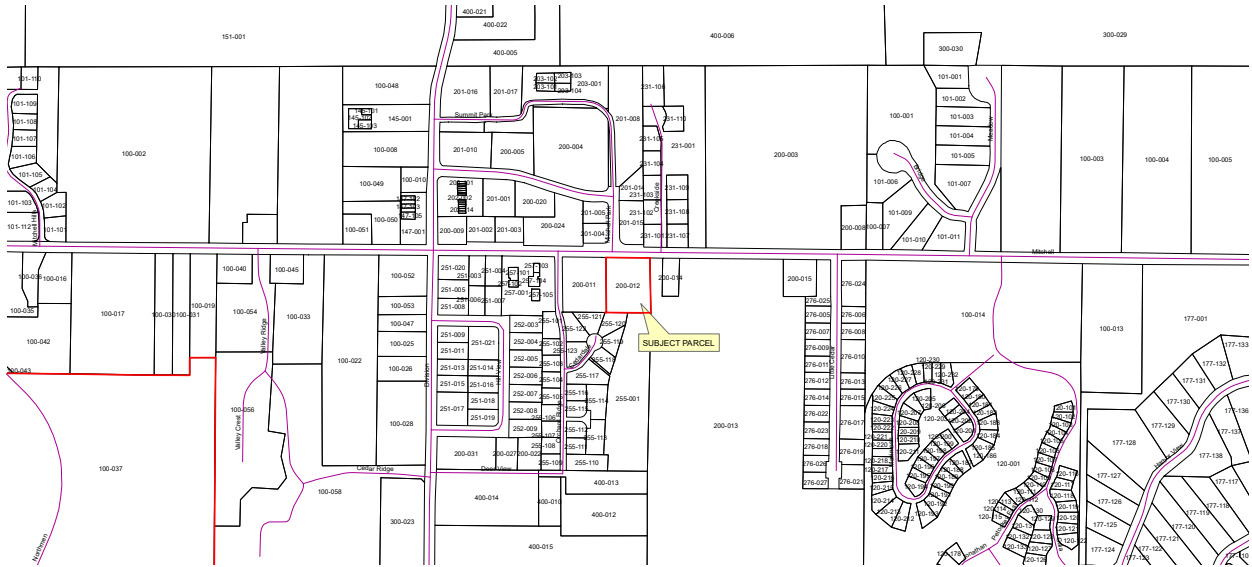
To **POSTPONE** Case #PSUP26-0002, Roger C. Gietzen MD, for a campground at 9400 W. Robinson Rd., Section 25, Readmond Township, tax parcel 24-12-07-25-400-007 to [state reason(s) for postponement] \_\_\_\_\_.

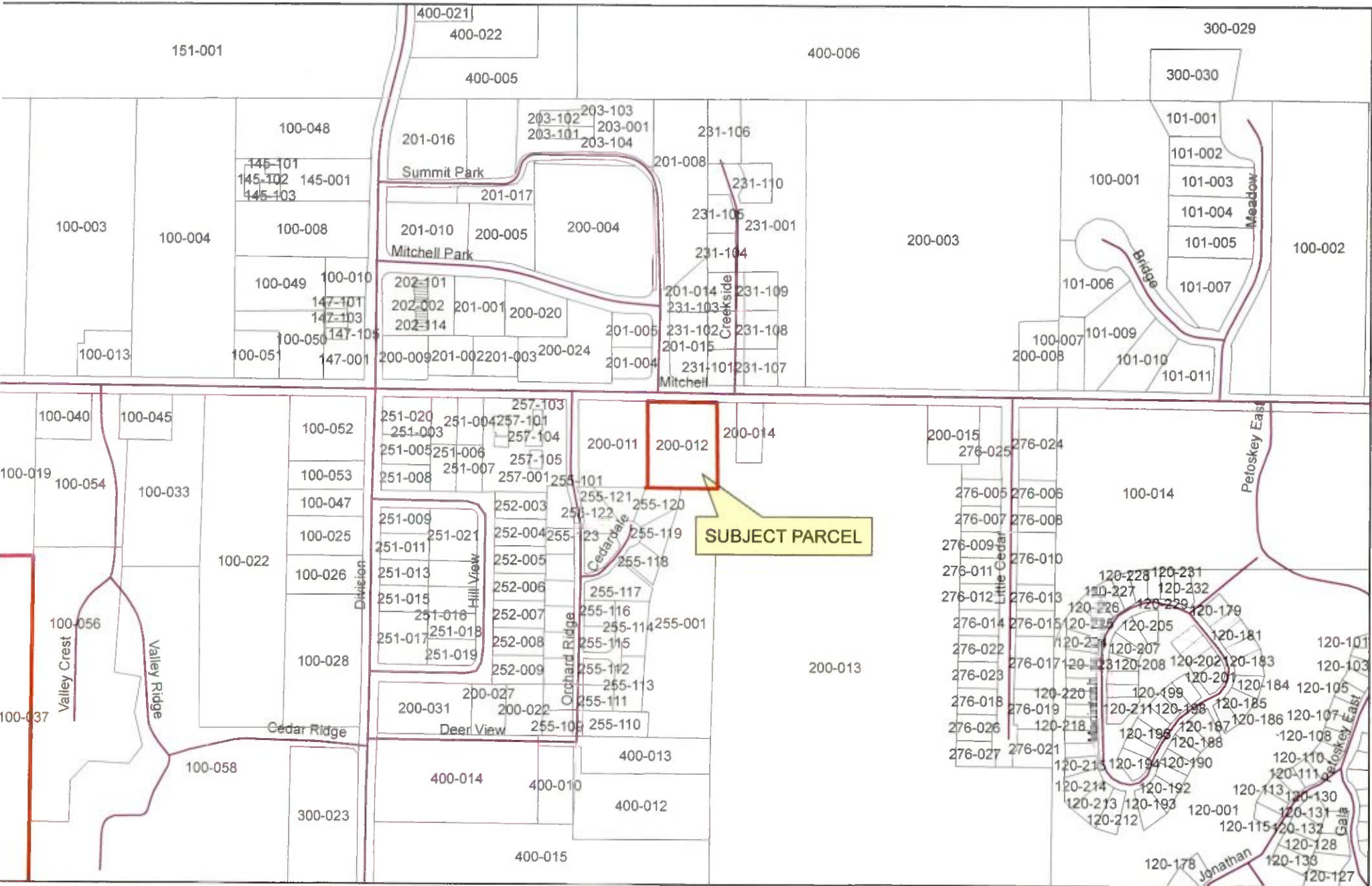
# REQUEST

PPUDF26-01

A request by Frederick Hackl for a Planned Unit Development (PUD) - Preliminary Amendment, Final PUD amendment and Site Plan Review to allow for outdoor sales of automobiles, auto body/vehicle repair and an oil change facility to be located at 2430 E Mitchell Road in Section 4 of Bear Creek Township. The parcel is zoned R-1 on the south 1/2 and B-2 on the north 1/2 with a PUD overlay on the entire parcel. The proposal will be reviewed per Article 16 of the Zoning Ordinance.

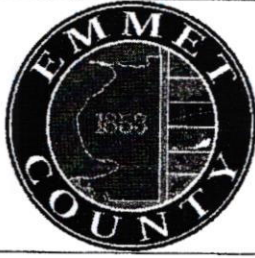
# LOCATION





SUBJECT PARCEL





Application for Zoning Action  
 Emmet County Office of Planning, Zoning and Construction Resources  
 3434 Harbor-Petoskey Rd., Suite E  
 Harbor Springs, MI 49740  
 P: (231)348-1735 F: (231)439-8933  
 Email: [pzcr@emmetcounty.org](mailto:pzcr@emmetcounty.org)

Date Received: MAR 04 2026 Application # PPUDF 26-01  
 \$ Fee: 525.00 Date Paid: 03/04/2026  
 Please make checks payable to EMMET COUNTY, cash or charge also accepted

Applicant's Name: Frederick A. Hackl Phone: (231) 881-8624  
 Applicant's Address: 891 W. Conway Rd. Unit 16, Harbor Springs, MI 49740  
 Applicant's email address: f\_hackl @yahoo.com

Owner's Name: MDR Enterprises, LLC Phone: (231) 838-6123  
 Owner's Address: PO Box 126, Petoskey, MI 49740  
 Owner's email address: mlpson @charter.net

**JOB SITE LOCATION:**  
 Township: Bear Creek Tax Parcel #: 24-01-19-04-200-012  
 Address: 2430 E. Mitchell Rd., Petoskey, MI 49770

**ZONING REQUEST: Planning Commission**

<input checked="" type="checkbox"/>	Special Use permit
<input checked="" type="checkbox"/>	Site Plan Review
<input checked="" type="checkbox"/>	Planned Unit Development
<input type="checkbox"/>	Zoning map change
<input type="checkbox"/>	Zoning text change

**SITE PLAN REQUIRED:** Attach a complete site plan and checklist per Article 20, digital plans and data layers may be required

<input checked="" type="checkbox"/>	2 full sized plans, 24" x 36"
<input checked="" type="checkbox"/>	14 reduced size plans, 11" x 17"
<input checked="" type="checkbox"/>	14 copies of checklist and impact statement

**Date Submitted:**

Site Plan/Checklist	<input checked="" type="checkbox"/>	Road Agency Review	<input checked="" type="checkbox"/>	Elevations	<input checked="" type="checkbox"/>
Impact Statement	<input checked="" type="checkbox"/>	Fire Department Review	<input checked="" type="checkbox"/>	Drainage plan	<input checked="" type="checkbox"/>

**SIGNATURE:** As owner/and or applicant representing the owner, I  do  do not authorize Emmet County (staff, appointed board, and/or commissioners, or committee members) to enter upon the subject property for purposes of making inspections related to the project or request identified in this application. If authorized, such inspections or site-walks shall be conducted at reasonable hours and times.  
**I certify that all the above information is accurate to my fullest knowledge:**

Signature of Applicant: <u>Frederick A. Hackl</u> Frederick A. Hackl	Date: 3/4/2026
* Required Signature of the Property Owner <u>Frederick A. Hackl</u> Frederick A. Hackl	Date: 3/4/2026

**SCANNED**

## Tammy Doernenburg

---

**From:** Frederick Hackl <f\_hackl@yahoo.com>  
**Sent:** Thursday, March 12, 2026 9:45 AM  
**To:** Tammy Doernenburg  
**Cc:** Scott Newsted  
**Subject:** Special Use 2430 E. Mitchell Rd.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Tammy.

We are requesting an amendment to the PUD to allow outdoor sales and auto repair within the PUD.

We are requesting that parking be allowed within the 25' setback on the E. Mitchell Road boundary. The setback would be reduced from 25' to 15'.

Thank you

Fred Hackl, AIA



## IMPACT STATEMENT FOR SITE PLAN REVIEW

To be filled out completely

APPLICANT'S NAME FREDERICK A. HACKL

PHONE NUMBER (231) 881-8624 DATE 3/4/26

PROJECT TITLE  
2430 MITCHELL RD.

PROPERTY TAX ID # or ADDRESS 24-01-19-04-200-012 TOWNSHIP  
BEAR CREEK

### DIRECTIONS TO APPLICANT

THE EMMET COUNTY ZONING ORDINANCE REQUIRES AN IMPACT STATEMENT TO BE SUBMITTED AS PART OF SITE PLAN REVIEW. EACH OF THESE ITEMS MUST BE ADDRESSED AND AN IMPACT STATEMENT SUBMITTED WITH THE SITE PLAN REVIEW APPLICATION AS REQUIRED BY THE ZONING ORDINANCE. ITEMS LISTED ARE MINIMUM REQUIREMENTS. ADDITIONAL INFORMATION MAY BE SUBMITTED TO DESCRIBE THE PROJECT IMPACT. COMPARE THE EXISTING CONDITIONS TO THE PROPOSED CONDITION.

### **1. PROJECT DESCRIPTION**

Give a detailed description of the proposed development including: Site area, number of proposed lots and/or units, population density, other pertinent population data, vehicle traffic, and estimated construction schedule (start date and completion date) and related.

SITE AREA = 1.98 AC.  
TWO LOTS, ONE BUILDING.  
TEN EMPLOYEES.  
LIGHT TRAFFIC.  
CONSTRUCTION START DATE 5/1/26. END DATE: 2/1/27.  
HOURS OF OPERATION: 7:00 AM - 6:30 PM.  
JEEPS WILL BE CUSTOMIZED WITH AFTERMARKET PARTS.  
CUSTOMIZED JEEPS WILL BE DISPLAYED FOR SALE.  
THE PROPOSED USE CONFORMS TO EXISTING AND POTENTIAL DEVELOPMENT PATTERNS AND ADJACENT ZONING, WITHOUT ANY ADVERSE EFFECTS.  
OUTDOOR SALES OF AUTOMOBILES, AUTO BODY/VEHICLE REPAIR AND OIL CHANGE CONFORM TO THE PROPOSED USE FOR PUD B-2 AND R-1 ZONING.

## 2. EXPECTED DEMANDS ON COMMUNITY SERVICES

Explain what the impact will be on the following community services and describe how services will be provided (if applicable):

### a. Sanitary Services

CITY OF PETOSKEY. HOOK UP TO EXISTING SEWER MAIN.

### b. Domestic Water

NO IMPACT. DRILLING NEW WELL.

### c. Traffic Volumes

NO IMPACT. LIGHT CUSTOMER TRAFFIC.

### d. Schools

NO IMPACT. BUSINESS ONLY.

### e. Fire Protection

SERVICES BY BEAR CREEK TWP.

## 3. ENVIRONMENTAL IMPACTS

Include statements relative to the impact of the proposed development on (if applicable):

### a. Soil Erosion

NA

### b. Storm Drainage

DRAINAGE IS ADDRESSED ON THE SITE PLAN AND THE STORMWATER PLAN REVIEW.

### c. Shoreline Protection

NA

### d. Wildlife

NA

### e. Air Pollution

NA

### f. Water Pollution

NA

### g. Noise

NA

## SITE PLAN REVIEW CHECKLIST

**This checklist is intended to be used to ensure the site plan provided with the Zoning Action Application is complete. Use the checklist to cross reference the site plan to ensure all required elements are included on the plan. Special Land Uses or Permitted Uses with supplemental regulations may require additional information. See the Emmet County Zoning Ordinance for detailed descriptions and standards.**

Case # PPUDF210-01

Date Received 03/04/2026

Subject Property Address 2430 E. MITCHELL RD., PETOSKEY, MI  
 Township BEAR CREEK  
 Tax Parcel Number: 24-01-19-0A-200-012  
 Existing Use of Property VACANT LAND  
 Proposed Use of Property MOTOR VEHICLE ACCESSORIZING AND SALES  
 Proposed Number of Employees 10

### CHECKLIST

#	Map Information	Yes	No	N/A	Comments
1	Proposed site location map (indicate sufficient area reference to locate site). May use plat map, Google map or other map to identify parcel.	X			MAP ON SITE PLAN SHEET.
2	Appropriate scale	X			SCALE PROVIDED
3	Date, North Arrow, Street Names (existing and proposed rights-of-way).	X			PROVIDED
4	Name, Address and Phone Number of person preparing plan	X			PROVIDED
5	Property line dimensions	X			PROVIDED
6	Zoning setback lines -Building (including the eave) Setbacks	X			PROVIDED
7	Distance between buildings (nearest point to nearest point)			X	ONLY ONE BUILDING
8	Location of existing buildings, including dimensions and distances from lot lines			X	NO EXISTING BUILDINGS
9	Location and dimensions of new buildings	X			PROVIDED

10	Proposed building elevations (to scale).	X			SHEET A105 PROVIDED
11	All existing structures (labeled) within 100 feet of perimeter property lines.			X	NO EXISTING STRUCTURES
12	Multiple housing units, Number of units, composition (efficiency, one bedroom, two, three).			X	NO UNITS BUSINESS ONLY
13	Location of walls or fences, including height.			X	NO WALLS OR FENCES
14	Surrounding zoning (properties immediate to subject site)	X			PROVIDED
15	Lot coverage of proposed buildings.	X			8.7% COVERAGE
16	Boundaries of existing natural features (trees, lakes, ponds, streams, severe topography, wetlands, woodlands, etc.).	X			PROVIDED
17	Location of landscaping.	X			SEVERAL TREES ARE PROVIDED
18	Method for ensuring landscaping will be maintained.	X			OWNER WILL WATER NEW TREES
19	Identify trees to be removed or retained.	X			SHOWN ON SITE PLAN.
20	Wetlands identified.			X	NO WETLANDS.
21	Existing topography.	X			SHOWN ON SITE PLAN
22	Soil analysis.	X			SHOWN ON SITE PLAN
23	Site Inventory provided.	X			TREES SHOWN ON PLAN.
24	Are there scenic view considerations?		X		NO VIEWS
25	Access drives, internal roads (note public or private) service roads. Width of Right-of-Way.	X			SHOWN ON SITE PLAN
26	Loading/unloading, service areas.			X	NONE OUTSIDE
27	Sidewalks, paths, and trails (internal and public within road right-of-way).			X	NONE PROVIDED
28	Parking areas (dimensioned typical parking space, maneuvering lanes).	X			PROVIDED
29	Parking spaces required, parking spaces provided.	X			SHOWN ON SITE PLAN

30	Required landscaping in parking areas.	X			
31	Location of snow storage.	X			SHOWN ON SITE PLAN
32	Snow management plan.	X			OWNER WILL FLOW WITH ZEEP.
33	Waste receptacle location, screening indication.	X			PROVIDED
34	If no waste receptacle, describe how waste to be managed.			X	
35	Existing easements (utility, access) within site limits.	X			SHOWN ON SITE PLAN
36	Location of Water/well, Sewer/septic.	X			SHOWN ON SITE PLAN
37	Site grading and drainage plan (on-site elevations for pavements, drives, roads, parking lots, curbs, sidewalks and finished grades at building facades).	X			SHOWN ON SITE PLAN
38	Engineered drainage plan sealed by a Michigan Registered Professional Engineer must be provided (unless waived by the Planning Commission).	X			PROVIDED
39	Estimated cost of drainage work.				\$15,000
40	Request waiver of engineered drainage plan?			X	NOT REQUESTED.
41	Location of mechanical or electrical equipment (ground level or roof-mounted equipment).	X			ROOF-MOUNTED
42	Location and description of any existing or proposed outdoor storage facilities (above ground and below ground storage).			X	NO OUTDOOR SHEDS
43	Location of outdoor lights, pole heights, bollards, building attached, luminary shielding techniques*	X			LOCATION SHOWN. SHIELD PER ORDINANCE
44	Location of sign(s)*	X			PROVIDED
45	Site amenities (play area, pools, beaches, tennis courts, etc.).			X	NONE PROVIDED
46	Impact Statement attached?	X			
47	Fire Department approval?	X			
48	Road Agency approval?	X			
49	Health agency approval?	X			

50	US Army Corps of Engineers approval?			X	
51	Michigan Department of Environment Great Lakes and Energy approval?			X	
52	Is the site located in the Shoreline Bluff Protection Overlay Zone?		X		
53	Is the site located in a Flood Plain?		X		
54	Is the site a Critical Dune?		X		
55	General Floor Plan must be provided.	X			SHEET A104 PROVIDED
56	Elevation Plan must be provided.	X			SHEET A105 PROVIDED

\*Signs and lights will need to be approved by the Emmet County Zoning Administrator.

**ADDITIONAL COMMENTS:**

This packet contains the zoning map for the subject parcel. The north 1/2 is zoned B-2 General Business. It also has a PUD overlay that was established when Louie's was approved. A retail store would be allowable on the portion of the property zoned B-2. A sales lot would be a special land use. The PUD could be updated to include a change on the entire parcel.

The Site Plan from Benchmark Engineering is included in this packet. It contains the graphic detail for the above listed items.

