

# Memo

**To:** Planning Commission/DDA Members  
**From:** Julie Durkin, Zoning Administrator  
**Date:** August 5, 2024  
**Re:** Zoning Administrator's Report

---

## Permits & Code Enforcement:

- 3 Land Use Waivers were issued (roofs)
- 2 Land Use Permit were issued (decks)

## Planning Commission:

### NEW BUSINESS:

1. McFarland's Tree Service, Landscape & Nursery – 425 S. Dexter: The applicant has been working on the 11 contingencies of the approval granted on August 7, 2023 with the remaining item being the performance guarantee as required by ordinance. Once that has been accomplished, they will be ready to make application for the Land Use Permit from the Village as well as plan review and permitting from the Livingston County. Village ordinance reads:

Approval of a final site plan shall be valid for one calendar year, and shall then expire and be of no effect unless a building permit, when required, is applied for and granted within that time period. Approval shall expire and be of no effect 545 days following date of approval by the Planning Commission, unless construction has begun and is being diligently pursued in accordance with the approved site plan.

The final site plan expires 8/7/2024. A 60-day extension would allow the applicants sufficient time to obtain permits. Construction must be diligently pursued toward completion of the site plan within 545 days from approval (September 25, 2025).

Suggested Motion (with changes, if necessary, after discussion):

To grant a 60-day extension of the site plan approved August 7, 2023 for McFarland's Tree Service, Landscape & Nursery at 425 S. Dexter

2. Re-approval of Final Site Plan – SPR-002-2024 - The Means Project: As noted at the last meeting, the applicant's approved site plan (SPR-001-2021) has expired due to lack of progress/construction on the site since the spring of 2023. Based on your recommendation, Village Council approved the one-year extension of all three special land uses (grower, processor & retailer) for the site. The applicant has indicated that the site plan has not changed since the October 4, 2021 approval with the exception of the revision as approved by PC 7/6/2022 based on MDOT requirements. The most recent 6/22/2022 plan also addressed some of the concerns of the planner and engineer. They have a new general contractor ready to post the necessary performance guarantee and proceed with obtaining permits. Although progress has been made on the site, there are still remaining contingencies that need to be addressed.

Suggested Motion (with changes, if necessary, after discussion):

Finding that the applicant has met the Final Site Plan Requirements of Section 152.391 thru 152.393, and having been previously approved under Site Plan SPR-001-2021 on 10/04/2021 with a revision approved 7/6/2022 for the Means M.A.A.B. Partnership, LLC but failed to diligently pursue completion of the site plan within the required timeframe, the Commission re-approves the site plan for 935 W. Main Street SPR 002-2024 dated 6/22/2022 contingent upon the following:

- Copies of the recorded Parcel reconfiguration
  - Agreement for shared drive/parking between the two parcels (4714-22-300-003 & 4714-22-401-153)
  - Easement for the gateway/welcome sign and the walkway
  - Provision of the height of the building
  - A lighting plan including a photometric plan and details of the light fixtures submitted for review
  - Approval by Village staff (Zoning Administrator and DPW), the Village Engineer, Putnam Township Fire Marshall, and any needed outside agencies (MDOT, Livingston County Drain Commission's Office and Building Department)
  - Resolution of the Watermain extension and use of existing well based on Village Council approval
  - Correct/add the required notations to the individual plan sheets as recommended in the Village Engineer Review Letter dated September 30, 2021
  - Provide draft copies of the Stormwater Operation and Maintenance Agreement, Sidewalk Culvert Agreement, Sanitary monitoring Manhole Agreement, and Private Fire Hydrant Maintenance Agreement Show Detroit Edison easement disclosed by instrument recorded in Liber 2536 Page 944 of the Livingston County Register of Deeds
  - Conform to the Construction Administration items as listed in the Engineering Review dated September 30, 2022
3. Preliminary Site Plan Review – SPR-001-2024 – Essence Pinckney: Based on reviews and the discussions at the July 1st meeting regarding the special land uses for a gas station and fast-food restaurant, the applicant has chosen to withdraw his applications for those special land uses at this time. Instead, the applicant has chosen to proceed with the development of the single parcel 4714-23-400-007 (east) as a Class A Marihuana Microbusiness with the already approved special land use (Dec. 4, 2023). The Village Planner and Engineer have provided their review and recommended approval of the preliminary site plan with contingencies.

Suggested Motion (with changes, if necessary, after discussion):

To approve Preliminary Site Plan #SPR001-2024 for 1268 M-36, Parcel 4714-23-400-007 as depicted on the plans for Essence - Pinckney dated 7-10-2024 finding that it meets the requirements of Section 152.387 thru 152.390 of the Village Zoning Ordinance subject to the following conditions:

1. Identification and labeling of all existing trees, with trees to be removed clearly marked on the Demolition Plan.
2. Preliminary review by MDOT of the proposed drive approach.
3. Provision of a rationale for the development of extraneous curbs and pavement surfaces in the parking area.
4. Submission of a final Grading Plan and Landscape Plan that meet the standards of the Village of Pinckney and incorporate innovative stormwater management techniques aligning with the Village's green infrastructure goals.
5. Submit plans to the Livingston County Drain Commissioner (LCDC) for review. Proprietor shall secure a Soil Erosion and Sedimentation Control permit prior to construction.
6. Show existing and proposed signs (if any).
7. Ensure adequate circulation in and out of site for fire truck and refuse collection.
8. Provide signed and sealed topographic survey as required.
9. Correct plan sheets as outlined in the Village Engineers review dated 8/1/2024.
10. Submission of building sample materials for Planning Commission review.
11. Revision of the site lighting design to meet the standards of the Village and provision of the proposed light fixture details.
12. Review and approval by Village staff (Zoning Administrator, DPW, Fire Marshall), the Village Engineer, and any necessary outside agencies (Michigan Department of Transportation, Livingston County Drain Commissioner's Office, and Building Department).