Frederick A. Hasb  
Applicants Signature

3/4/26  
Date





Consultant  
Address  
Phone  
Fax  
e-mail

Consultant  
Address  
Phone  
Fax  
e-mail

Consultant  
Address  
Phone  
Fax  
e-mail

**BROWN**

**2430 E. MITCHELL  
RD.**

No.	Description	Date

**GARAGE**

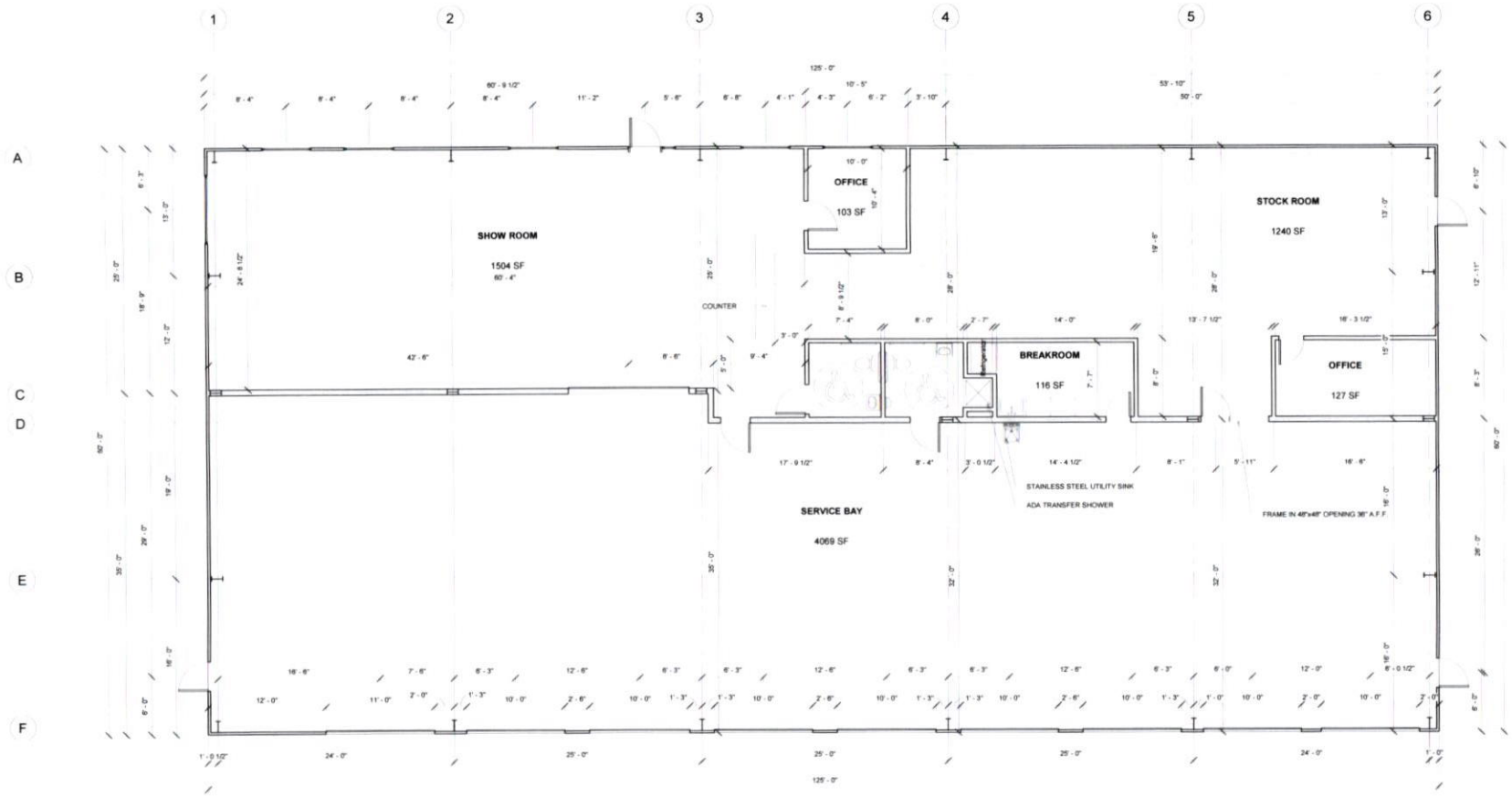
**PLAN**

Project number: SNH  
Date: 3/4/2026  
Drawn by: FAH  
Checked by:

**A104**

Scale: 3/16" = 1'-0"

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1 FIRST FLOOR  
3/16" = 1'-0"

**NOTE: THESE PLANS ARE NOT FOR CONSTRUCTION, PRELIMINARY PLAN SHEETS ARE FOR INFORMATION PURPOSES ONLY.**



**2. Case # 175A-77 Dan Pieffer, FINAL, MIXED USE, PUD-1 MASTER PLAN & SITE PLAN REVIEW, gas station, drive through convenience store and retail sales, 2430 E. Mitchell Road, Section 4, Bear Creek Township**

A request by Dan Pieffer for a Mixed Use PUD-1 Final Master Plan and Site Plan Review for the property tax parcel number of 24-01-19-04-200-012, located at 2430 E. Mitchell Road. The review is per Article XVIII, PUD-1 Planned Unit Development of the Emmet County Zoning Ordinance.

Michalek explained the request for a Final Mixed Use PUD-1 Master Plan using the Final Site Plan. The property is zoned B-2 in the front and R-1B in the rear half of the property. The entrance ways have been approved by the Emmet County Road Commission. The gas station and drive thru convenience store is proposed in the B-2 portion of the property and a retail store at the rear of the property. There is a future addition shown on the south commercial building which is shown to extend to meet a 10' setback if the adjacent property is approved for a PUD.

Jim Malewitz explained that there is no change to the overall plan. Malewitz explained the changes made since the previously approved plan.

No comments have been received from any neighbors since the re-notification.

Doernenburg reminded of the previous motion which included conditions regarding the building design. There was discussion regarding the previous motion and approval. The site plan lists allowed uses.

Anderson made a motion, supported by Scott, to approve Case #175A-77 a request by Dan Pieffer for Final Mixed Use PUD-1 and Site Plan for tax parcel number 24-01-19-26-200-012, with the following conditions:

1. All Principal Uses Permitted in the B-2 General Business District as per Section 1000 be allowed up to a depth of 200 feet from the North property line, with allowance for a community trail through the property in the future, either in the front setback or elsewhere on the property.
2. The uses permitted in the southern portion of the property zoned R-1B One Family Residential District be restricted to uses listed in the B-1 District under Section 900-Paragraph 1, 2, 3 and 5 and Section 901-Paragraph 3, but limited to the following specific uses:
  - A. Administrative, professional, medical, governmental, and sales offices.
  - B. Bank and financial institutions (Non drive-thru)
  - C. Personal service establishments which perform the following services: shoe repair, tailors, hairdressers, barber shops, beauty salon, art studios, physical exercise, self service Laundromat, mini-storage, photography studios.
  - D. Offices and showrooms of plumbers, electricians, decorators, designers, carpet/floor coverings, furniture sales, lighting centers, or similar trades.
3. Maintain a minimum of fifty (50) foot perimeter setback on the east side of the southern part of the property (zoned R-1B) and a ten (10) foot setback on the east side of the southern part of the property if the adjacent property is approved for a Final PUD.
4. Approximately 55 feet of driveway shall be permitted in the east and west side 50' setbacks with

the permission to have up to five (5) parking spaces on the west side in the R-1B zoned portion as shown in the site plan dated 07-29-05.

5. Provide a minimum of fifty (50) foot perimeter setback along the south property line.
6. A minimum of ten (10) foot perimeter setback to be provided on the east and west side of the B-2 zoned portion of the property.
7. A minimum of twenty five (25) foot perimeter setback is to be provided along the front (north) line of the property, measured from the south right of way line of Mitchell Road.
8. And subject to any other conditions stated on the Final PUD-1 Mixed Use Master Plan (Dated 07-29-05)
9. The buildings and canopies are to be designed with gabled roofs, similar to the gas station located on US-31 in the Village of Alanson.
10. Screening along the south to be increased to provide adequate screening from neighboring properties.
11. Dumpster to be adequately screened.
12. The 20' drive required to provide access to the bordering property line as shown on the Site Plan.
13. Sign & Lighting Committee review will be required for all exterior signs and lights.

the motion passed on the following roll call vote: Yes; Jones, Scott, Laughbaum, Anderson, Derrohn, Alexander. No; Letzmann, Absent; Eby, Summers.

The seal of Emmet County, Michigan, is circular and features a central figure holding a scale and a sword, surrounded by the text "EMMET COUNTY MICHIGAN 1853".

## Emmet County

Office of Planning, Zoning & Construction Resources  
3434 Harbor Petoskey Road, Suite E  
Harbor Springs, MI 49740  
231-348-1735 (phone) 231-439-8933 (fax)  
[www.emmetcounty.org](http://www.emmetcounty.org)  
[pzcr@emmetcounty.org](mailto:pzcr@emmetcounty.org)

## MEMO

**To:** Emmet County Planning Commission  
**From:** Office of Planning and Zoning  
**Date:** 3/18/2026  
**Re:** Stormwater Review of 01-19-04-200-012

---

I've reviewed the proposed stormwater plan and it meets the requirements of the Emmet County zoning ordinance section 20.05 G.

There is a preexisting drain from neighboring property that terminates on this property. The proposal is to reroute the drain around the proposed retention area. It would seem to make more sense to leave the existing drain going into the proposed retention area. The proposed retention basin exceeds the required volume for the new impervious surface. There is an emergency overflow built into the retention basin design if the volume exceeds what it can hold. Directing the water around the basin may have the potential to undermine the retention basin.

## Tammy Doernenburg

---

**From:** James Godzik <jgodzik@emmetcrc.org>  
**Sent:** Friday, March 13, 2026 1:09 PM  
**To:** Tammy Doernenburg  
**Subject:** Proposed Project at 2430 Mitchell Road PID Number 01-19-01-200-012

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, Tammy

We were able to review the proposed site plan for 2430 Mitchell Road, that was prepared by Benchmark Engineering dated Feb 20<sup>th</sup> 2026. The proposed access location off Mitchell Road meets Emmet County Road Commissions Commercial Standards for sight distance and driveway location.

Best regards,

James Godzik  
Permit Technician  
Emmet County Road Commission  
Work: 231-347-8142 ext. 2



## Resort Bear Creek Fire Department

373 N. Division Road  
Petoskey, Michigan 49770 (231) 347-2496

Alfred L. Welsheimer "Al" Fire Chief

March 12, 2026

TO: BEAR CREEK PLANNING COMMISSION

FROM: CHIEF ALFRED L. WELSHEIMER

SUBJECT: SITE PLAN REVIEW 2-20-2026

Case # PPUDF26-01

FOR: Auto Repair

LOCATION: 2430 Mitchell Rd

After reviewing the plan, the following needs to be met

Codes: International Fire Code 2024 Edition

- |                                                                                            |                   |
|--------------------------------------------------------------------------------------------|-------------------|
| 1. Access road that would with stand at least 75000lbs                                     | IFC, Section D102 |
| 2. Waste oil and other class IIIB liquids shall be stored in approved tanks or containers. | IFC, 2311.2.2     |
| 3. Cleaning of part shall be conducted in listed and approved parts cleaning machines      | IFC, 2311.2.1     |
| 4. Show Drainage and disposal of liquids and oil-soaked waste                              | IFC, 2311.2.3     |
| 5. Provide information on storage and use of flammable and combustible liquids             | IFC, 2311.2       |
| 6. Portable fire extinguishers are to be provided                                          | IFC, 2311.7       |
| 7 Knox box key retention box                                                               | IFC, 506.1        |

This review is based upon and limited to the information presented on the drawings and/or materials submitted. Matters not presented within the construction documents submitted, nor items not requested for review, which is required for the granting of permits, are assumed to be reviewed and inspected by others and not to be considered as part of this review unless herein specifically requested. The review does not release the contractor from compliance with the applicable codes.

*Alfred L. Welsheimer*  
Fire Chief

MAR 13 2026

## Tammy Doernenburg

---

**From:** Gailitis, Jason (MDOT) <GailitisJ@michigan.gov>  
**Sent:** Thursday, March 12, 2026 11:42 AM  
**To:** Tammy Doernenburg  
**Subject:** RE: 2430 E Mitchell Rd updated legal notice

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hey Tammy-- Doing well, ready for spring! I don't think we'd have any comments on this one but I have shared with my staff in case they do. Thanks for sharing, and have a great weekend!

---

**From:** Tammy Doernenburg <tdoernenburg@emmetcounty.org>  
**Sent:** Thursday, March 12, 2026 11:23 AM  
**To:** Gailitis, Jason (MDOT) <GailitisJ@michigan.gov>  
**Subject:** 2430 E Mitchell Rd updated legal notice

CAUTION: This is an External email. Please report suspicious emails via the "Report to Abuse" button in Outlook

Hi Jay,

Hope you're doing well.

Attached is an updated legal notice for proposed development at the address listed above.

Feel free to offer comments if you'd like. This is not on a state highway, but we provide notice to MDOT because it's a Planned Unit Development.

Take care!

Tammy \*\*\*\*\* Tammy Doernenburg Director, Emmet County  
Planning & Zoning 3434 Harbor-Petoskey Rd, Suite E Harbor Springs, MI 49740 231-439-8998 (direct line)  
231-439-8933 (fax) 231-348-1735 (main office line) [www.emmetcounty.org](http://www.emmetcounty.org)

## Tammy Doernenburg

---

**From:** Kayla Rockey <K.Rockey@nwhealth.org>  
**Sent:** Monday, March 9, 2026 11:34 AM  
**To:** Tammy Doernenburg  
**Cc:** Linda Smith  
**Subject:** RE: 2430 E Mitchell Rd

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Tammy,

The following questions/concerns were raised when reviewing the provided application and site plan for the proposed Jeep customization and auto repair shop.

- Note that this well will be a Type III well based on the information we have so far to help in planning.
- The proposed plan and property is adjoining to Louies Fresh Market with Underground Storage Tanks (USTs). Type III well requires 800' isolation from USTs, so they will need to request a variance from us prior to any permitting and will need to maximize isolation distance from the USTs (i.e., place well on the eastern/southeastern portion of the property).
  - This variance request must be provided to us in writing before we can do anything to move forward
  - EGLE may or may not want to be involved in the permitting process of this well. We would have to assess during the request for variance process.
- Construction requirements may have to be implemented based on the proximity to USTs and the planned use of the building as an auto repair shop, which generally involve chemical use and storage. This may involve steel casing, depth requirements (vertical isolation), etc.
- We will need more information on the planned chemical use on the property prior to permitting. We will need to know the plans and storage capacity for oil, waste oil, antifreeze, any other auto chemicals, if there are any pits/hydraulic oils, painting operations and paint storage, planned interior/exterior grease traps or oil/water separators (OWS), etc.
  - Depending on chemical storage quantity, another variance request may be required for isolation distance from chemical storage area to the well
- Vehicular barriers would be a requirement for this well to protect it from damage, especially due to increased vehicle traffic/parking throughout the lot
- I am not seeing where on the building the sewer would tie into, however, it should be noted that a 75' isolation distance is required for the following:
  - Buried gravity sewer (sanitary or storm sewer). Construction requirements for piping include service weight or heavier ductile-iron or cast iron, or SCHD 40 PVC, all with water tight joints
  - Buried pressure sewer (sanitary or storm). Construction requirements for piping include watertight joints (pressure tested to 100 psi), equivalent to SCHD 40 PVC or SDR 21, and meets or exceeds ASTM Specifications D1785-91 or D2241-89

Please let me know if you have any questions on the above, you can also provide them with my contact information directly if they have any questions.

Regards,

**KAYLA ROCKEY,**  
**SANITARIAN I**  
3434 M-119, Suite A, MI, 49740  
Office: (231)373-5184 | Fax: (231)347-2861  
[www.nwhealth.org](http://www.nwhealth.org)



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---

**From:** Linda Smith <L.Smith@nwhealth.org>  
**Sent:** Friday, March 6, 2026 4:37 PM  
**To:** Tammy Doernenburg <tdoernenburg@emmetcounty.org>  
**Cc:** Kayla Rockey <K.Rockey@nwhealth.org>  
**Subject:** FW: 2430 E Mitchell Rd

Hi Tammy – I wanted to forward this to Kayla Rockey, as she covers Bear Creek and Resort Townships for Emmet County for HDNW. Thanks so much – Linda

**Linda K. Smith, REHS, CP-FS**  
**Environmental Sanitarian III**  
**Emmet County**  
3434 M-119  
Harbor Springs, MI 49740  
Office: (231) 347-4102  
Cell: (906) 286-2371  
[www.nwhealth.org](http://www.nwhealth.org)



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**From:** Tammy Doernenburg <[tdoernenburg@emmetcounty.org](mailto:tdoernenburg@emmetcounty.org)>  
**Sent:** Friday, March 6, 2026 2:55 PM  
**To:** Linda Smith <[L.Smith@nwhealth.org](mailto:L.Smith@nwhealth.org)>  
**Subject:** 2430 E Mitchell Rd

Hi Linda,

We received the attached application and site plan for a new commercial building at the address above. The application and site plan will be reviewed by the Planning Commission on March 25. Would you be able to review the proposal and let me know of any concerns you might have related to the proposed well? The site is served by municipal sewer.

If you would like to discuss the proposal and what we would be looking for, please let me know.  
Thank you.

Tammy \*\*\*\*\* Tammy Doernenburg Director, Emmet County  
Planning & Zoning 3434 Harbor-Petoskey Rd, Suite E Harbor Springs, MI 49740 231-439-8998 (direct line)  
231-439-8933 (fax) 231-348-1735 (main office line) [www.emmetcounty.org](http://www.emmetcounty.org)

# 3/4/2026 PROPOSED SITE PLAN

LEGEND:



## SITE PLAN

PART OF SECTION 4, T34N, R5W  
BEAR CREEK TWP., EMMET COUNTY, MICHIGAN

### SITE NOTES:

SITE ZONING: PUD B-2 & R-1  
SITE AREA: 4.7 - 1.99 ACRES  
ZONING SETBACKS B-2: FRONT = 25 (10' PARKING); SIDE = 10; REAR = 20  
ZONING SETBACKS R-1: FRONT = 30; SIDE = 10; REAR = 25

EXISTING USE: VACANT  
PROPOSED USE: AUTOMOTIVE SALES & SERVICE  
PROPOSED BUILDING AREA = 7,500 SF  
PROPOSED BUILDING COVERAGE: 8.7% TOTAL  
PARKING REQUIRED: per ZONING  
PARKING PROVIDED: 55 SPACES incl. 2 Barrier Free  
TREES REQUIRED: 1 per 10 SPACES = 6 TREE  
TREES PROVIDED: (6) 2 1/2" CAL PER DECIDUOUS  
WATER: PROPOSED WELL  
SEWER: PROPOSED CONNECTION TO EX. SANITARY SEWER  
SOILS: USDA Ch (Chertlovis) SANDY LOAM  
SIGNAGE: SHALL CONFORM w/ SIGN & LIGHTING COMMITTEE GUIDELINES  
LIGHTING: SHALL CONFORM w/ SIGN & LIGHTING COMMITTEE GUIDELINES

### SNOW STORAGE

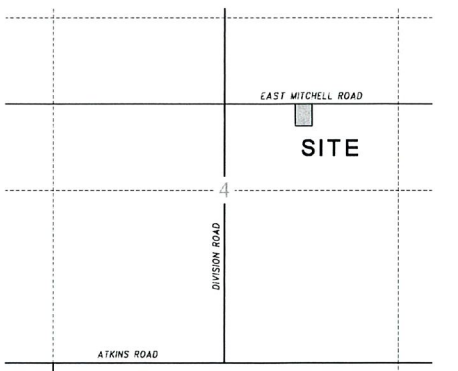
PARKING/PAVEMENT AREA = 25,281 SF  
10% OF PARKING AREA REQUIRED FOR SNOW STORAGE = 2,528 SF  
SNOW STORAGE AREA PROVIDED = 4,025 SF

### DRAINAGE CALCULATIONS

VOLUME = 2.0' x HARD SURFACE AREA  
EXISTING SOILS: USDA Ch (SANDY LOAM)  
SITE CONDITIONS:  
ADDITIONAL HARD SURFACE = 35,470 SF  
CALCULATED RETENTION VOLUME: (V)  
VOL. = (2.0' / 12") x 35,470 SF  
= 5,912 CF  
RETENTION PROVIDED: 5,070 CF

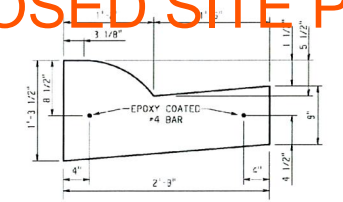
### LOW IMPACT DEVELOPMENT TECHNIQUES:

STORMWATER CATCH BASINS WILL BE FILTERED USING A HIGH FLOW SILT SACK SWALES AS SHOWN WILL BE GRASS, AND WILL BE LEFT NATURAL. RAIN & ROOFTOP GARDENS, PERMEABLE PAVEMENTS, OR CISTERNS WILL NOT BE USED. THE DETENTION AREA WILL BE GRASS. EROSION CONTROL MULCH BLANKETS WILL BE USED ON THE SLOPES TO PREVENT EROSION AND PROMOTE VEGETATIVE GROWTH.

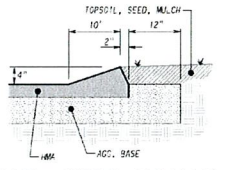


### LOCATION MAP

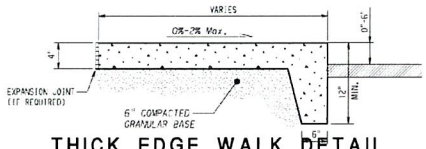
SCALE: 4" = 1/2 MI



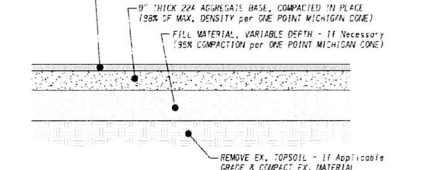
MOOT DETAIL B-2  
CURB DETAIL - ENTRANCE  
NOT TO SCALE



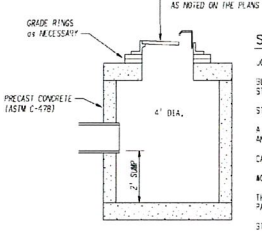
BIT CURB DETAIL  
NOT TO SCALE



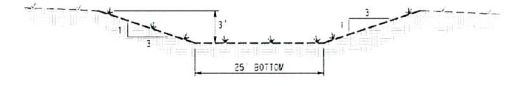
THICK EDGE WALK DETAIL  
NOT TO SCALE



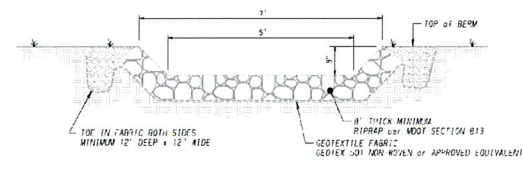
PAVEMENT SECTION  
NOT TO SCALE



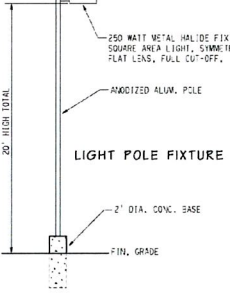
CATCH BASIN  
NOT TO SCALE



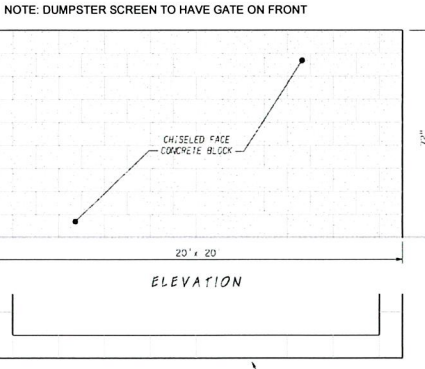
RETENTION X-SECTION  
NOT TO SCALE



OVERFLOW SPILLWAY DETAIL  
NOT TO SCALE



LIGHT STANDARD  
NOT TO SCALE



DUMPSTER SCREENING DETAIL  
NO SCALE

### STORM MANHOLES

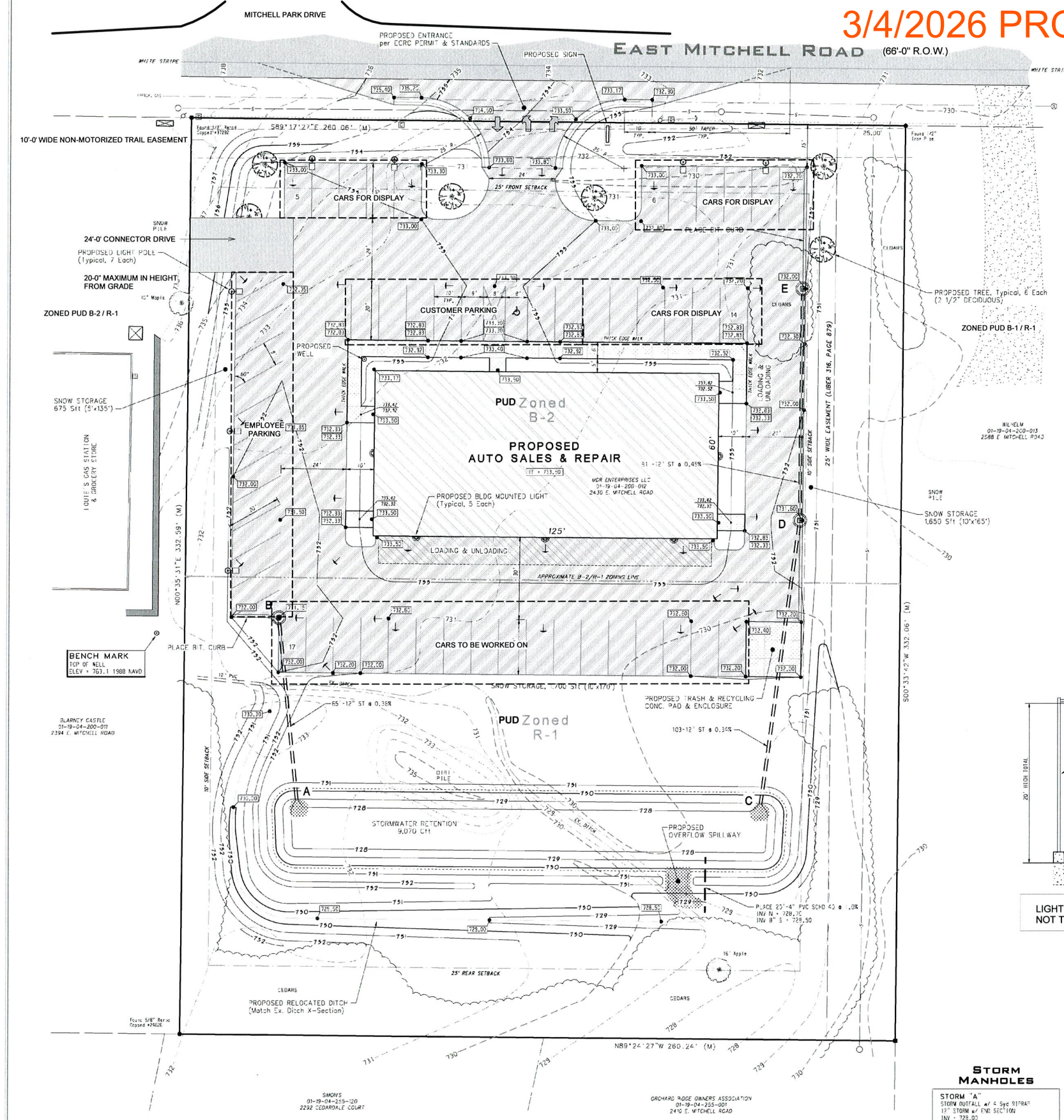
STORM "A"  
STORM OUTFALL w/ 4 Syc RIPRAP  
12" STORM w/ END SECTION  
INV. = 728.02

STORM "B"  
4" DIA. CATCH BASIN  
E. 1040, M1 GRATE  
R/W ELEV. = 731.25  
INV. 12" S = 728.25

STORM "C"  
STORM OUTFALL w/ 4 Syc RIPRAP  
12" STORM w/ END SECTION  
INV. = 728.02

STORM "D"  
4" DIA. CATCH BASIN  
E. 1056, 1045 M1 GRATE, 1060 T1 BACK  
R/W ELEV. = 731.00  
INV. 12" S & S = 728.25

STORM "E"  
4" DIA. CATCH BASIN  
E. 1056, 1045 M1 GRATE, 1060 T1 BACK  
R/W ELEV. = 732.00  
INV. 12" S = 728.25



**SURVEY NOTES:**  
This is not intended or represented to be a land or property survey. No property corners were set as part of this sketch.  
The property description was furnished, and no check of title relative to ownership, gaps, overlaps or occupation has been performed as part of this sketch.  
Basis of Bearing for this drawing is based off of 1986 NAVD GPS datum.  
Heavy snow conditions at the time of mapping may have concealed objects that would have otherwise been observed during a visual inspection.  
This is a professional opinion concerning the location of the property boundaries depicted hereon, based upon the appropriate boundary law principles governed by the facts and evidence gathered and evaluated during the course of this survey. Monuments, that in the opinion of this surveyor represent the true and correct corners of the property being surveyed, have been found or set as indicated hereon. As a professional opinion, this survey carries with it no guarantees or warranties, expressed or implied.  
This survey is not intended to be used in place of an ALTA/ASPS Land Title Survey, or to be used to remove the survey exceptions of a title insurance policy.

ORCHARD RIDGE CONDOMINIUM  
EMMET COUNTY CONDOMINIUM NO. 145

**PARKING EMMET COUNTY ZONING ARTICLE 22-9 #9**  
ONE (1) FOR EACH TWO HUNDRED (200) SQUARE FEET OF GROSS FLOOR AREA OF SALES ROOM,  
PLUS ONE (1) FOR EACH AUTO SERVICE STALL IN THE SERVICE AREA.

**REQUIRED**  
1504 GROSS SALES FLOOR AREA / 200 = 8 CUSTOMERS SPACE  
9 SERVICE BAYS = 9 SPACES

**ACTUAL**  
17 SPACES FOR CARS FOR DISPLAY  
8 SPACES FOR CUSTOMERS  
11 SPACES FOR EMPLOYEES  
17 FOR CARS TO BE WORKED ON  
53 SPACES TOTAL



**BENCHMARK ENGINEERING INC.**  
SURVEYORS & CIVIL ENGINEERS  
607 E. LAKE ST.  
HARBOR SPRING, MICHIGAN 49740  
PHONE (231) 325-2119 FAX (231) 528-7257  
benchmark467@gmail.com

Client: COLWELL-WANGEMAN (Brown)  
Project Mgr: B. NOLAN  
Drawn By: B. NOLAN  
Field By: T. WINTER  
CAD File: SP 25-009.gxd  
Job #: 26-008  
Sheet #: 1 OF 1

Date: (revisions) by  
FEB. 20, 2026

**PROPOSED SITE PLAN**  
Automotive Sales & Service

## Tammy Doernenburg

---

**From:** PZCR  
**Sent:** Tuesday, March 24, 2026 10:51 AM  
**To:** Tammy Doernenburg; Laura Moreau  
**Subject:** FW: 01-19-04-255-120

---

**From:** jean currey <jeanc49770@yahoo.com>  
**Sent:** Tuesday, March 24, 2026 10:38 AM  
**To:** PZCR <pzcr@emmetcounty.org>  
**Subject:** RE: 01-19-04-255-120

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CASE#ppudf26-01

I am a resident of Bear Creek Township and my home is located directly behind Louie's Market and the property in question. I object to the re-zoning of this above sited property.

First of all, I have a "shared well" with my neighbors John and Keri Simonis. The well is located on a 12 foot easement near and along side of Louie's Market building. Louie's well is near our well. There is one well noted on the site drawing but not two wells. This easement is not mentioned in the site plans.

The property in questions is also very wet from the Tannery Creek tributary that leads into Lake Michigan. I'm concerned about contamination of our well as well as runoff into Lake Michigan.

I oppose the fact that there will be much lighting on that property that will spill over to mine. The noise from the car repair and oil change buildings.

The traffic is already difficult when exiting our subdivision at most times of the day.

Best Regards,

Jean Currey  
2285 Cedardale Ct.  
Petoskey, MI 49770  
231-881-6996

## Site Plan for MDR

I would like to start by stating that I am in support of the sites redevelopment. With that being said, there are a few items that do need to be addressed.

- 1). Relocate Trash / Recycle pad from the SE corner to the SW corner:

Visually, the Southwest corner dumpster location would be in the same general area as Louie's Market dumpster when viewed from Mitchell Road.

The spill-over around a dumpster that inherently occurs over time – large bulky items such as pallets, wooden boxes or shipping containers would be toward the already commercially developed area (Louie's Market).

It would keep the eastern undeveloped property line cleaner looking.

- 2). It appears that the bituminous curb along the eastern paved area running from north to south is not shown on the drawing. I believe it would be required to provide the shoulder for two EJ Frame and Cover as shown at locations "D" and "E".

- 3). Comments in regards to the Retention Pond:

Can the overflow of the retention area be relocated to the west end (instead of the east end). This would provide a larger dissipation area on the proposed MDR site if the retention area is overflowing.

The base of the retention area, elevation 728', may not be shown exactly to size/scale when compared to the call-out. Reference the Retention X-Section: the width of the base is shown to be 25'. The Scale of the Drawing is 1' = 20'. So, the width of the 25' base would be 1.25" on the drawing. The width of the base at elevation 728' on the drawing is roughly .75". That is most likely why the retention area looks a little out of proportion.

The Retention area has both an overflow at the elevation of 730' along with a 4" PVC drain on the bottom of the retention area between the elevations of 729' and 730'. Requesting that the 4" Drainpipe be removed so that it is a true retention area, not just direct drain, or redirected flow path onto an adjacent parcel. A sites retention area should provide an area where the sites stormwater is contained allowing it to be absorbed / evaporated.

Note: We have owned the adjacent 70-acre parcel for 65 years. We have seen the results of the redirected stormwater from the uphill businesses since the early 1970's. It is with this background that it is suggested that the Retention Area on MDR's site plan should be enlarged. This site is going to be receiving both inherited water along with its own site generated water. Presently, stormwater run-off that should be to be going to Louie's retention Area is being drained directly onto MDR's site. The direct water inputs that are not going into Louie's Retention Area are: 1) from the roof of Louie's building itself, 2) the North Parking Lot (where a storm drain was removed somewhere between the first site plan and construction), and 3) the water that has been redirected to the shoulder Mitchell Road (from the other businesses up the hill starting at Division Road) which flow inward once it reaches Louie's paved entrance. Those water inputs directly end up on

MDR's property via a make-shift above grade concrete water trough that was installed by Johnson Oil, a few years ago. The concrete diversion trough is not visible at the present time due being covered by snow.

As a result of the inherited water that the MDR site will be receiving, it is suggested that the retention area for MDR be designed to form a U-shaped collection basin; with the base of the retention area at elevation 728' being extended northward an additional 15 feet, then transitioning with an upward slope terminating at the southern parking lot.

It is also being requested that a slight berm be installed close to the eastern property line, with an elevation of 732'. It is requested that the berm be started at the right-of-way on Mitchell Road and extending south forming the eastern slope boundary of the Retention area. The reason for the 732' elevation berm is that the drawing states '10% of parking area required for snow storage'. When the snow piles are placed in the designated areas on the pavement, the storm drains will be completely covered with a snow pile. As a result, catch basins 'D' and 'E' would not be available to direct the water into the retention area during the periodic thawing in the months of Jan to March or the main thaw in the spring. Realistically, what will occur is that the snow plowing contractors will pile the snow up as necessary on the grass to the east all along the 35' of grassy area. When that occurs, the spring thaw run-off will flow directly onto the adjacent parcel, including into any underground electrical vaults, at the city of Petoskey's Electrical Substation (which is opposite the gravel drive shown on the print). As a result, it is requested that a berm 12" in height be installed from north to south, at the elevation 732', so the run-off water would be contained in the expanded water Retention Area.

Although the above issues initially appear to be extensive, there are only a few. Move the areas of the dumpster and retention overflow, remove the 4" drain at the bottom of the retention area and reshape the water run-off retention area to address today's actual water inputs, on the site. The issues are small in nature, but the effects are going to last a long time into the future.

## Tammy Doernenburg

---

**From:** Emma Radatovich <clerk@bearcreektownshipmi.gov>  
**Sent:** Wednesday, March 25, 2026 3:28 PM  
**To:** Tammy Doernenburg  
**Subject:** FW: PC Comment

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**From:** Garrett Muir <assessing@bearcreektownshipmi.gov>  
**Sent:** Wednesday, March 25, 2026 3:20 PM  
**To:** Emma Radatovich <clerk@bearcreektownshipmi.gov>  
**Subject:** Fw: PC Comment

Can you please forward this to the planning commission members? I will also print out a copy and put it on their tables.

Thank you,  
Garrett Muir

Hey Garrett, it's Matt Hausler. I am out of town until April 3 but I think there's a meeting tonight at the township regarding a mechanic/oil change place going in next to Louise, which butts up to the back of my neighborhood if I could put some input in I am against this project because I feel it could negatively affect. The home value is in my neighborhood, Orchard Ridge, Neighbourhood, especially the homes that are right behind it plus I believe there is a wellhead that's very close to that as well and if there were any sort of contamination, that wouldn't be good anyhow just wanted to pass that along thanks, Garrett. Please excuse the talk to text in case anything ended up sounding weird.

Garrett Muir

## Tammy Doernenburg

---

**From:** Denny Keiser <supervisor@bearcreektownshipmi.gov>  
**Sent:** Wednesday, March 25, 2026 4:28 PM  
**To:** Tammy Doernenburg; Emma Radatovich; Garrett Muir; Mitch Brown  
**Subject:** Fwd: 2430 East Mitchell Property.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dennis Keiser  
Supervisor / Assessor  
Bear Creek Township  
373 North Division Road  
Petoskey, MI 49770  
Phone: (231) 347-1311  
Fax: (231) 347-0736

Begin forwarded message:

**From:** Mark Peterson <mlpson@charter.net>  
**Date:** March 25, 2026 at 4:23:31 PM EDT  
**To:** Denny Keiser <supervisor@bearcreektownshipmi.gov>  
**Subject:** 2430 East Mitchell Property.

I apologize for late comment submission.

My schedule has me out of town and unable to attend tonight's meeting.

Two observations about this project:

The applicants are a family with long personal and business roots in our community, which I believe make good neighbors.

Keeping the placement of the project at the north end of the property certainly seems like gesture of goodwill to all neighbors.

Thank you for the opportunity to comment.

Mark Peterson  
Property Owner.

Please excuse brevity ,

response sent via phone.

<b>CASE# PPUDF26-01</b>	<b>ZONING EVALUATION</b>	<b>03/26/2026</b>
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APPLICANT:	<b>HACKL FREDERICK A</b>	
OWNER:	<b>MDR Enterprises LLC</b>	
ADDRESS/PARCEL ID:	<b>2430 E MITCHELL RD</b>	
TOWNSHIP:	<b>BEAR CREEK</b>	
REQUEST:	<b>Planned Unit Development – Preliminary Amendment, Final PUD &amp; Site Plan Review</b>	
MEETINGS:	<b>3/25/2026</b>	<b>Bear Creek Township Planning Commission – Review (decision postponed)</b>
	<b>04/08/26</b>	<b>Bear Creek Township Board – Review &amp; Recommendation</b>
	<b>04/09/26</b>	<b>Emmet County Planning Commission – First Hearing</b>

**LEGAL NOTICE**

PPUDF26-01

A request by Frederick Hackl for a Planned Unit Development (PUD) - Preliminary Amendment, Final PUD amendment and Site Plan Review to allow for outdoor sales of automobiles, auto body/vehicle repair and an oil change facility to be located at 2430 E Mitchell Road in Section 4 of Bear Creek Township. The parcel is zoned R-1 on the south 1/2 and B-2 on the north 1/2 with a PUD overlay on the entire parcel. The proposal will be reviewed per Article 16 of the Zoning Ordinance.