OLD BUSINESS:

1. Continued Discussion - Temporary Sign Ordinance

In the packet is a survey of several communities relating to temporary signage.

<b>TABLE 1 GROUND SIGNS PERMITTED BY DISTRICT</b>			
<b>District</b>	<b>Height</b>	<b>Single Faced Per Side (max)</b>	<b>Total Max Area Sign; Two or more faced</b>
CBD and SBD	8 feet	25 square feet	50 square feet.
ROB and O	5 feet	18 square feet	36 square feet
RTO and PL	8 feet	16 square feet	32 square feet
R1, R2, R3, R4	4 feet	6 square feet	12 square feet

<b>TABLE 2 WALL SIGNS PERMITTED BY DISTRICT</b>		
<b>District</b>	<b>Maximum Height</b>	<b>Sign Message Area (max.)</b>
CBD and SBD Districts	6 feet	1 foot for each lineal foot of building frontage not to exceed a total of 100 square feet
ROB and O District	4 feet	1 square foot for each lineal foot of building frontage not to exceed a total of 40 square feet
RTO and PL Districts	4 feet	1 square foot for each lineal foot of building frontage not to exceed a total of 50 square feet
R-1, R-2, R-3 and R-4 Districts	4 feet	1/2 square foot for each lineal foot of building frontage not to exceed a total of 20 square feet

**TABLE 3  
 TEMPORARY SIGNS PERMITTED BY DISTRICT**

District	# Permitted	Height	Single Faced Per Side (max) per sign	Total Max Area Sign; Two or more faced per sign
CBD	1 portable sidewalk sign * per ground floor commercial use	4 feet	6 square feet	12 square feet
SBD	4 per parcel	4 feet	6 square feet	12 square feet
ROB and O	4 per parcel	4 feet	6 square feet	12 square feet
RTO	4 per parcel	4 feet	6 square feet	12 square feet
PL	1 per parcel	6 feet	25 square feet	50 square feet
R1, R2, R3, R4	14 per parcel	4 feet	6 square feet	12 square feet

**Potential Action:**

- \* Direct the ZA to adjust specific language and set a public hearing for the amendment to the ordinance for the next meeting. You can also suggest language changes to Council before holding a public hearing to get their input
- \* Recommend to Village Council that no changes be made to the ordinance adopted 12/11/23. Council can then hold a public hearing and make their desired changes if they choose.

**DDA:**

**OLD BUSINESS:**

1. Economic Development & Marketing Strategies: These two documents along with a Powerpoint document were introduced to the Board in June. Given the amount of information contained in these documents, additional time was requested for review. If you are ready to proceed, I would suggest that you adopt the documents and request that copies be attached to the Annual Report to Council so that Council may be made aware of the activities of the Board. The Village's Master Plan will be reviewed in 2025 along with the goals and objectives. These documents can be updated at that time as well, if needed. These are tasks required for recertification as a Redevelopment Ready Community.
2. Request for funding – Spooktacular: Once again, Highway M36 Rotary is sponsoring the October 26, 2024 Spooktacular event. They are requesting participation from the DDA and funding for the tent rental in the amount of \$375 and DJ in the amount of \$100. This year is slightly different in that they will be using a DJ in place of the MC and live band. Funds have been budgeted for this purpose.

OTHER BUSINESS:

1. Ramp Project: The ADA ramp project (M-36 @ Howell) is scheduled to begin the beginning of September. We will ensure that the affected businesses will be updated when we have confirmation on the dates. There will be access, including ADA to all businesses during construction.

2. Project Updates:

Project	SLU approved by PC	SLU approved by VC	site plan approved by PC	site Plan approved by VC	Status	Notes
BTC 475 (Kril) Previous approvals expired conditional rezoning-2018 & Final SP 1/7/2019)					Conditional Rezoning granted 10/23/2023 (Must have building permits & pursuing completion by 4/23/2025) - has not submitted for SLU or Site Plan	Communication to applicant 12/18/23, 1/11/23 replied 2/9/24 and not again until 7/19/24
Essence Marihuana	12/4/2023	12/11/2023			currently seeking Preliminary Plan approval	
For Kids' Sake	11/6/2023		11/6/2023	N/A	Use of the SLU allowed contingent upon playground & site plan being completed by 7/1/2024 - extended 7/1/24 until 9/1/2024	No application for variance or application for Land Use Permit has been received. No request for site plan revision requested - Use of the facility under the SLU approval to expire 9/1/24 - both the SLU and site plan to expire 11/6/2024
Grant's Place	N/A	N/A	5/2/2022	N/A	(2) 1-year extensions granted - expires 6/2025	
Lakeland Knoll	7/8/2020	7/27/2020	5/6/2024	6/10/2024	Currently under construction plan review	
McFarland's (Black)	7/7/2021 (extension granted)	N/A	8/7/2023	N/A	Waiting for performance guarantee - possible short extension needed to complete permitting process	
The Means Project (3 marihuana uses)	6/7/2021 extension recommended 7/1/2024	6/14/2021 extension granted 7/8/2024				Original site plan approval expired due to inactivity for over 14 months - re-approval being sought
Trufit (Exalt Fitness)	N/A	N/A	5/2/2022	N/A	(2) 1-year extensions granted - expires 5/2025	Intends to file for tax abatement & will most likely need revised site plans