**BACKGROUND**

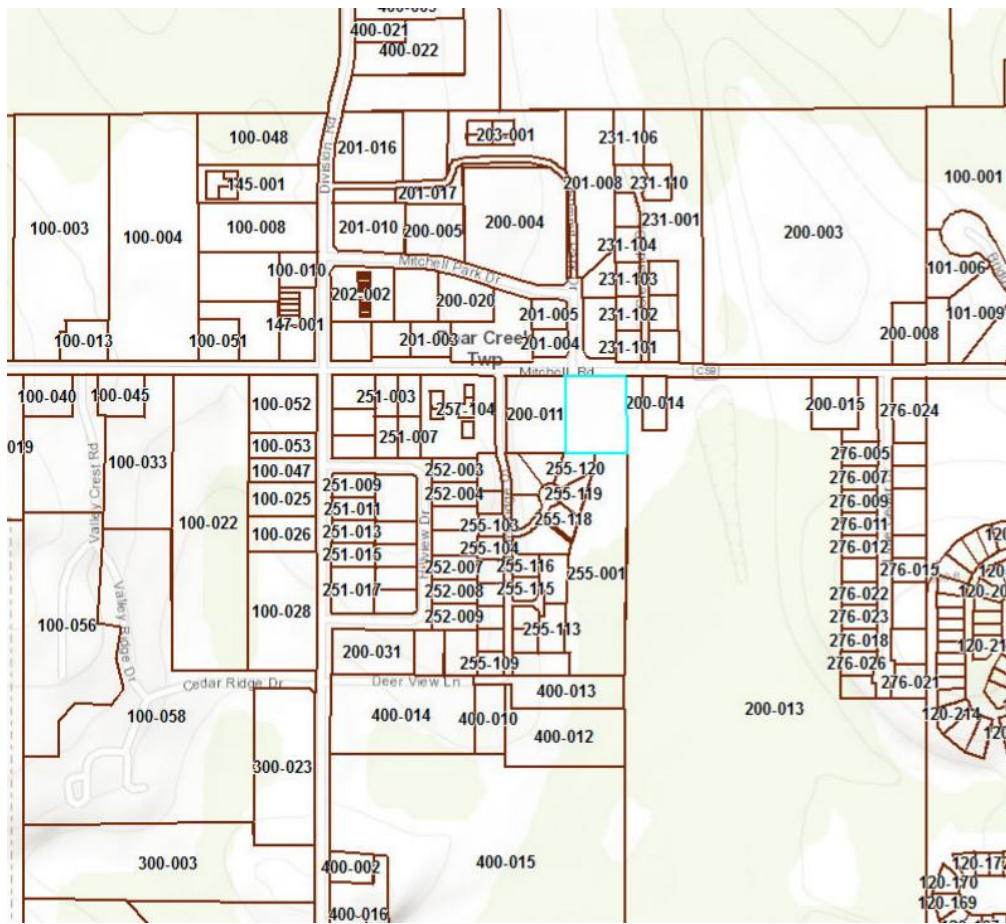
The site includes two zoning districts, the north ½ is zoned B-2 General Business and the south ½ is zoned R-1 Residential. In 2006, a Planned Unit Development was proposed for the site along with the adjacent parcel to the west (under separate applications). The proposals were combined into one PUD – reviewed under a prior PUD ordinance. Uses and conditions of approval of the Preliminary PUD were established. Both parcels proposed convenience stores and gas stations, however, when Louie’s Market and gas station started, the owner of this subject parcel amended the Final PUD and Site Plan and proposed retail stores and storage uses on the entire parcel. A storage facility had been located on this subject parcel prior to 2006. Today’s proposal is to amend the PUD by allowing uses not originally allowed within the PUD, but which are special land uses listed in the B-2 zoning district. Another option for the applicant would be to request revocation of the PUD, contain the proposed use entirely on the portion of the property zoned B-2 or request a rezoning for a portion of the property. The applicant has opted to request an amendment to the PUD to add the proposed uses of outdoor auto sales and vehicle repair facility. Further, the original PUD required a 25’ front yard setback, which is being requested to be reduced to 15’.

**FACTS**

- The subject property is 1.98 acres located on the south side of E. Mitchell Road, east of Louie’s Market/Gas Station.
- Subject property is zoned B-2 General Business on the north ½ of the parcel, R-1 Residential on the south ½ of the parcel and has a Planned Unit Development (PUD) overlay established with the adjacent parcel to the west in 2005.

- Uses authorized by the Preliminary PUD included all Principal Uses permitted in the B-2 General Business district.
- Final PUD and Site Plan approvals were approved for retail/gas station and storage facilities in 2005. An amended Final PUD and Site Plan was approved in 2006 for retail/offices in two buildings on the north side of the building and storage uses on the south side of the building. No development has occurred and the Site Plan approval has expired.
- The current proposal is to allow an Automotive Sales and Service business, including outdoor sales of vehicles and indoor sales and repair facility. This land use requires an amendment to the Preliminary PUD because it is a Special Land Use in B-2, not a Principal Use Permitted. The request includes an amendment to the perimeter setback along the north property line, requesting a modification from the originally approved setback of 25' to 15' for auto display/parking within the front setback.
- The plans have been submitted to the Emmet County Road Commission, Health Department and Bear Creek Township for review.

**SITE LOCATION MAPS**





**Aerial Map (2025)**



**ZONING ORDINANCE STANDARDS**

**Section 16.04 FINAL PUD PLAN**

After approval of a Preliminary PUD Plan, applicants may submit a Final PUD Plan for review and approval under this Section, which, if approved, shall be subject to the preparation and approval of a PUD Agreement in accordance with the procedures set forth in this Section.

**SECTION 16.04.1 FINAL PUD PLAN SUBMISSION**

The applicant shall file a request for Final PUD Plan approval with the Zoning Administrator. All of the materials described and submitted under this Section shall constitute the Final PUD Plan. The request for Final PUD Plan approval shall include all of the same materials as submitted for Preliminary PUD Plan approval and all of the materials described in subsections (A) through (G) below, which shall be in the format required under Section 16.03.2(B):

- (A) Additional information or modifications to the Preliminary PUD Plan submission materials shall be provided to address any conditions required for Final PUD Plan approval established as part of the Planning Commission approval of the Preliminary PUD Plan.
  - **Standards warrant discussion – see 2005 PUD approval. The following conditions were included in the motion to approve the PUD Plan; each is addressed within this Zoning Evaluation.**
    1. All Principal Uses Permitted in the B-2 General Business District as per Section 1000 be allowed up to a depth of 200 feet from the North property line, with allowance for a

community trail through the property in the future, either in the front setback or elsewhere on the property.

- **Standard warrants discussion.** Outdoor sales and vehicle repair is a Special Land Use in the current zoning ordinance. The proposed uses, except the parking along the south of the proposed development, are located within the portion of the property zoned B-2 General Business.

2. The uses permitted in the southern portion of the property zoned R-1B One Family Residential District be restricted to uses listed in the B-1 District under Section 900-Paragraph 1, 2, 3 and 5 and Section 901-Paragraph 3, but limited to the following specific uses:

- A. Administrative, professional, medical, governmental, and sales offices.
- B. Bank and financial institutions (Non drive-thru)
- C. Personal service establishments which perform the following services: shoe repair, tailors, hairdressers, barber shops, beauty salon, art studios, physical exercise, self service Laundromat, mini-storage, photography studios.
- D. Offices and showrooms of plumbers, electricians, decorators, designers, carpet/floor coverings, furniture sales, lighting centers, or similar trades.

- ✓ **Standard appears to be met.** No use, other than parking and stormwater management, is proposed within the south ½ of the property.

3. Maintain a minimum of fifty (50) foot perimeter setback on the east side of the southern part of the property (zoned R-1B) and a ten (10) foot setback on the east side of the southern part of the property if the adjacent property is approved for a Final PUD.

- **Standard warrants discussion.** The standard appears to be contradictory. Likely the intent was to allow a 10' side yard setback on the **west** side of the parcel. The setback is met except for the dumpster and parking in the southeast corner of the parking area. However, condition #4 appears to allow the paved area within the side setback on the east side of the parcel and this plan creates less impervious surface along the east boundary than the 7-29-05 plan referenced in #4 below.

4. Approximately 55 feet of driveway shall be permitted in the east and west side 50' setbacks with the permission to have up to five (5) parking spaces on the west side in the R-1B zoned portion as shown in the site plan dated 07-29-05.

- ✓ **Standard appears to be met.** Parking area/drive is setback farther and does not extend as far south as the 2005 plan.

5. Provide a minimum of fifty (50) foot perimeter setback along the south property line.

- ✓ **Standard is met.** South property line setback is 130' +.

6. A minimum of ten (10) foot perimeter setback to be provided on the east and west side of the B-2 zoned portion of the property.

- ✓ **Standard is met.** East side setback is 35' and west side setback is 16'.

7. A minimum of twenty five (25) foot perimeter setback is to be provided along the front (north) line of the property, measured from the south right of way line of Mitchell Road.
- **Standard warrants discussion.** Display of vehicles is shown at 10' from the right-of-way line. The building is setback 80' from the road right-of-way.
8. And subject to any other conditions stated on the Final PUD-1 Mixed Use Master Plan (Dated 07-29-05)
- **Standard requires discussion.** Applicant proposes to amend the allowable uses established within the PUD to allow for the use. PUD-1 Note on 7/29/05 PUD plan states "No outdoor sales or displays – including outdoor vending machines—are allowed in this PUD." Second note on the plan states "Fuel island canopy and commercial building to south must have gable roof design. Commercial building must be sided and fit the character of the residential zone."
9. The buildings and canopies are to be designed with gabled roofs, similar to the gas station located on US-31 in the Village of Alanson.
- **Standard requires discussion.** This standard does not appear to be met based on the elevation plans submitted. Elevation appears to propose a flat roof. See note listed above in condition #8.
10. Screening along the south to be increased to provide adequate screening from neighboring properties.
- **Standard warrants discussion.** Additional screening on the approved PUD plan was proposed to screen a building to be located approximately 50' from south property line. Proposed building is 130' from rear property line. Parking is proposed 80' from rear property line. Existing vegetation to remain.
11. Dumpster to be adequately screened.
- ✓ **Standard appears to be met.** Dumpster screened on 3 sides by chiseled face concrete block with a gated front.
12. The 20' drive required to provide access to the bordering property line as shown on the Site Plan.
- ✓ **Standard appears to be met.** A 24' connector to the westerly property is shown on the plan.
13. Sign & Lighting Committee review will be required for all exterior signs and lights.
- ✓ **Standard warrants discussion.** No Sign and Lighting Committee exists. Ordinance amendments now allow for signs and lighting to be reviewed and approved administratively when they are found to be compliant with the Zoning Ordinance.
- (B) All maps shall be submitted with map scale identification information as prescribed for site plans under Sections 20.03(A) and 20.03(B) with allowable modification for parcels that are too large to practically map under those

standards. Such maps are subject to and shall satisfy the Land Development Standards of Section 22.08 unless modifications were authorized by the Planning Commission during Preliminary PUD review and approval.

✓ **Standard is met.**

- (C) The proposed conditions map submitted as the Preliminary PUD Plan shall be supplemented to address any conditions required for Final PUD Plan approval established as part of the Planning Commission approval of the Preliminary PUD Plan and to also address, include, and show all of the following:

(1) If and to the extent requested by Planning Commission, architectural details, including without limitation elevations, roof lines, balconies, porches, exterior wall materials, and other details;

✓ **Standard warrants discussion.** Setback standards requested to be modified. Height standard is met as building height is proposed at ~20, consistent with the height standards of the Zoning Ordinance. The roof design approved at Preliminary PUD, was required to be gabled and appears to be flat.

(2) Parking lots, parking areas, ingress and egress points and access drives from bordering public and private roads, all internal roads and drives (designated as private or to be publicly dedicated), and on-site circulation routes for vehicles, pedestrians, bicycles, and the like, and multi-modal pathways and sidewalks;

✓ **Standard appears to be met.** Parking lots/areas, access drives, and vehicular and pedestrian circulation appear to meet standards (see Site Plan Review Standards review, Section B).

(3) Lighting that complies with this ordinance for parking lots, sidewalks, and multi-modal pathways;

✓ **Standard warrants discussion.** Fixtures are proposed as full cut off, dark sky compliant. 7 light poles are proposed to be located throughout the site at a height not to exceed 20', however, the graphic shows the height to the bottom of the fixture, and the maximum height of 20' is measured to the top of the fixture. See Lighting notations on Site Plan. Note also, metal halide lights may not be practical or desired as typical lighting is now LED. Further review would be required administratively. Photometric plans will be required.

(4) Information necessary to establish conformance with the design standards under Section 16.06 and other Zoning Ordinance requirements applicable to the property and development and proposed deviations from same;

✓ **Standard warrants discussion.** The proposed modifications must first be established by the Planning Commission to determine compliance with this standard. See also Site Plan Review Standards below.

(5) All improvements, amenities, and features proposed for purposes of addressing impacts identified in the applicant's impact statement, as supplemented under subsection (D) below.

➤ **Requires further review.** Applicant has provided a notation on the site plan related to a future non-motorized access within the front setback, however, based on the topography, proposed sign location and proposed 15' setback, it may not be feasible to install as indicated. More details necessary. Planning Commission will need to determine if the landscape screening is sufficient. See also Site Plan Review Standards, section F for landscape screening review.

(6) All infrastructure and utilities servicing the proposed development as approved by the agencies having jurisdiction, including, without limitation, potable water, wastewater and roads;

➤ **Requires further review.** WATER/SEWER: Health Department review has been provided (see email). Concerns regarding required well and proximity to underground storage tanks was identified. Site proposed to be served by Sanitary Sewer Service. No information from township regarding that item has been received.

(7) Where allowed by approving agencies, utilities shall be buried; and

- ✓ **Standard warrants discussion. It is unclear whether or not this standard is met.**
  - (8) All open space areas, greenbelts, buffers, transition areas, recreation areas, natural feature areas, and setback areas.
- ✓ **Standard requires discussion. Setback standards from original PUD have been requested to be modified. Lot coverage is proposed at 8.7% for buildings.**
- (D) An updated impact statement that is supplemented in a manner that addresses any issues identified by the Planning Commission, township of impact, regulatory agencies, and providers of the utilities and services for the proposed PUD.
  - **Requires further review. To be determined following township and Planning Commission reviews. Road Commission and sewer reviews needed.**
- (E) Any existing and proposed deed restrictions, easements, and covenants pertinent to the PUD and project property, but actual signing and recording of proposed documents need not occur until after site plan review, but before a zoning permit is issued.
  - ✓ **Standard appears to be met. Not applicable. Existing easements identified on the plan.**
- (F) If the PUD is to be constructed in phases, a phasing plan delineating the boundaries of each phase, describing the sequence and order of construction of each phase, and demonstrating all of the following: (1) development continuity; (2) that each phase shall contain the required open space to support the densities of each phase; and (3) that the necessary components, improvements, infrastructure, facilities, and amenities will be planned, designed, and completed in such a manner as to insure each phase will be capable of standing on its own in terms of the presence and provision of services, infrastructure, facilities, amenities, and open spaces for the protection of natural resources and the health, safety, and welfare of the users of the PUD and the residents of the surrounding area. In addition, in PUDs that include residential and nonresidential uses, the phasing plan shall contemplate that at least thirty-five percent (35%) of all proposed residential units are completed concurrent with the first phase of any nonresidential construction; completion of at least seventy-five percent (75%) of all proposed residential construction is completed prior to the second phase of nonresidential construction; and completion of one hundred percent (100%) of all residential construction prior to the third phase of nonresidential construction. For purposes of carrying out this provision, the percentages shall be approximations as determined in the discretion of the Planning Commission.
  - ✓ **Standard appears to be met. No phasing plan is proposed.**
- (G) Approval of a PUD Plan does not constitute or include approval of a site plan, but an applicant may, at its option, submit a site plan in accordance with this Zoning Ordinance and any other applicable ordinances and laws for concurrent review and consideration with its Final PUD Plan.
  - **Requires further review. Review of Site Plan follows below.**

**SECTION 16.04.2 FINAL PUD PLAN REVIEW AND APPROVAL**

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- (E) **Reasonable conditions may be required** with the approval of a PUD, to the extent authorized by law, for the purpose of ensuring that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased services and facility loads caused by the land use or activity, protecting the natural environment and conserving natural resources and energy, ensuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner. Conditions imposed shall be designed to protect natural resources and the public health, safety and welfare of individuals in the project and those immediately adjacent, and the community as a whole, shall be reasonably related to the purposes affected by the planned unit development, and shall be necessary to meet the intent and purpose of this Zoning Ordinance, and be related to the objective of ensuring compliance with the standards of this Zoning Ordinance. All conditions imposed shall be made a part of the record of the approved PUD.
  - **Requires further review. See page 13 for possible conditions.**

CASE# PPUDF26-01	ZONING EVALUATION	03/26/2026
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**Section 20.05 Site Plan Review Standards**

The Planning Commission, or the Zoning Administrator in consultation with two (2) designated Planning Commissioners, shall approve an application for a site plan only upon a finding that the proposed site plan complies with all applicable provisions of this Ordinance and the standards and considerations listed below unless the Planning Commission waives a particular standard upon a finding that the standard is not applicable to the proposed development under consideration and that waiver of that standard will not be detrimental to surrounding property or the intent of the Ordinance.

**A. Compliance with District Requirements**

The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, yard space, density and all other requirements as set forth in the Zoning Ordinance.

✓ **Standard appears to be met. Setbacks, height, and density comply with PUD standards and stipulations of approved Preliminary PUD Plan.**

SETBACKS	FRONT	WEST SIDE	EAST SIDE	REAR		BLDG HGT	LOT SIZE	DENSITY
PUD Standard	50'	50'	50'	50'		Up to 40'	--	Up to 20 units/acre
Proposed	85'	65'+	65'+	180'		20'	1.98	N/A

**B. Vehicular and Pedestrian Circulation**

Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. A pedestrian circulation system shall be provided and shall be as insulated as much as possible from the vehicular circulation system. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves the project area shall be capable of safely and effectively accommodating the traffic volume and pattern proposed by the project. Where possible, shared access drives shall be encouraged.

✓ **Standard appears to be met. Pedestrian walk along the front of the building. Cross access provided with business to the west.**

1. Walkways from parking areas to building entrances.
  - a. Internal pedestrian walkways shall be developed for persons who need access to the building(s) from internal parking areas. The walkways shall be located within the parking areas and shall be designed to provide access from these areas to the entrances of the building(s).
  - b. The walkways shall be designed to separate people from moving vehicles.
  - c. These walkways shall have a minimum width of five (5) feet with no car overhang or other obstruction.
  - d. The walkways shall be distinguished from the parking and driving areas by use of any of the following materials: special pavers, bricks, or scored concrete. Other materials may be used if they are appropriate to the overall design of the site and building and acceptable to the review authority.

✓ **Standard appears to be met. See note above.**

**C. Emergency Vehicle Access**

All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access as required by the fire department serving the development. Approval by the Fire Department serving the property shall be required.

➤ **Standard appears to be met – with conditions. See Fire Department review.**

**D. Loading and Storage**

All loading and unloading areas and outside storage areas which face or are visible from residential districts or public thoroughfares shall be screened by a vertical screen consisting of structural or plant materials of sufficient height to obscure the direct view from adjacent first floor elevations. The site plan shall provide for adequate space for the proposed use being screened.

- ✓ **Standard appears to be met.** Loading and storage area provided behind the building. Screening shown to retain existing trees in the southern setback.

#### E. Snow Storage

Proper snow storage areas shall be provided and it shall not adversely affect neighboring properties, vehicular and pedestrian clear vision lines, and parking area capacity.

- ✓ **Standard appears to be met.** Snow storage locations and calculations are noted on plan.

#### F. Buffers

To provide reasonable visual and sound buffers, techniques such as screening, fences, walls, greenbelts, and landscaping may be required by the Planning Commission in furtherance of the objectives of this Section and/or as a condition of the establishment of the proposed use.

- ✓ **Standard appears to be met.** Sound and visual buffering is provided by the existing vegetation.

#### G. Drainage

1. Stormwater drainage plans shall be designed to follow Best Management Practices (BMP), as referenced in Michigan Department of Transportation's Drainage Manual, Section 8.2, designed to prevent pollutants from entering into stormwater flows, to direct the flow of stormwater, or to treat polluted stormwater flows. The drainage plan shall indicate the manner in which surface drainage is to be disposed of on site. This may require making use of the existing ditches, natural watercourses, or constructing tributaries, but shall not result in stormwater that exits the detention pond and/or property site at an erosive velocity. All plans shall meet the standards of Section 20.02 paragraph M.
2. All proposed hard surfaces, including additions to existing development, for a site shall provide for detention and/or retention. The applicant shall show in plans and elevations the proposed stormwater management facilities. (*Refer to subsection 20.05.G.2. for complete minimum design requirements.*)
3. Stormwater retention basins designed to keep a pool of water shall include one or more of the specified safety features listed in zoning ordinance subsection 20.05.G.3.
4. For stormwater management, the Planning Commission has the authority to a.) waive the requirement, b.) defer the requirement, or c.) determine that a fully engineered storm drainage plan is not necessary and can be completed without a sealed drawing.
5. Zoning Administrator can waive the requirement for a fully engineered storm drainage plan for site plan review that does not increase the impervious surface coverage by 25% or more on the site or for new development on sites with less than 15% impervious surface.
6. Performance Guarantees shall be required, unless the requirement for a stormwater plan has been waived, for all stormwater drainage plans in the amount estimated by the design professional to guarantee completion of the project in accordance with the approved site plan. The performance guarantee will be released upon final inspection and approval by the Zoning Administrator, and receipt of sealed as-built plans for stormwater drainage. The Performance Guarantee may be in the form of a bond, cash, certified check, or irrevocable letter of credit.

- **Standard appears to be met.** Stormwater drainage calculations and retention included on the site plan. Suggestion made to incorporate existing stormwater runoff into new drainage facility/basin.

#### H. Waste Receptacles

1. Receptacles, including waste receptacles, waste compactors, and recycling bins shall be designed, constructed, and maintained according to the requirements of this Section.
2. Waste receptacles, including dumpsters or compactors, shall be required for all nonresidential uses unless interior facilities are provided. The requirement to provide a waste receptacle may be waived by the Planning Commission or Zoning Administrator if the applicant provides documentation that the development will not necessitate a waste receptacle.

3. All outdoor waste receptacles shall be enclosed on three (3) sides and screened. The enclosure shall be constructed of brick or decorative concrete material, or other permanent structure, consistent with the building materials of the principal building.
4. The enclosure shall also include a gate made of wood or other high-quality material, as determined by the Planning Commission or Zoning Administrator, on the fourth side. If the waste receptacle is a dumpster, it must have an enclosing lid or cover.
5. The enclosure shall have a minimum height of six (6) feet or one (1) foot above the height of the waste receptacle, whichever is greater.
6. Waste receptacles and enclosures shall be located in the rear yard, not closer than three (3) feet to the side or rear lot line, unless otherwise approved by the Planning Commission and shall be as far as practical, but in no case be less than twenty (20) feet, from any off-site residential use. If practical, the back side of the waste receptacle enclosure should be placed against the building. In this circumstance, the wall may count as one (1) side of the enclosure.
7. Waste receptacles shall be easily accessed by refuse vehicles without potential to damage automobiles parked in designated parking spaces and without interfering with the normal movement of vehicles on or off the site.
8. The Planning Commission may waive or modify the standards of this Section, provided the intent of the Section is maintained.

✓ **Standard appears to be met.** A dumpster is proposed along the south of the parking area with screened 3-sided enclosure and gate for both trash and recycling.

**J. Mechanical or Electrical Equipment.**

1. Ground mounted mechanical or electrical equipment, such as blowers, ventilating fans, and air conditioning units are permitted only in side yards or in the rear yard, unless fully screened.
2. Mechanical or electrical equipment shall be placed no closer than three (3) feet to any lot line.
3. Any ground, building, or roof mounted mechanical or electrical equipment or utilities, including water and gas meters, propane tanks, utility boxes, transformers, elevator housings, stairways, tanks, heating, ventilation and air conditioning equipment (HVAC), and other similar equipment, shall comply with the following standards:
  - a) All such equipment shall be screened by a solid wall, fence, landscaping, and/or architectural features that are compatible in appearance with the principal building.
  - b) Roof mounted equipment shall not exceed a height of ten (10) feet above the roof surface. All roof mounted mechanical units must be screened so they are not visible from ground level, even if not specifically addressed as part of site plan review.

➤ **Standard appears to be met.** No roof mounted mechanical and electrical equipment is identified on the elevation plans. May need to confirm.

From Supplemental Regulations:

## Section 26.28 Auto Body/Vehicle Repair/Boat Repair/Oil Change

### **B-2, I**

Major engine and body repair, steam cleaning and undercoating when conducted on the site shall be within a completely enclosed building. The storage of damaged or wrecked automobiles on the site shall be obscured from public view.

➤ **Standard may warrant discussion.** May consider additional screening – if found to be inadequate.

## Section 26.29 Outdoor Vehicle/Equipment Sales

### B-2, I

Outdoor sales lots for automobile, trucks, motorcycles, all-terrain vehicles, boats and marine craft, recreation vehicles, manufactured homes, farm implements, contractors equipment/vehicles, and similar units, new or used, subject to the following:

- A. No display shall be permitted in or within ten (10) feet of the right-of-way of any abutting road or highway.
  - ✓ **Standard appears to be met.** PUD standards require review.
  
- B. The use of racks, berms, platforms, or similar devices intended for the elevated display of units regulated shall be limited to not more than two, or one (1) per one hundred fifty (150) ft. of display lot road frontage, whichever is greater. No such display device shall elevate the under frame of a vehicle more than five (5) feet above the ground. Such display shall meet the setback ten (10) feet from the road right-of-way and shall be identified on the site plan.
  - ✓ **Standard appears to be met.** PC may wish to add a condition if this is a concern.
  
- C. Display lot lighting shall comply with terms of **Section 22.06**, which shall apply whether or not the lighting is projected from buildings, private poles, or from utility company poles, i.e. as yard lights.
  - **Standard warrants further review.** Review can be conducted at a future time by the Zoning Administrator. Photometric plan will be required.
  
- D. The display of units regulated shall only be in areas indicated or designated on the site plan, and areas shall be differentiated as to the display units and/or inoperable units.
  - ✓ **Standard appears to be met.** Areas of display identified on the site plan.
  
- E. The front setback line of the vehicle display area shall be marked by a permanent curb or other material(s) approved by the Planning Commission and shall be of sufficient height and stability to serve as a tire stop.
  - **Standard warrants further review.** Light poles are proposed along the front display line. No other marker/curb or other material appears to be identified.

**OUTSTANDING ITEMS**

- Sewer capacity verification
- Health Department confirmation of potable water

**ITEMS FOR FURTHER REVIEW AND/OR POSSIBLE CONDITIONS**➤ **Final PUD Plan Standards and conditions of Preliminary PUD Plan approval**

- A proposal to add the uses listed as Special Land Uses within the Preliminary PUD to allow auto sales – including outdoor sales, and repair.
- Determine if front setback of 15' is acceptable within the PUD which required a 25' front yard setback.
- Determine if both side yard setbacks are acceptable as proposed.
- Building design/roof details need to be accepted or modified to be gabled roof as required by the PUD.
- Determine if additional landscape buffering is sufficient.
- Determine if sewer capacity is available.
- Health Department concerns considered and/or satisfied.
- Fire Department included conditions in the review.

➤ **Site Plan Review Standards**

- Stormwater standards met.
- Exterior lighting and signage to be reviewed by the Zoning Administrator. Lighting details needed and height adjustment necessary for pole mounted lighting. Signage to be reviewed administratively.
- Is screening adequate to meet supplemental regulations of Section 26.28?
- Vehicle display area – identification with curb or other material requires discussion.
- Performance Guarantee for Stormwater Plan – estimated cost of drainage system \$5000.

CASE# PPUDF26-01	ZONING EVALUATION	03/26/2026
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**MOTION TEMPLATE**

To **APPROVE / DENY** Case # PPUDF26-01, Frederick Hackl, for an amendment to the Planned Unit Development - Preliminary to allow an outdoor sales lot and auto repair facility and to allow a modification of the front yard setback to 15 feet at 2430 E Mitchell Road, tax parcel 24-01-19-04-200-012, Section 4, Bear Creek Township, as shown on the Site Plan dated Received March 4, 2026 because the standards of Article 16 of the Zoning Ordinance **HAVE BEEN MET / HAVE NOT BEEN MET** based on the facts presented in this case and because Bear Creek Township recommended **APPROVAL / DENIAL**. *[If applicable, continue motion by listing all conditions of approval.]*

And further that approval is conditioned on the following:

1.
2.
3.

To **APPROVE / DENY** Case # PPUDF26-01, Frederick Hackl, for an amendment to the Planned Unit Development - Preliminary to allow an outdoor sales lot and auto repair facility and to allow a modification of the front yard setback to 15 feet at 2430 E Mitchell Road, tax parcel 24-01-19-04-200-012, Section 4, Bear Creek Township, as shown on the Site Plan dated Received March 4, 2026 because the standards of Articles 16, 19, 20, 21, 22 and Sections 26.28 & 26.29 of the Zoning Ordinance **HAVE BEEN MET / HAVE NOT BEEN MET** based on the facts presented in this case and because Bear Creek Township recommended **APPROVAL / DENIAL**. *[If applicable, continue motion by listing all conditions of approval.]*

And further that approval is conditioned on the following:

1.
2.
3.

To **POSTPONE** PPUDF26-01, Frederick Hackl, for an amendment to the Planned Unit Development - Preliminary to allow an outdoor sales lot and auto repair facility and to allow a modification of the front yard setback to 15 feet at 2430 E Mitchell Road, tax parcel 24-01-19-04-200-012, Section 4, Bear Creek Township, as shown on the Site Plan dated Received March 4, 2026 to *[state reason(s) for postponement]*

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# Memo

**To:** Emmet County Planning Commission  
**From:** Emmet County Planning & Zoning staff  
**Date:** March 26, 2026  
**Re:** Zoning Ordinance text amendment – study

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Following directions of the Board of Commissioners and Planning Commission, Planning/Zoning staff provided a draft Zoning Ordinance amendment to the PC for initial review in January. The draft was sent to the townships with County Zoning on January 16, 2026 and again on March 20, 2026 requesting review and comments sent back to staff by March 26, 2026. A summary of comments received, followed by the emails received are included with this memo.

Simultaneously, staff contacted Beckett & Raeder, Emmet County Planning Consultant, and requested review of the draft proposals. Those comments are provided with this memo. Along with the commercial storage review, data centers and battery energy storage systems (BESS) recommendations were requested and are included. Also, staff requested mapping and data related to existing zoning districts and commercial storage uses throughout the County. The maps show the locations of all properties zoned B-2 and Industrial and all locations of known storage facilities.

Planning Commission action requested: discuss proposed/suggested text, consider any unintended consequences, discuss next steps and options.

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From the desks of:  
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Date: March 3, 2026  
From: Ken Lane  
To: Tammy Doernenburg  
Emmet County Planning & Zoning Director  
Laura Moreau  
Emmet County Assistant Planning & Zoning Director  
Project: Zoning Ordinance text amendment—storage facilities

*i*  
initiative

We have reviewed the Emmet County Zoning Ordinance text analysis pertaining to commercial and self-storage facilities as drafted by the Emmet County Planning & Zoning Department staff. Based on our review, and our experience with storage facilities in communities we serve within Emmet County, we offer the following analysis:

#### Storage Facility Types

Given the changing characteristics of storage facility development, construction, and use throughout Emmet County, we believe there are three distinct types of storage facilities:

Self-Storage Facility: traditional “drive-up” self-storage units that are one-story and individually used for the storage of personal items. Such units are visited infrequently, and for short durations, resulting in low traffic impact.

Expanded/Premium Self-Storage Facility: multi-level units designed to accommodate boats, large recreational vehicles, and other personal items. Such units are often climate controlled, and include other amenities such as bathroom facilities, kitchen facilities, improved façade materials, and improved site landscaping. These storage facilities are often placed into condominium ownership, and unit owners tend to visit more frequently and remain within the units for longer periods (“storage caves”), resulting in increased traffic and onsite activity.

Commercial or Warehouse Storage Facility: commercial buildings used for the storage and distribution of commercial products and larger storage unit complexes that offer various sizes and types of units and that may offer additional services, including truck or storage container rental.

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## Definitions

Based on the analysis above, we recommend the following modifications to the proposed definitions:

Accessory Building: A structure that does not have a door or other entranceway into a dwelling unit or the principal use on the property, and which is used for purposes that are minor or incidental to the principal use (no suggested changes).

Commercial Storage ~~Facility~~ Building: A structure or group of structures of varying sizes that serves a principal commercial use and which are designed primarily to shelter and organize vehicles, equipment, supplies, and other personal property, with corresponding services that may include truck or storage container rental.

~~Expanded Commercial~~ Storage Building: A structure that serves a principal ~~commercial~~-use and which is designed primarily to shelter and organize vehicles, equipment, supplies, and other personal property, and which may include multiple stories, bathroom facilities, and other amenities.

Comment: The term "commercial" may not always apply, given that these units may be used to store personal or residential property. That being said, we found it difficult to come up with a descriptive name.

Self-Storage Facility: A building or group of buildings that consists of several individual storage units intended for personal storage, each with a separate door and lock, and which can be leased on an individual basis.

Warehouse: A commercial building used in storage and/or distribution of goods, manufactured products, building materials, and merchandise (no suggested changes).

Outdoor Storage: A land area occupied and used for open storage of products, goods, and/or materials, including sand, gravel, stone, and lumber (no suggested changes).

## Zoning Districts (land use matrix)

We agree with the land use matrix and zoning district designations as proposed:

Commercial Storage Facilities: Permitted by right in the Industrial District and by special use approval in the Farm and Forest Districts (FF-1, FF-2).

Expanded Storage Building: Permitted by right in the Industrial District and by special use approval in the Farm and Forest Districts (FF-1, FF-2).

Self-Storage Facility: Permitted by special use approval in the Industrial District.

Warehouse: Permitted by right in the Industrial District.

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### Supplemental Regulations

Based on the analysis above, we recommend the following modifications to the proposed supplemental regulations:

26.30.1. Standards in I

#### A. Commercial Storage Facilities Buildings and Commercial Warehousing

1. All proposed buildings nearest to the primary access road shall be site planned to be perpendicular to the road, or be positioned to the rear of other approved non-storage or non-warehouse buildings, or be setback at least three-hundred (300) feet from public road right-of-way lines.

2. Intense, all season landscape screening, to effectively shield storage buildings from bordering public roads, per an approved Landscape Planting Plan which achieves screening upon installation of proposed plant materials. Refer to Section 22.04 for additional standards.

3. Storage building with access on three (3) or more sides, must have vehicular access on all four (4) sides. Vehicle access drives must meet minimum setback standards.

4. All incidental or accessory storage shall be within the confines of an enclosed building. Wholesale uses may also include space for administrative offices, customer services, and interior display.

5. Any loading docks or semi-trailer sized overhead doors shall not face upon a public road, or if no practical option is demonstrated, loading doors shall be setback at least seventy (70) feet from the front lot line or be structurally obscured from view.

6. Storage uses shall not occupy property bordering lakes, or rivers (not intermittent) identifiable on the U.S. Geological Survey Maps of Emmet County.

7. Dimensional requirements of the Industrial District, including setback and height requirements, shall apply.

8. All outdoor storage shall require screening as determined by the Planning Commission.

9. Parking shall be provided on site as determined by the Planning Commission in accordance with this Ordinance.

~~Sites proposed for wholesale uses may be rejected by the Planning Commission based on a determination that the use is improper or out of character with adjoining uses, by reason of:~~

~~\_\_\_\_\_ Breaking the continuity of a planned retail shopping center.~~

~~\_\_\_\_\_ Having direct visual exposure to tourist lodging facilities or other uses serving tourist markets.~~

*i*  
*initiative*

—————~~Sharing common road frontage with residential use.~~

**B. Self-Storage Facilities**

1. Minimum Lot Size: The minimum size of the site devoted to such use shall not be less than three (3) acres.
2. Lot Coverage: The total lot coverage of all structures shall be limited to fifty (50%) percent of the total lot area.
3. Site Layout: All proposed buildings nearest to the primary access road shall be site planned to be perpendicular to the road, or be positioned to the rear of other approved non-storage or non-warehouse buildings, or be setback at least three-hundred (300) feet from public road right-of-way lines.
4. Screening: Intense, all season landscape screening shall be required pursuant to effectively shield storage buildings from bordering public roads. To meet this standard the Planning Commission may approve screening achieved by existing trees and vegetation or by a Landscape Planting Plan which achieves screening upon installation of proposed plant materials, or a combination of both existing and new plantings.
5. Building Separation: Building separation between self-storage buildings on the same site shall be fifteen (15) feet, as measured from side-to-side, or equal to the building height, whichever is greater.
6. Access: All ingress and egress from this site shall be directly onto a public street.
7. Internal Drives & Parking: Internal driveway aisles shall be a minimum of twenty four (24) feet in width and all off-street parking areas and driveways shall be hard surfaced and properly drained.
8. Storage Use Only: The use of the premises shall be limited to storage only, and shall not be used for any residential, commercial, or industrial uses except as approved by the Planning Commission. Self-storage buildings shall not be used for any business activity other than storage.
9. No Outdoor Storage: All storage on the property shall be kept within an enclosed building except as approved by the Planning Commission.
10. Self-storage buildings shall not exceed 15' in height (one story).

26.30.2 Standards in FF-1 and FF-2

Expanded Commercial Storage Buildings (special use approval requirements)

A. ~~Expanded Commercial~~ Storage Buildings may be permitted for storage of recreation vehicles, boats, water craft and similar items, subject to the following:

1. Storage Use Only: No sales and/or servicing, self-storage facilities, or commercial warehousing shall be permitted.

2. Owner Occupancy: Buildings and uses permitted shall only be approved on properties occupied by the owner and be the primary place of the owner's residence.

3. Site Size: The minimum property size shall be ten (10) acres or larger by description.

4. Building Limitations: The ground floor area of proposed buildings associated with the uses permitted shall not exceed an area of 2,400 sq. ft. One additional 2,400 sq. ft. building may be permitted on sites of 20 acres or more, by description, provided the two buildings are separated by at least forty (40) feet. One building up to 3,400 sq. ft. may be permitted if the applicant stipulates not to construct two (2) buildings for contractor uses. All other dimensional requirements of the FF-1 or FF-2 Districts shall apply.

5. Signs: Accessory identification signs associated with the uses permitted pursuant to this Section shall not exceed an area of eight (8) sq. ft., and shall comply in all other respects with the sign section of this Ordinance.

B. Modifications to the standards listed in items 1 thru 5 above may be approved by the Planning Commission, if the intent of Article 8 is kept and the surrounding properties are protected from nuisances

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Date: March 3, 2026  
From: Ken Lane  
To: Tammy Doernenburg  
Emmet County Planning & Zoning Director  
Laura Moreau  
Emmet County Assistant Planning & Zoning Director  
Project: Data centers analysis memo

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This memorandum contains analysis and sample zoning ordinance standards for data centers. The ordinance standards were drafted based upon our research and are intended to ensure the protection of natural resources and the public health, safety, and welfare. The sample language was not specifically drafted for immediate inclusion into the Emmet County Zoning Ordinance. Rather, the language is intended to provide County staff with ideas and suggested language so that zoning ordinance regulations can be prepared that are tailored for Emmet County and the County Zoning Ordinance.

#### Case Summaries

The following is summary information regarding legal issues that have arisen with other proposed data centers. Please note that the legal conclusions regarding sites under active litigation are subject to change and should be reviewed by the County's legal counsel.

#### Current Case: Saline Township

In October 2025, developer Related Digital filed a lawsuit against Saline Township because it refused a rezoning application for a data center, alleging that this refusal constituted exclusionary zoning due to the lack of industrially zoned areas in the Township. The Township voted to settle the lawsuit and subsequently allow the data center project to proceed. The consent judgement authorizing the data center project was filed with the Washtenaw County Circuit Court on October 15, 2025, and will require the facility to adhere to various requirements, including an agreement to not expand the data center, a noise limit, prohibition of solar farms, and a commitment not to use water-intensive evaporative cooling.<sup>1</sup>

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<sup>1</sup> Ma, J – Data Center Dynamics. “Township in Michigan settles lawsuit, allows data center project to proceed.” October 30, 2025. <https://www.datacenterdynamics.com/en/news/township-in-michigan-settles-lawsuit-allows-data-center-project-to-proceed/>

In December 2025, a resident of Saline Township filed a motion to intervene in the data center's development. The intervening resident alleged that Township officials violated Michigan's Open Meetings Act by making decisions in secret and failing to hold public votes on the finalized consent judgment which ultimately allowed the data center project to move forward. According to court documents, the Township Board voted in a closed session on October 1, 2025, to settle Related Digital's lawsuit. This closed session vote along with the signing of the consent judgement by just two Board members without public approval are claimed to be unlawful.<sup>2</sup>

In January 2026, the Township Board took a misstep in voting to rezone the Township's zoning map so that 575 acres would be designated for light industrial zoning to accommodate the data center project. The vote should have simply determined whether the map would be amended in the future rather than changing the zoning outright. The vote was also in error because the project was moving forward under a lawsuit settlement rather than a typical rezoning. The court-ordered consent judgement allows the data center to use the land regardless of how it is zoned. The Township Board has corrected this action.<sup>3</sup>

#### Current Case: City of Sulphur Springs, TX

February 2026: In this case, the City of Sulphur Springs has sided with the developer (MSB Global). Lawsuits surrounding the property stem from the former owners of the site where the data center is proposed to be built. The former owners (Luminant and Vistra) claim that City officials breached a deed restriction that was included with the land when the City acquired it, stating that the land cannot have any means of energy production or storage. The City's attorney argued that the deed is deceptive, takes away from the City's governing power, and cannot be enforced against the public good for economic development. The Texas Attorney General's Office has sided with the City and developer.

#### Takeaways from Case Studies:

- Exclusionary zoning – broadly, the use of a Zoning Ordinance to exclude a certain type of land use – is prohibited under the Michigan Zoning Enabling Act (MCL125.3207). Avoiding exclusionary zoning is an important legal consideration when crafting zoning ordinance provisions to regulate large-scale data centers.
- Carefully sequence actions taken by Boards and Commissions.

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<sup>2</sup> Heyman, A – ClickOn Detroit. “Saline Township resident files lawsuit to stop massive data center project.” December 14, 2025. <https://www.clickondetroit.com/news/local/2025/12/14/saline-township-resident-files-lawsuit-to-stop-massive-data-center-project/>

<sup>3</sup> Eberbach, J – MLive . “Admitted mistake causes confusion, uproar amid controversial OpenAI data center.” January 29, 2026. <https://www.mlive.com/news/ann-arbor/2026/01/admitted-mistake-causes-confusion-uproar-amid-controversial-openai-data-center.html>

- Make sure each deciding body works within its authority.

### Sample Zoning Ordinance Language

#### Definitions:

**Data Processing or Computer Center, Large-Scale.** A building or group of buildings on a development site with an area of greater than 10 acres which is used primarily for the storage, management, processing, and transmission of digital data, which houses computer or telecommunications equipment and associated components related to digital data operations, as well as systems for water supply, wastewater management, and electrical power generation necessary to serve these operations.

**(OPTIONAL)--Data Processing or Computer Center, Small-Scale.** A building or group of buildings on a development site with an area of less than or equal to 10 acres which is used primarily for the storage, management, processing, and transmission of digital data, which houses computer or telecommunications equipment and associated components related to digital data operations, as well as systems for water supply, wastewater management, and electrical power generation necessary to serve these operations.

#### Land Use Matrix:

Based on the above definitions, we suggest that data processing or computer centers are an industrial processing and storage use, rather than a use related to research or computing-based services or labor. As such, we recommend that data centers be located within the Industrial Zoning District under the County Zoning Ordinance.

Based on the scale and intensity of data centers, we recommend that large-scale data processing or computing center uses be required to receive special land use approval and become subject to specific review standards.

#### Supplemental Regulations

##### **Data Processing and Computer Centers, Large-Scale**

In addition to other regulations set forth in this Ordinance, all large-scale data centers shall conform to the following requirements:

- a. Minimum Land Area: 90,000 square feet.
- b. Setbacks: The minimum setback for buildings and structures shall be 150 feet from all lot lines. The minimum setback for parking areas shall be 100 feet from all lot lines.
- c. Screening / Fencing: A four-rail fence shall be installed by the owner along the periphery of the property abutting any public street for the entire length

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- of the frontage on the street, subject to required breaks for vehicular and pedestrian access. Fences shall be wood or vinyl.
- d. Landscaping/ Buffering: All season landscape screening, to effectively shield buildings from bordering public roads, per an approved Landscape Planting Plan which achieves screening upon installation of proposed plant materials, shall be required. A berm shall also be placed in the setback area along any residentially or agriculturally-zoned district boundary.
  - e. Parking: One space for every 3 employees, computed on the basis of estimated maximum number of employees on duty at one time, but not less than one per 3,000 square feet of gross floor area.
  - f. Noise: Applicant shall model sound impact and submit a report detailing sound modeling results, demonstrating sound pressure levels not to exceed 55 dBA at nearest outer wall of the nearest dwelling on an adjacent non-participating lot or at the nearest residentially- or agriculturally-zoned property line.
  - g. Air Pollution: Backup power equipment to minimize air pollutant emissions shall be required. For backup generators, EPA Tier 4 emissions standards (or equivalent) are required. Annual testing is required, with reports being provided to the Planning Commission.
  - h. Water Usage: Water Utilization Report to be submitted with application to detail minimum total daily intake volume and water source(s), discharge volumes and destination, cooling system details, including use of closed vs. open loop, and to demonstrate compliance with the County's stormwater regulations and compliance with the requirements of applicable authorities for public or private water service and wastewater disposal. If a private / well water supply method is proposed, provide details for monitoring wells.
  - i. Energy Demand. Energy Management Plan to be submitted with application to detail annual electricity demand, supply sources to be utilized, energy storage capacity, and use of renewable/ clean energy.
  - j. Electronic Waste Plan to be submitted with application to outline procedures for safe removal and recycling/disposal of server infrastructure and hazardous materials.
  - k. Commitments to terms of the noise, air pollution, water usage, energy demand and electronic waste documentation may be required by the Planning Commission to be bound to a development agreement that is recorded against the property.

**Additional Sample Ordinance Language**

City of Lancaster, PA

<https://www.cityoflanasterpa.gov/wp-content/uploads/2025/10/Data-Center-Zoning-Ordinance-First-Draft-10-6-25.pdf>

City of Mason, MI

Recent ordinance ("No. 266")

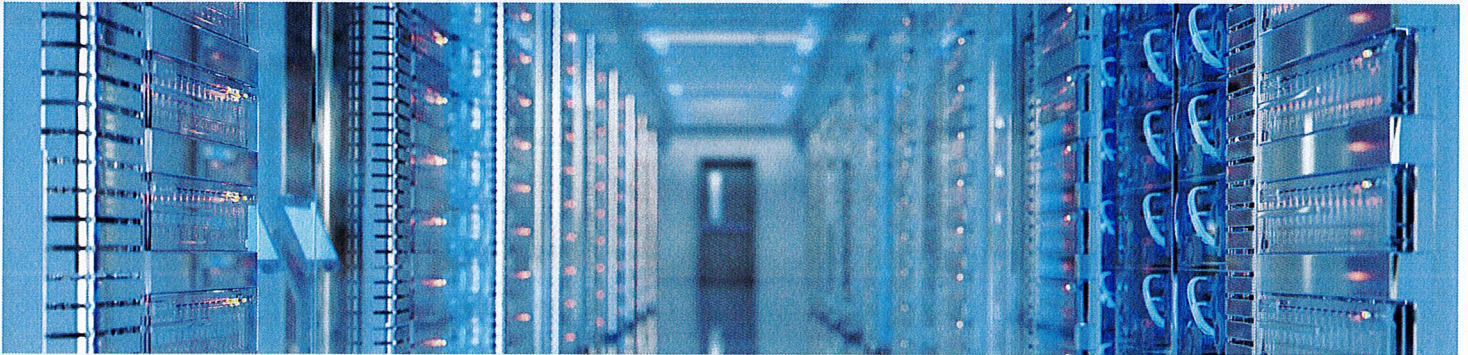
[https://cms7files.revize.com/masonmi/document\\_center/Governments/Code%20of%20Ordinances/Ordinance%20266.pdf?t=202602031716440&t=202602031716440](https://cms7files.revize.com/masonmi/document_center/Governments/Code%20of%20Ordinances/Ordinance%20266.pdf?t=202602031716440&t=202602031716440)

Ypsilanti Township, MI

Recent Ordinance draft (2025-13)

<https://files.ypsitownship.org/Documents/Departments/Clerks-Office/Ordinances-Resolutions/2025/2025-Proposed-Ordinances/1st-Reading-Ordinance-2025-513-Data-Center-Rezoning.pdf?t=202512051213330&t=202512051213330>

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## Data Center Resources

### What is a data center?

Data centers are buildings that house computers, servers, and equipment used to support digital services, and they are built in different ways to serve different needs. They range from hyperscale (the largest) to on-site, retail, or industry specific sites which might be referred to as edge, enterprise, or co-location data centers.

Some data centers are designed for advanced computing, including artificial intelligence (AI). AI data centers handle very intensive computing tasks and require higher levels of electricity and more robust cooling systems. Because of these needs, AI data centers are often located in areas with access to large power supplies and high-capacity data networks, while other types of data centers can be located in a wider range of communities.

### Why the focus on data centers now?

Hyperscale data centers are getting a lot of attention in the news right now. These types of data centers can create community and regional concerns around energy consumption, water usage, size, and site location.

The U.S. Department of Energy Advisory Board notes that electric utilities are receiving requests for a single hyperscale campus of between 300-1000MW (2024); 300 MW is enough energy to power about 250,000 homes for a year.<sup>1</sup> All of that energy produces heat, and water is used as a cooling source. A 100 MW facility may consume the same amount of water as 2600 households.<sup>2</sup> As an example of size, the data center campus proposed in Saline Township was designed for 1.65 million square feet with potential expansion up to 2.2 million square feet (roughly 38 football fields). The size of hyperscale data centers will vary based on location and computing needs.

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**Supplemental resources on the second page**



## Data Center Resources (updated as new resources become available)

### Resources

- [Data centers in Michigan, what you need to know](#). Michigan Public Radio. November 2025.
- [What Michigan Local Governments Should Know About Data Centers](#). UM Center for EmPowering Communities. February 2026.
- [A Primer for Local Governments: Understanding Data Centers](#). National League of Cities. 2025.
- [Data Centers and Their Energy Consumption: Frequently Asked Questions](#). Library of Congress. January 2026
- [Local Guidelines for Data Center Development](#). Urban Land Institute. 2024.
- [Local Ordinances for Climate Adaptation & Mitigation » Local Ordinances to Help Bring Data Centers into Alignment with Climate Goals](#). Georgetown Climate Center.
- [Data Center Development in the Great Lakes Region](#). The Joyce Foundation. September 2025.
- [Washtenaw County Data Center Resource Website](#) (*resources below*)
  - [What Happens When Data Centers Come To Town?](#) University of Michigan Ford School of Public Policy. July 2025
  - [Data Centers and the Great Lakes](#). Presentation by Dr. Michelle Martinez. May 2025
  - [At The Crossroads: A Better Path to Managing Data Center Load Growth](#). NRDC. September 2025
- [Catching Heat: Using Waste Heat Generated from Data Centers: Appalachian Responsible Development Opportunities, Challenges, and Policy Options](#). Stine, D., January 2026

### American Association of Planning

- [The Physical Footprint of Artificial Intelligence](#) October 2025.
- [Data Centers Evolved: A Primer for Planners](#) July 2021.

### Mapping

- [Data Center Demand Mapping Tool](#). National Laboratory of the Rockies (formerly NREL).

### Community Benefit Agreements

- [Building Community-First AI Infrastructure](#) Microsoft on Issues, January 2026.
- [Community Benefits Brief Final Version](#) MSU Center for Community and Economic Development. 2024.

Disclaimer: MSU Extension provides these resources for reference purposes only. Their inclusion does not constitute an endorsement of the information, interpretations, or conclusions contained within the documents.

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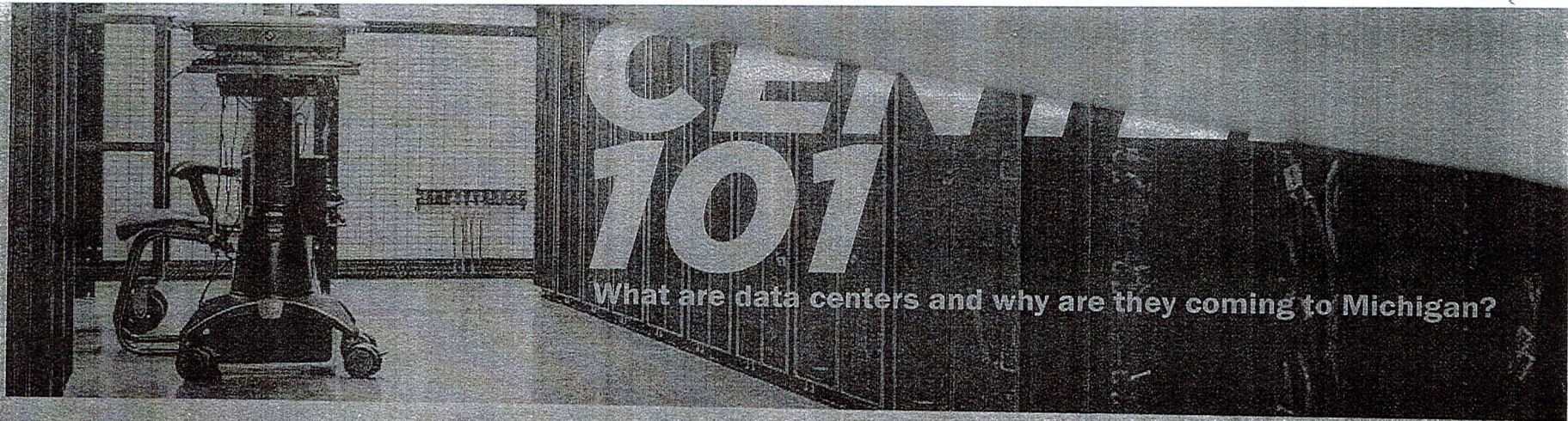
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# AMERICA'S PROBLEMS NORTHERN MICHIGAN'S SOLUTIONS

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NORTHERN MICHIGAN'S WEEKLY • FEBRUARY 23 - MARCH 01, 2026 • VOL. 36 • NO. 08



By Mitch Distin

A year or two ago, most of us weren't familiar with data centers, the massive processing and storage plants for digital information. But now they're regularly popping up in the news, and in our backyards.

Here in the Mitten, Big Tech companies are working with our elected representatives to build more data centers. What makes Michigan so attractive to billionaires from Silicon Valley? Data centers use massive quantities of fresh water to cool their servers, and we are the Great Lakes State.

### What Are Data Centers?

To ask the looming question—one that may well become a defining question of the 2026 election: *what are data centers, and what do we do about them?*—we first have to take a step back and try our best to simply explain *what data is*.

In the context of data centers, data is information rendered into a form computers can use and understand, much like genes are information encoded in DNA that cells can read and use to build and regulate living systems. The only difference being that DNA is a very specific kind of biological “instructional manual” shaped by evolution, whereas “data” can be almost any kind of information we choose to encode.

Data can be anything ordinary from a simple text message or a photo, or something as consequential and private as a medical or bank record. It also includes generative artificial intelligence (AI), like ChatGPT. (ChatGPT-creator OpenAI is currently building a 2.2-million-square-foot data center

in Saline Township outside of Ann Arbor.)

The key point is that while we like to think of “data” as some ethereal, intangible substance floating around in the “cloud,” it isn't. Data has to live somewhere.

Data centers are that “somewhere,” as they store all our data—whether we want them to or not. Think of them as the industrial plants of the digital age. They turn our ostensibly weightless, formless “cloud” into something that has a very real footprint on the land, electricity grids, water tables, and local infrastructure.

Effectively, data centers are massive windowless warehouses packed to the brim with stacks and stacks of computer servers. The servers are what store (and constantly process) our data, but boy are they hungry. They consume staggering amounts of electricity to run 24/7, and then even more energy and water to keep the servers from overheating.

This is why they constantly “hum” at a low frequency, because a data center is essentially a giant cooling plant for computer servers, replete with thousands of high-speed fans, industrial HVAC units, chillers, pumps, and electrical equipment running nonstop.

### Data Center Risks

Yet behind their constant low frequency hum, data centers are exacting a growing toll on local communities in Michigan and beyond. They often strain local watersheds and aquifers already burdened by other demands, pollute the very water and air we rely on for survival, pile new load onto already-deteriorating electrical grids, and increasingly, they disrupt the quiet life of the communities they enter.

According to nonpartisan research hub

Brookings, “it is projected that AI’s energy needs could account for as much as 21% of all electricity usage by 2030.”

Furthermore, Brookings reports that some data centers “consume as much as 500,000 gallons [of water] per day, making them a substantial draw on what is a limited resource in many communities.”

The Harvard Business Review finds that data centers “not only strain already stressed power grids but also create air pollution, including fine particulate matter, resulting in significant respiratory-related health consequences that are estimated to cost up to \$20 billion per year in the United States by 2028.”

A recent expose in *Rolling Stone* referred to one farming community’s fight against Amazon data centers as “Oregon’s Flint.” Families close to the data centers tested several times above federal limits for nitrates, with some readings as high as seven times the legal standard and residents reporting clusters of rare cancers, kidney failure, and miscarriages.

### Why Are Developers Choosing Rural Michigan?

As the demand for AI accelerates on a global scale, the infrastructure behind it has expanded just as fast, especially in rural and resource-rich regions like Michigan.

Why here? Cheap land, cold air, and access to abundant freshwater make Michigan a developer’s dream.

Yet it’s not only our geography or natural resources that make Michigan appealing. Legislators in Lansing have effectively rolled out a welcome mat in the form of major tax exemptions championed by Governor Whitmer, including sales and use tax breaks on data-center equipment that can last for



decades.

To local residents, scientists, public-health advocates, and environmental groups, the dangerous concoction of natural abundance plus major tax subsidies reads less like “innovation” or “progress” and more like a flashing red herring.

Downstate in Saline, for example, the first hyperdata center passed through local political channels amid limited public transparency. Saline resident and director of the newly formed Rural Defense Fund, Tim Bruneau, summarized this dynamic succinctly:

“When the township board voted no to rezone the [data center] property, the developer Related Digital sued. The entire project was fast-tracked, and now DTE

wants to do the same, filing an ex parte to circumvent the MPSC process and public scrutiny. DTE and Related Digital want this project to be treated as critical infrastructure, like a hospital, school, or roads. Well, it's not critical, and there is no demonstrated need for a data center in Saline Township."

### In Our Backyard

Last fall, a similar fight came to Kalkaska. Locals banded together to oppose a data center slated for state-owned land—what would have been one of the largest facilities of its kind in the country.

Kalkaska resident and renowned musician Seth Bernard attended the meetings and framed what many felt was happening in real time.

"Hyperscale AI data centers serving private companies are being fast-tracked due to the merging of state and corporate power," he says, "bypassing public input and forcing working-class communities to subsidize industries that have no oversight, powering an unprecedented upward transfer of wealth with no tangible benefit to the communities that host them."

The locals eventually won when the developer withdrew the application—what was a rare victory in an overwhelmingly stacked system. But several locals aren't convinced the threat is gone for good.

Kalkaska resident Heather Wysor says, "We may have stopped it on state land this time, but the threat is still looming. If developers want a data center here badly enough, they can still pursue it on private land, and by the time the public realizes what's happening, the deal is already half done."

"What Big Tech failed to recognize is that Kalkaska is unique," Wysor continues. "Every neighbor has a story about a chemical scar left on the local landscape, oftentimes from gas extraction. And what's funny about this entire situation is that it's the same oil and gas company that is pushing for the data center in Kalkaska. They've proven themselves to be

untrustworthy neighbors."

Speaking on past abuses of industry in Kalkaska, Wysor notes that the community's memory is long.

"We haven't forgotten how we were treated when it was no longer profitable for industry to be here," she says. "The spontaneous organic gathering of Kalkaskans we saw in response to the data center, from all sides of the political spectrum, was a true testament to how far Kalkaska residents are willing to go to protect their communities, their hunting lands, their water systems, and their natural resources. We've been left high and dry by corporations here for too long."

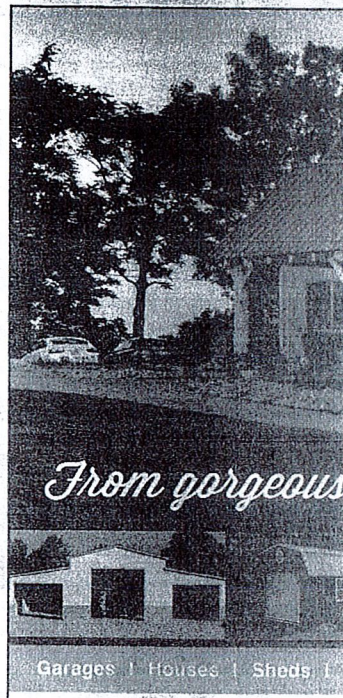
### Fighting Across the State

The fight is far from over for rural Michigan. As more data centers are successfully fought downstate, the likelihood that developers look north becomes more probable.

Just like the cryptomining that has ravaged the Upper Peninsula, "data centers can have real, lasting impacts on energy costs, local infrastructure and quality of life in rural communities," says Calvin Carter, director of Up North Advocacy, a leader in the fight against the cryptomines that have disturbed local residents and harmed schools in Sault Ste. Marie.

Cryptomining requires running specialized computers nonstop to solve mathematical puzzles that verify cryptocurrency transactions. Similar to data centers, cryptomining machines run hot and nonstop, so operators often rely on loud industrial cooling systems that draw a huge load from local power grids.

"Protecting our towns and natural areas means working together, sharing information, listening to one another, and making sure local voices are centered before big outside interests move in," Carter continues. "The Upper Peninsula and northern Michigan deserve development that respects our people and our shared environments."



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# Energy Systems- Draft Zoning Ordinance Amendments

## Definitions.

Battery Energy Storage System, Large Utility Scale: A battery Energy storage system (BESS) that is principal use (or co-located with a second principal use) and that is designed and built to connect to the transmission grid with nameplate capacity of 50 megawatts or more and an energy discharge capability of 200 megawatt hours or more.

Non-Participating Property: Any property that is adjacent to a participating property.

Participating Property: A battery energy storage system host property or any real property that is the subject of an agreement that provides for the payment of monetary compensation to the landowner from system owner (or affiliate) regardless of whatever any part of a system is constructed on the property.

## Intent.

The purpose of this Section is to establish minimum requirements and regulations for the construction, erection, placement, location, maintenance, modification, operation, and decommissioning of utility use Energy Systems in the \_\_\_\_\_ in a manner that promotes economic development and ensures the protection of health, safety and welfare while also avoiding adverse impacts to important areas such as agricultural lands, residential areas, endangered habitats, conservation lands, and other sensitive lands.

## Utility Scale Energy Systems.

All Large Utility Scale Battery Energy Storage Systems (BESS) shall comply with all requirements in [insert state reference]. In addition to all of the State requirements, the following requirements shall apply to Large Utility Scale, Battery Energy Storage Systems:

- A. Size: The minimum lot size shall be fifty (50) acres.
- B. Setbacks: The following minimum setback requirements as measured from the nearest facility structure shall be:

<i>Setback Description</i>	<i>Setback Distance</i>
Occupied building and dwellings on nonparticipating properties.	650 feet from the nearest point on the outer wall
Public road right-of-way	100 feet measured from the nearest edge of a public road right-of-way

- C. Height.
  - 1. Battery Energy Storage System. The height of battery energy storage system structures, except for electric distribution and transmission poles, shall not exceed a height of 20 feet.
- D. Fencing. The system shall be completely enclosed with fencing in compliance with the latest version of the National Electrical Safety Code or any applicable successor standard approved by the Michigan Public Service Commission. Fencing shall be 8 feet high with 2 rows of wire and sound barrier deadening liner.

- E. Sound. The sound pressure level of a BESS shall not exceed a noise level of 45 DBA (Leq (1-hour)) OR average hourly decibels as modeled at the property line of an adjacent nonparticipating property. Decibel modeling shall use A- weighted scale as designed by the American National Standards Institute. The sound level limits apply to the contribution from the BESS only and do not include contributions from background ambient sounds. The site plan shall include modeled sound isolines extending from the sound source(s) to the property lines or dwellings located on adjacent nonparticipating property to demonstrate compliance with this standard.
1. Post-construction sound survey: Documentation of sound pressure level measurements shall be provided to the Zoning Administrator by a third-party qualified professional selected by the Planning Commission and at the expense of the BESS system owner within 12 months of the commencement of the operation of the project. The study will be designed to verify compliance with sound standards applicable to this ordinance. The energy facility does not generate a maximum sound in excess of 45 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.
- F. Lighting. The system must implement dark sky-friendly lighting solutions and satisfy the provisions of Section \_\_\_\_\_.
- G. Host Community Agreement. The applicant shall enter into a host community agreement with the \_\_\_\_\_. The host community agreement shall require that, upon commencement of any operation, the Utility-Scale Battery Energy Storage System owner must pay the \_\_\_\_\_ \$2000.00 per megawatt of nameplate capacity. The payment shall be used as determined by the \_\_\_\_\_ for police, fire, public safety, or other infrastructure, or for other projects as agreed to by the local unit and the applicant.
- H. Safety Signage. The system shall post signs in compliance with NFPA 70/70E or any applicable successor code in place at the time of application for approval. Additionally, signage shall be provided per NFPA 855 7.4.4, or any applicable successor code in place at the time of application for approval, including information on the system type and technology, special hazards, for suppression system and 24-hour emergency contact information, including reach-back phone number. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations. The system must generate a 911 call for the local Fire Department.
- I. Fire Protection: The facility shall comply with NFPA 855 "Standard for the Installation of Stationary Energy Storage Systems" or any applicable successor standard adopted by the Michigan Public Service Commission.
- J. Landscaping: The Planning Commission may require reasonable measures to minimize visual impacts by preserving existing natural vegetation, requiring new vegetation screening or other appropriate measures. The Planning Commission shall determine such visual screening measures as may be required, if any, on-site specific basis pursuant to the standards for special land use approval as specified in this Ordinance, the landscaping standards of section \_\_\_\_\_, and/or the standards for the site plan approval as specified this Ordinance, as most applicable to the circumstances. In making this determination the Planning Commission is specifically authorized to consider whether additional visual screening measures are appropriate where a system is proposed to be located on property adjoining a Residential District.

- K. Access Drive: If the system includes an access drive(s) for maintenance purposes, the surface of the access drive(s) shall be permeable unless on brownfield land, or on an already paved surface at the time of application for approval such as a parking lot or former building foundation. The access drive(s) shall be wide enough to accommodate two-way fire truck traffic.
- L. Fire Hydrant Well: The developer shall install 350-500gal (10-inch casing) fire hydrant well on-site, to be shown on the site plan.
- M. Surfacing: Except as otherwise depicted on the site plan and subject to approval of the Planning Commission, the area within which the system is located shall not be paved with asphalt/concrete or any other surface material that is impermeable to water other than for slab foundations for structures and equipment. This shall not apply to a system located on brownfields land or on an existing paved area such as a former building slab or in an unused parking area when adequate parking remains for any other use on the site. The access road must allow two-way traffic for emergency vehicles.
- N. Surface Water Runoff: All surface water runoff shall be effectively managed on-site pursuant to Section \_\_\_\_ of this Ordinance.
- O. Installation and Operational Safety. The system shall comply with all the following requirements:
1. The system shall be designed and constructed for the interconnection to a Michigan Public Service Commission or Midcontinent Independent System Operator regulated utility electrical power grid and shall be operated with such interconnection.
  2. The system and all foundation elements shall comply with all applicable building and electrical code requirements, and any applicable federal/state regulations. The manufacturer's engineer or another qualified engineer shall provide written certification that the design, installation (including foundations), and interconnection is compliant with the manufacturer and industry standards, all applicable local construction and electrical codes, and any applicable federal/state regulations.
  3. Other than transmission or distribution lines for interconnection to the electric power grid, all electrical wiring shall be buried underground; except where the manufacturer's engineer or a qualified engineer employed by the utility that owns/operates the electrical grid to which the system shall be interconnected certifies an underground wiring installation is not permitted by an applicable code and/or applicable federal/state regulation, with attached complete documentation supporting any such certification.
  4. The system shall be designed, located, and maintained so as to comply with all applicable codes and regulations.
- P. Repair and Augmentation. In addition to repairing or pre-placing facility components to maintain the system, the facility may at any time be augmented without the need to submit a new site plan so long as the augmentation is within the same footprint (e.g, same dedicated use building or on footings/foundations in the same location) as the original permit. In the instance of a battery energy storage system, if there is a change in the battery chemistry, an updated Hazard Mitigation Analysis and

Emergency Operation Plan shall be provided. When a facility is anticipated to be augmented over its lifetime by adding additional components, the applicant should apply for the final/augmented site arrangement. A proposal to increase the size of the project footprint may be considered a new application, subject to the ordinance standards at the time of the request.

Q. Decommissioning and Removal. The system shall comply with all the following requirements:

1. A decommissioning plan, including a Memorandum of Decommissioning in a form recordable at the County Register of Deeds, shall be provided and shall address the following:
  - a. State the anticipated life of the project;
  - b. Describe estimated decommissioning costs in current dollars and provide that this figure will be updated every fifth (5<sup>th</sup>) year after commercial operation of the system;
  - c. Be signed by the party responsible for decommissioning;
  - d. Define the conditions upon which decommissioning will be initiated (e.g.; end of land lease, no power generation/storage for 12 months, etc.);
  - e. State that all equipment, conduit, structures, fencing, roads, and foundations will be removed to a depth of three feet by the end of the decommissioning period;
  - f. Require property to be restored as near as reasonably possible to the condition it was in prior to the development of the system;
  - g. Describe the timeframe for completion of decommissioning activities;
  - h. Describe any agreement (e.g., lease) with the landowner regarding decommissioning;
  - i. State the party currently responsible for decommissioning; and
  - j. Describe any plans or circumstances requiring an update of the decommissioning plan.
2. A recorded copy of the memorandum of Decommissioning plan shall be submitted to the \_\_\_\_\_.
3. Decommissioning shall be completed within 12 months of determination by the Zoning Administrator that the system is no longer being maintained in an operable state of good repair, unless the current responsible party with ownership interest in the system provides substantial evidence to the Planning Commission of the intent to maintain and reinstate operation of the system.
4. The Decommission Plan shall include but is not limited to financial assurance in the form of a bond, a parent company guarantee, or an irrevocable letter of credit, but excluding cash. The amount of the financial assurance shall not be less than the estimated cost of decommissioning the system, after deducting salvage value, as calculated by a third party with expertise in decommissioning, hired by the applicant. However, the financial assurance may be posted in increments as follows:
  - a. At least 25% by the start of full commercial operation.

- b. At least 50% by the start of the fifth year of commercial operation.
  - c. 100% by the start of the tenth year of commercial operation the security shall be continuously maintained for the period of the life of the system.
- R. Special Land Use Permit and Site Plan Application Requirements. Application for special land use permit approval shall comply with this Ordinance.

DRAFT

## **ENERGY STORAGE FACILITIES**

### **1. Definitions.**

Energy storage facility means a system that absorbs, stores, and discharges electricity with a nameplate capacity of 50 megawatts or more and an energy discharge capacity of 200 megawatt hours or more. Energy storage facility does not include either of the following:

- i. Fossil fuel storage.
- ii. Power-to-gas storage that directly uses fossil fuel inputs.

Nameplate capacity means the designed full-load sustained generating output of an energy facility. Nameplate capacity shall be determined by reference to the sustained output of an energy facility even if components of the energy facility are located on different parcels, whether contiguous or noncontiguous.

2. An energy storage facility may be located and permitted only if all of the following standards are complied with:

A. Special Land Use - Planning Commission Review: Energy storage facilities may be permitted subject to a special use permit in the \_\_\_\_\_ Zoning Districts.

B. Setbacks: The following minimum setback requirements, with setback distances measured from the nearest edge of the perimeter fencing of the facility:

- a. Occupied community buildings and dwellings on adjacent properties: 300' from the nearest point on the outer wall.
- b. Public road right-of-way: 50' measured from the nearest edge of a public road right of-way.
- c. Nonparticipating parcels: 50' measured from the nearest shared property line.

C. Compliance: The energy storage facility shall comply with the version of NFPA 855 "Standard for the Installation of Stationary Energy Storage Systems" in effect on November 29, 2024 or any applicable successor standard adopted by the Michigan Public Service Commission as provided for in MCL 460.1226(8)(c)(ii).

D. Noise: The energy storage facility does not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.

E. Lighting: The energy storage facility will implement dark sky-friendly lighting solutions.

F. Requirements: The energy storage facility will comply with any more stringent requirements adopted by the Michigan Public Service Commission as provided in MCL 460.1226(8)(c)(v).

G. Landscaping: Existing natural land forms on the site which effectively screen the energy

storage facility from adjacent property used for residential purposes shall be preserved to the maximum extent possible.

H. Minimum Lot Size: energy storage facilities shall only be located on lots which are at least twenty (20) acres in size. Adjacent parcels under the same ownership or which are leased by the owner of the energy storage facility may be considered in combination to satisfy the minimum lot size. However, the lots considered in combination shall not thereafter be separated throughout the life of the energy storage facility. Each energy storage facility is permitted as a use authorized by special use permit which review will consider its compatibility with the surrounding area.

I. Abandonment: If an energy storage facility owner or operator intends to abandon and, if in fact, does abandon a facility by not operating it for a period of six (6) months, the energy storage facility shall be deemed to be abandoned. The applicant/permit holder will be so notified in writing by the \_\_\_\_\_ and requested to dismantle the site and return it to its original state. If there are mitigating circumstances as to why the site has not been used, the applicant/permit holder may contact the \_\_\_\_\_ and request a six (6) month extension. If a site has been deemed abandoned and no request for an extension is received, the applicant/permit holder will again be notified to dismantle the site and return it to its original state. If the applicant/permit holder does not do this, the \_\_\_\_\_ will have the removal and restoration done at the owner/applicant's expense.

J. Decommissioning Plan: A decommissioning plan is required at the time of special use permit application. The decommissioning plan shall include:

- A. The anticipated manner in which the project will be decommissioned, including a description of which above-grade and below-grade improvements will be removed, retained (e.g. access drive, fencing), or restored for viable reuse of the property consistent with the zoning district.
- B. The projected decommissioning costs for removal of the energy storage facility (net of salvage value in current dollars) and soil stabilization.
- C. The method of ensuring that funds will be available for site decommissioning and stabilization (performance guarantee in the form of surety bond, irrevocable letter of credit, or cash deposit).

TWP	Comments
Bear Creek	PC supports changes
Bliss	
Center	Twp Supervisor - much needed change - no comments.
Carp Lake	
Cross Village	Board decision not to comment.
Friendship	PC Chair Ruth Shehegian - no comments - all looks good.
Littlefield	
McKinley	No Comments - Materials to be provided to Board again
Maple River	
Readmond	PC minutes - support changes
Springvale	Twp Supervisor - supports proposed changes - no storage facilities.
Wawatam	Twp Clerk - no comments.

**Tammy Doernenburg**

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**From:** William Hutto <billcentertownshipsupervisor@gmail.com>  
**Sent:** Monday, March 23, 2026 5:15 PM  
**To:** Tammy Doernenburg  
**Subject:** Re: FW: Emmet County Zoning Ordinance proposed text amendment - preliminary review request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Tammy, I reviewed all and it seems good to me and much needed..  
Than you, Bill

On Fri, Mar 20, 2026 at 11:50 AM Tammy Doernenburg <[tdoernenburg@emmetcounty.org](mailto:tdoernenburg@emmetcounty.org)> wrote:

Hello Township officials,

On January 16 I sent an email requesting review of the attached materials. As of today I have not received any written comments. Please review and let me know if your township has any comments you would like provided to the Emmet County Planning Commission as they review possible Zoning Ordinance text amendments. This item will be on the April 9, 2026 agenda.

Thank you for your consideration.

Tammy

\*\*\*\*\*

Tammy Doernenburg  
Emmet County Planning & Zoning Director  
3434 Harbor-Petoskey Rd, Suite E  
Harbor Springs, MI 49740  
231.439.8998  
[www.emmetcounty.org](http://www.emmetcounty.org)

**SCAM ALERT – Please note, many applicants who have applied for zoning action with notices in the newspaper, have received scam emails from someone posing as Emmet County Planning & Zoning staff. Please note all emails from Emmet County staff will end in @emmetcounty.org . The emails that people have been receiving look authentic and will often contain errors, but not always. If in doubt, please contact us.**

---

**From:** Tammy Doernenburg  
**Sent:** Friday, January 16, 2026 2:38 PM  
**Cc:** Laura Moreau <[lmoreau@emmetcounty.org](mailto:lmoreau@emmetcounty.org)>  
**Subject:** Emmet County Zoning Ordinance proposed text amendment - preliminary review request

Good afternoon Emmet County Township officials,

As you know, from time to time, the Emmet County Zoning Ordinance is reviewed and updated, following the processes established by the Michigan Zoning Enabling Act, the Emmet County Zoning Ordinance and the policies of the department. This request for review began when the Public Information attached here was distributed to the Emmet County Planning Commission and is provided as background. The memo to townships identifies the additional actions that have occurred since then and requests your input and review. The Draft analysis provides information related to the current Emmet County Zoning Ordinance standards and possible changes to the Ordinance. Finally, the storage facilities list is a draft list of the commercial storage facilities we were able to compile. Please feel free to add to that list and return along with any comments your township has related to this information. If you would like to discuss this email and the actions requested of your township, please feel free to reach out to me or Assistant Planning & Zoning Director, Laura Moreau.

Thank you for your service to your township and our communities. I appreciate your attention to this matter.

I hope you have a wonderful weekend!!

Tammy

**Tammy Doernenburg**

---

**From:** Stephen Keller <supervisor@crossvillagetownship.org>  
**Sent:** Friday, March 20, 2026 1:05 PM  
**To:** Tammy Doernenburg  
**Subject:** Re: Emmet County Zoning Ordinance proposed text amendment - preliminary review request

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Hi Tammy,  
At our March board meeting, the Cross Village board decided not to give input on this issue. I think everyone who read through the paperwork believes you have a good handle on it and there's really nothing for us to add. The board also wanted to thank you for the work you do.  
Thanks  
Steve

Stephen Keller  
Cross Village Township Supervisor

On Mar 20, 2026, at 11:50 AM, Tammy Doernenburg <tdoernenburg@emmetcounty.org> wrote:

Hello Township officials,

On January 16 I sent an email requesting review of the attached materials. As of today I have not received any written comments. Please review and let me know if your township has any comments you would like provided to the Emmet County Planning Commission as they review possible Zoning Ordinance text amendments. This item will be on the April 9, 2026 agenda.

Thank you for your consideration.

Tammy

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**From:** Tammy Doernenburg  
**Sent:** Friday, January 16, 2026 2:38 PM  
**Cc:** Laura Moreau <lmoreau@emmetcounty.org>  
**Subject:** Emmet County Zoning Ordinance proposed text amendment - preliminary review request

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I hope you have a wonderful weekend!!

Tammy

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[www.emmetcounty.org](http://www.emmetcounty.org)  
<Memo to Townships Storage.pdf>  
<Adopted Resolution BOC.pdf>  
<Draft analysis for Jan 2026 PC.pdf>  
<Public\_Information\_Distributed\_to\_ECPC.pdf>  
<Storage facilities list.xlsx>

**Tammy Doernenburg**

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**From:** Ruth Shehigian <ruthlshehigian@live.com>  
**Sent:** Friday, March 20, 2026 10:48 PM  
**To:** Tammy Doernenburg  
**Subject:** Re: Emmet County Zoning Ordinance proposed text amendment - preliminary review request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Tammy,

I have no comments. It all looks good.

Ruth

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**From:** Tammy Doernenburg <tdoernenburg@emmetcounty.org>  
**Sent:** Friday, March 20, 2026 11:50 AM  
**Subject:** FW: Emmet County Zoning Ordinance proposed text amendment - preliminary review request

Hello Township officials,

On January 16 I sent an email requesting review of the attached materials. As of today I have not received any written comments. Please review and let me know if your township has any comments you would like provided to the Emmet County Planning Commission as they review possible Zoning Ordinance text amendments. This item will be on the April 9, 2026 agenda.

Thank you for your consideration.

Tammy

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**Sent:** Friday, January 16, 2026 2:38 PM

**Cc:** Laura Moreau <lmoreau@emmetcounty.org>

**Subject:** Emmet County Zoning Ordinance proposed text amendment - preliminary review request

Good afternoon Emmet County Township officials,

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Thank you for your service to your township and our communities. I appreciate your attention to this matter.

I hope you have a wonderful weekend!!

Tammy

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Tammy Doernenburg  
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[www.emmetcounty.org](http://www.emmetcounty.org)

**Tammy Doernenburg**

---

**From:** Alicia Morrow <aliciamorrowmckinleyclerk@gmail.com>  
**Sent:** Monday, March 23, 2026 12:51 PM  
**To:** Tammy Doernenburg  
**Subject:** Re: FW: Emmet County Zoning Ordinance proposed text amendment - preliminary review request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Tammy,

I saw your follow up. I will again supply the provided materials to the board at our meeting on the 25th and get any comments from the township to you.

Alicia

On Fri, Mar 20, 2026 at 11:50 AM Tammy Doernenburg <[tdoernenburg@emmetcounty.org](mailto:tdoernenburg@emmetcounty.org)> wrote:

Hello Township officials,

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Thank you for your consideration.

Tammy

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Tammy Doernenburg

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**From:** Tammy Doernenburg

**Sent:** Friday, January 16, 2026 2:38 PM

**Cc:** Laura Moreau <[lmoreau@emmetcounty.org](mailto:lmoreau@emmetcounty.org)>

**Subject:** Emmet County Zoning Ordinance proposed text amendment - preliminary review request

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Thank you for your service to your township and our communities. I appreciate your attention to this matter.

I hope you have a wonderful weekend!!

Tammy

# Redmond Township Planning Commission

## Minutes of February 23, 2026, meeting

Members present: Bob Hannah, Josh Lounsbury, Bill Sutton, Cheryl True

Members absent: Jay Mallot, Steve Koss, Jac Talcott

Public: Susan Hannah

1. The meeting was called to order at 7:00 pm.
2. Pledge of Allegiance.
3. We can confirm a quorum of 4 members.
4. The agenda was approved with a motion by Hannah and a second from Lounsbury. Unanimous vote.
5. The Minutes of the December 22, 2025, meeting were approved with a motion by Lounsbury and a second from Hannah. Unanimous vote.
6. Public comments. None.
7. Old Business
  - a. Parks and Recreation Plan application was approved by the State of Michigan as per an email from John Iacoangeli to Sutton and the state examiner said it was very well done. Doernenburg suggested everyone take the questionnaire about the Emmet County Park & Rec Plan.
  - b. Cedric Richner (who has a significant and impressive background) communicated with Sutton about an email blast with the revised summary of public comments about the P&R plan. They had a meeting and Richner volunteered to help with fundraising for the project. They had a pleasant conversation about the history of his family in Good Hart. His was the least negative comment from the email blast to the public. S. Hannah suggested that the unhappy citizens are not actually well informed about the plan and we need to do better to get the information out, even to those who aren't interested.
8. New Business
  - a. Grant Application - Iacoangeli says we have some money left and the Community Foundation would be interested in receiving a request for a grant to help with the engineering study. We need to speak to Ed Lamkin about the traffic. Sutton will ask Talcott to help with the grant application. Hannah suggested another possibility for help...Jerry Roots? who lives nearby on Wilderness.
  - b. Emmet County Planning and Zoning Test Amendment re Storage Facilities. We received the information via email. There has been no definition between mini storage and large box storage units which are being placed in business districts everywhere. They should be in industrial districts. Matt Hall says the ordinance is no longer adequate. The County did a review and decided to put a hold on new units until the new ordinance is in effect. RTPC needs to review the ordinance and make any comments by March 26.
    - i. **Motion:**
    - ii. **Redmond Township has reviewed the County Resolutions deferring taking applications for Commercial storage uses pausing ordinance review and update, and we support the county's interest and determination on this issue. Passed unanimously.**
  - c. Public Comment - S. Hannah asked if there was a definition for storage units. Sutton provided the definition which he could find in the draft information.
9. Future Meetings – March 23, 2026-Mallot will lead this meeting in Sutton's absence.
  - a. P&R Plan - more information to follow.
  - b. Roger Gietzen – Public Hearing Site Plan Approval (Anton Peterson property) Waiting for the County summary about a plan to have some camp sites for students to help with his orchard.
10. Future meetings – April 27, 2026
11. The meeting was adjourned at 7:45pm with a motion from Hannah and a second from Lounsbury.

These minutes were prepared by Cheryl True, secretary. They were approved at the March 23 meeting with a motion by Hannah, second True. Unanimously approved.

## Tammy Doernenburg

---

**From:** Randy McCune <randymccune88@gmail.com>  
**Sent:** Friday, March 20, 2026 10:31 PM  
**To:** Tammy Doernenburg  
**Subject:** Fwd: Emmet County Zoning Ordinance proposed text amendment - preliminary review request  
**Attachments:** Memo to Townships Storage.pdf; Adopted Resolution BOC.pdf; Draft analysis for Jan 2026 PC.pdf; Public\_Information\_Distributed\_to\_ECPC.pdf; Storage facilities list.xlsx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Tammy, From knowing our board, I would say we are very concerned about industry sized buildings constructed with in the township. Recently, we voted down our support for a communication tower on eastern township property. I'm sure commercial storage would get the same response . Stay in touch. Randy

Begin forwarded message:

**From:** Clerk <clerk@springvaletownship.org>  
**Subject:** Fw: Emmet County Zoning Ordinance proposed text amendment - preliminary review request  
**Date:** March 20, 2026 at 7:22:43 PM EDT  
**To:** Randy McCune <randymccune88@gmail.com>

Randy,

If you could review these documents and let Tammy if you have any comments or changes.  
Thank you.  
Pat

---

**From:** Tammy Doernenburg <tdoernenburg@emmetcounty.org>  
**Sent:** Friday, March 20, 2026 11:50 AM  
**Subject:** FW: Emmet County Zoning Ordinance proposed text amendment - preliminary review request

Hello Township officials,

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Thank you for your consideration.

Tammy

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Tammy Doernenburg  
Emmet County Planning & Zoning Director  
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**From:** Tammy Doernenburg  
**Sent:** Friday, January 16, 2026 2:38 PM  
**Cc:** Laura Moreau <[lmoreau@emmetcounty.org](mailto:lmoreau@emmetcounty.org)>  
**Subject:** Emmet County Zoning Ordinance proposed text amendment - preliminary review request

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Thank you for your service to your township and our communities. I appreciate your attention to this matter.

I hope you have a wonderful weekend!!

Tammy

\*\*\*\*\*

Tammy Doernenburg

**Tammy Doernenburg**

---

**From:** Meghan Michalak <mmichalak@wawatamtownship.org>  
**Sent:** Sunday, March 22, 2026 10:15 PM  
**To:** Tammy Doernenburg  
**Subject:** Re: FW: Emmet County Zoning Ordinance proposed text amendment - preliminary review request

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Hi Tammy,

We have no further comments at this time.

Meghan

On Fri, Mar 20, 2026 at 11:50 AM Tammy Doernenburg <[tdoernenburg@emmetcounty.org](mailto:tdoernenburg@emmetcounty.org)> wrote:

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231.439.8998

[www.emmetcounty.org](http://www.emmetcounty.org)

**SCAM ALERT – Please note, many applicants who have applied for zoning action with notices in the newspaper, have received scam emails from someone posing as Emmet County Planning & Zoning staff. Please note all emails from Emmet County staff will end in @emmetcounty.org . The emails that people have been receiving look authentic and will often contain errors, but not always. If in doubt, please contact us.**

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**From:** Tammy Doernenburg

**Sent:** Friday, January 16, 2026 2:38 PM

**Cc:** Laura Moreau <[lmoreau@emmetcounty.org](mailto:lmoreau@emmetcounty.org)>

**Subject:** Emmet County Zoning Ordinance proposed text amendment - preliminary review request

Good afternoon Emmet County Township officials,





As you know, from time to time, the Emmet County Zoning Ordinance is reviewed and updated, following the processes established by the Michigan Zoning Enabling Act, the Emmet County Zoning Ordinance and the policies of the department. This request for review began when the Public Information attached here was distributed to the Emmet County Planning Commission and is provided as background. The memo to townships identifies the additional actions that have occurred since then and requests your input and review. The Draft analysis provides information related to the current Emmet County Zoning Ordinance standards and possible changes to the Ordinance. Finally, the storage facilities list is a draft list of the commercial storage facilities we were able to compile. Please feel free to add to that list and return along with any comments your township has related to this information. If you would like to discuss this email and the actions requested of your township, please feel free to reach out to me or Assistant Planning & Zoning Director, Laura Moreau.

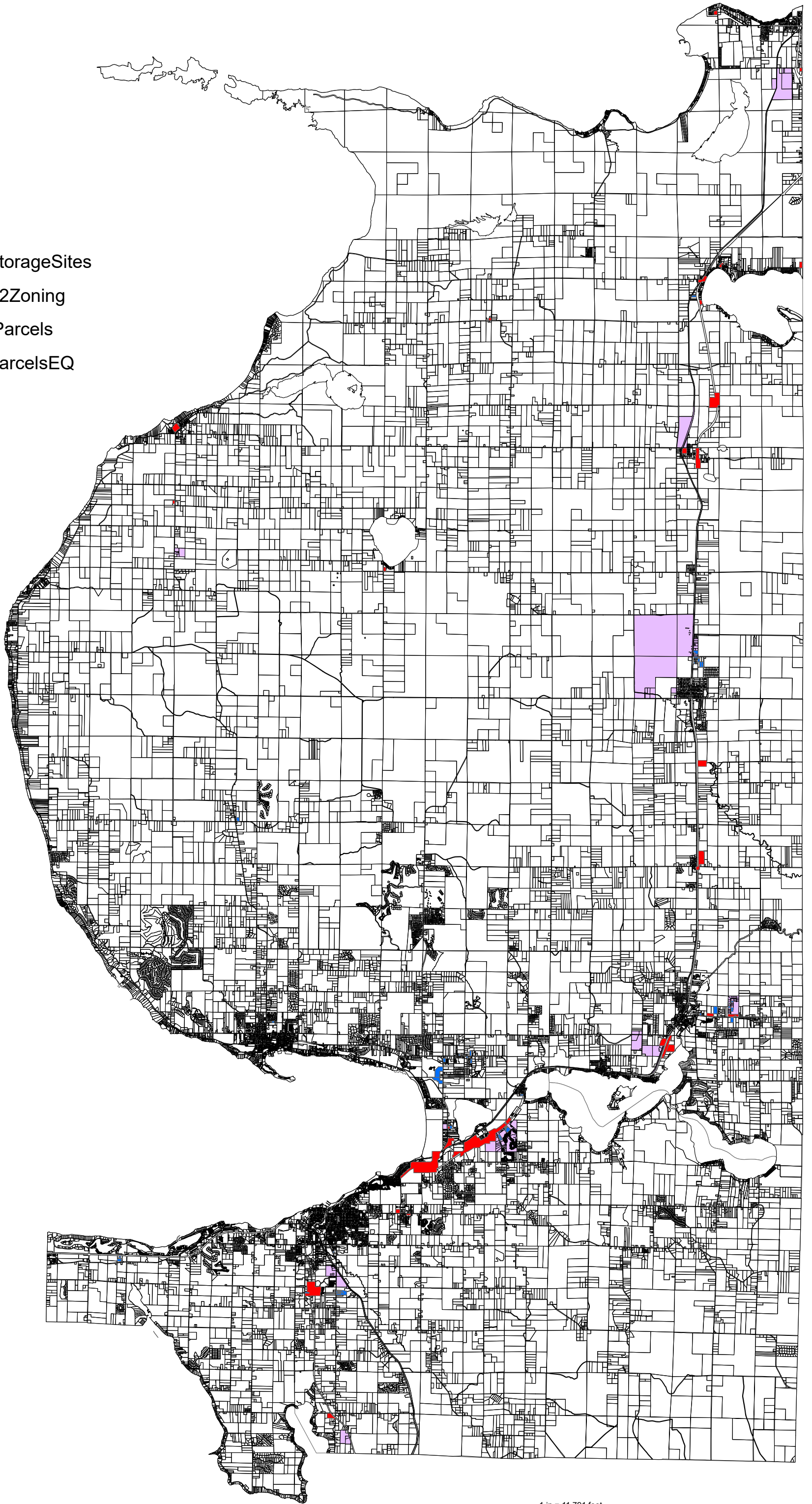
Thank you for your service to your township and our communities. I appreciate your attention to this matter.

I hope you have a wonderful weekend!!

Tammy

### Legend

-  ECStorageSites
-  ECB2Zoning
-  ECIParcels
-  ECParcelsEQ



## Tammy Doernenburg

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**From:** David McBride <dave@northlandselfstorage.com>  
**Sent:** Monday, March 23, 2026 1:39 PM  
**To:** Tammy Doernenburg  
**Cc:** Conwaystorageinc@gmail.com; Matt Buza  
**Subject:** U Haul Example  
**Attachments:** DJI\_20260314163722\_0011\_D.JPG; DJI\_20260314203738\_0015\_D.JPG; IMG\_0769.JPG; IMG\_0775.JPG; IMG\_0774.JPG; IMG\_0773.JPG; IMG\_1106.JPG; IMG\_1105.JPG; IMG\_1099.JPG; IMG\_1102.JPG

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please share with the planners as well as board members of Bear Creek Township and Emmet County.

Dear planners and board members,

As you craft the new regulations for storage facilities in Emmet County, I thought it would be helpful to see some photos of projects. The example I use in this E mail is the U haul in Traverse city.

Note the scale of the facility and the fact it backs up to a mobile home park. Is the scale too big for our standard commercial areas? Should something like this be contained in a PUD for big box stores?

Note the display parking area, scale and location all along the hi way frontage. No cap on amount of displays and where they should be.

Note Emmet County currently limits the storage garage doors to be not adjacent to the high way. (Not on the wall facing the Highway) This facility is able to get away from that rule by having inside doors displayed through glass windows.

Note the display doors are not on first floor only on 2<sup>nd</sup> and 3<sup>rd</sup> floor.

Note to get around the night sky regulation all of the lighting comes from inside the glassed walls. This is a large Corporations way to get what they want and avoid local regulations. Emmet County has worked very hard to maintain a dark sky and a project of this nature will have a major negative impact.

Note this building is built 6 feet below the highway, (The lot is lower than the road) if the building was built level or above the highway it would tower over all, much more than it does in the photos.

Please use the photos as visual aides as you craft new regulations.

Thanks in advance

Dave

David McBride

5945 Charlevoix Avenue  
Petoskey, Michigan 49770  
(231) 838-2897-Mobile  
(231) 348-5680-Petoskey/BH Office  
(231) 844-9780-Alanson Office



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## Tammy Doernenburg

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**From:** David McBride <dave@northlandselfstorage.com>  
**Sent:** Monday, March 23, 2026 2:13 PM  
**To:** Tammy Doernenburg  
**Subject:** Share with Planners  
**Attachments:** DJI\_20260314205517\_0027\_D.JPG; DJI\_20260314160822\_0002\_D.JPG; DJI\_20260314160746\_0001\_D.JPG; IMG\_8739.jpeg; IMG\_8738.jpeg

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Dear Bear Creek and Emmet County planners

I have attached photos of Cube Smart in Traverse City

Note this project is one story and there is a consistent look along the main road.

There are plenty of trees along the main road to soften and screen. A large three story building would be very difficult to be softened or screened with landscaping.

There is a small peek of the motor home and boat storage through small openings.

The project is well lit at night but not overly so

This is a great example of not limiting the lot coverage to 50%. They have covered a large percentage of the ground area for storage as well as RV open side wall storage.

Also note the large storage building has drive up units on the perimeter and climate controlled accessed through hall ways. Truly a hi-Bred Design. I personally think this would look good in most communities, it is large scale but the One story design helps it to not dominate the area.

Thank you for reviewing the photos,

Dave

David McBride

5945 Charlevoix Avenue  
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*(231) 838-2897-Mobile*  
*(231) 348-5680-Petoskey/BH Office*  
*(231) 844-9780-Alanson Office*



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## Tammy Doernenburg

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**From:** David McBride <dave@northlandselfstorage.com>  
**Sent:** Monday, March 23, 2026 2:40 PM  
**To:** Tammy Doernenburg  
**Cc:** Matt Buza; Conwaystorageinc@gmail.com  
**Subject:** Planning for storage regulations  
**Attachments:** IMG\_1943.JPG; IMG\_1942.JPG; IMG\_1941.JPG; IMG\_1940.JPG

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Emmet County and Bear Creek Township planners and board members.

As you review the regulations for storage facilities I have attached a few photos of a project in Florida. These types of projects are popping up all over Florida on commercial property surrounded by rural developments and open land. Florida and growing communities are always the start of trends. These trends take shape and then spread to smaller communities like ours.

Here are a few photos of a standalone place in Florida

Note the setbacks, these projects are pushed as close to the road as possible.

This project is adjacent to residential as well as commercial facilities

The question I have for planners is do you want something like this in our community??

Places this could go.. Visualize, I am sure there are more places that I have not thought of. When I say could go, I mean in current zoning without much modification.

The Old Chase Bank across from Harbor Brenn (May need additional land but a prime example)

The old Michigan Reclaimed (Rosenthal Motors), a perfect fit for this, great visibility.

How about replacing J.W. Filmore's with storage??

How about State and Stutsmanville road storage converting to this??

How about converting my TJ marble building across from Bay Harbor to this???

As you craft the regulations, I just want you to be aware of what can happen. Lets craft the regulations so what happens is what the community wants to happen!

Thanks

Dave

David McBride

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