

**VILLAGE OF PINCKNEY
PLANNING COMMISSION MEETING
MONDAY, FEBRUARY 6, 2023**

CALL TO ORDER:

The meeting was called to order by Chairperson Oliver at 7:00 p.m.

Present: Deborah Grischke

Joseph Hartman

Christine Oliver

Donald Oliver

Trisha Wagner

Absent: Ted Kinczkowski (1 Vacancy)

Also Present: Julie Durkin, Zoning Administrator

APPROVAL OF AGENDA:

Motion by Hartman, supported by D. Oliver

To approve the agenda as presented

VOTE: Ayes: 5 Nays: 0 Absent: 1 Vacancy: 1 MOTION CARRIED

APPROVAL OF DECEMBER 5, 2022 MINUTES:

Motion by Hartman, supported by Grischke

To approve the December 5, 2022 minutes as presented

VOTE: Ayes: 5 Nays: 0 Absent: 1 Vacancy: 1 MOTION CARRIED

REPORTS: None

PUBLIC FORUM:

Chairperson Oliver opened the public forum at 7:04 p.m. Hearing no comment, the forum was closed at 7:04 p.m.

OLD BUSINESS: None

NEW BUSINESS:

1. Rezoning Request

Applicant: The Corporate Protection Group, LLC

Request: Rezoning from PL (Public Lands) to SBD (Secondary Business District)

Location: 350 Mower Road (Parcel 14-22-400-010 & 14-22-400-007)

a. Public Hearing

Chairperson Oliver opened the public hearing at 7:05 p.m.

Mike Carney, business owner at 455 S. Howell stated that in his opinion, the proposal would be a low-impact business with very little traffic impact and no noise or pollution impact. From what he understands, it would not impact the residential properties in the area any differently than previous uses. He further stated that there are a lot of available offices around, but the applicant has chosen our community to move into.

Dennis Brennan, Putnam Township Supervisor reiterated that proposed is a very low impact use and even lower than the senior center and the library before. He strongly supports the rezoning on behalf of the Township. If this does not get approved, they will have to find another buyer which could result in a more impactful proposal, or the building will remain vacant.

Pat Carney, Putnam Township Treasurer stated that they were glad to see this type of business interested in the property. This would be something to bring people to the community and ultimately patronize businesses. Further, it is not only a low impact use, it is a very good use of the existing building.

Amy Nicholas of 351 Mower Road stated that she disagrees with the rezoning. Her disagreement has nothing to do with Mr. Morgan or his business who she feels would be quiet neighbors. She lives across the street from this property, and it is used every day by the public. People will park there and walk to town. The fire trucks fill their tanks from the pond and fishermen cast from there. People sit at the picnic table and watch the birds and the cross-country teams use the area for staging and stretching for their runs. Every time they have an event in the Square, it is used for parking. It is zoned for public use and it used for public use every day. There are several other commercial spots in town that sit empty. She is asking that the village not take a parcel away from being used by the public.

Scott Smith of 843 Mower Road stated that he supports the request. Having a building sit vacant is not good for anyone. Although it is owned by Putnam Township, it is private property. It is not a public parking lot and it is going to be owned by somebody. The community needs to consider if it meets the Master Plan and how it fits in with the surrounding uses. This request is extremely low impact and will not add to traffic. As a neighbor, he sees no reason to not support it.

David Warnke of 99 Mower Road discussed a historical site including a path that goes back into the woods behind this property where you still see remnants of the mill and the dam that was created. It is nice to have a publicly owned property and be able to walk back there. He further discussed children and the speed that traffic travels despite the 25 mph limit and the police cars that sit in that parking lot. He wondered if there was some way to keep some public land and some private or ask that the Township to consider selling it to someone with these concerns in mind.

Mr. Brennan of the Township responded to some of the comments made that included many people using the property without permission. He discussed the liability of not only using the property but going down to the water and using the picnic tables, etc. If the Township could not sell the property, they would have to consider putting up some type of barrier to keep people out. There is no way to absorb that liability.

Mike Szfranski of 120 Livingston Street stated that he is in favor of the rezoning and would like to see the property used again.

Mr. Carney of the Township stated that the Township cannot afford to keep the property and maintain the upkeep of the building. They have built a new senior center they need to maintain. It is unreasonable to think that it could remain public land.

Hearing no further comment, Chairperson Oliver closed the public hearing.

b. Recommendation to Village Council

Mr. David LeClair of Livingston Engineering, representing The Corporate Protection Group (CPG) who has the property at 350 Mower under contract, described the intended use for an insurance consulting business with less than 10 employees. This should have very low impact with less traffic than the senior center when it was in operation. As indicated in the Planner's review, there are a couple zoning districts that would service their use of office. They chose the Secondary Business District, but certainly an office zoning district would support the intended use as well. This property would be very difficult to sell under the current public land zoning. There is an existing building that they are trying to re-use and fit into the community. They feel that the office use is a good fit for this parcel and would appreciate village support. Mr. Lennie Morgan of CPG was also present.

Zoning Administrator Durkin indicated that within her report, she has provided the criteria by which the Commission must consider when making a determination. The Planner has addressed each of those points A-H. The Planner has indicated that because some of the intensive uses permitted under SBD are not suited to the location of this property and could have negative impacts on the surrounding residential uses, she suggests the Planning Commission make a recommendation to the Village Council to deny the rezoning request. However, she suggests the applicant consider requesting a rezoning to O, Office District, a less intensive district than SBD, which would support the development of the proposed insurance business office use along with other business uses that are more appropriate for the location of the property and would likely result in less negative impacts on surrounding properties. Durkin stated that office is a less intense zoning and the Commission could make a recommendation of that zoning without any additional public hearing.

Mr. Morgan indicated that rezoning to office would be acceptable to them as that is their true function. He further discussed his advisory business and the proximity of his employees.

Discussion was held on the concern of potential other uses allowed under the SBD zoning if this applicant closed or moved his business to a different location. It was stated that the office zoning would provide more control over the property to address some of the concerns.

Motion by Grischke, supported by Hartman

After careful consideration of the applicant's request and the criteria as outlined in Section 152.461 of the Zoning Ordinance, the Planning Commission recommends to the Village Council that the request for rezoning of 350 Mower Road (Tax ID 14-22-400-010 & 14-22-400-007) from PL, Public Lands to O, Office District be approved based on the following:

- The alternative zoning of O, Office District is consistent with the goals and objectives of the Village Master Plan
- The site cannot be reasonably developed with one of the uses permitted under the current zoning.
- There is an apparent demand for office zoning within the Village in relation to land in the Village currently zoned Office.
- The O, Office district is more appropriate than another district.

ROLL CALL VOTE:

Grischke – Yes
Hartman – Yes
D. Oliver – Yes
Wagner - Yes
C. Oliver – Yes
1 Absent, 1 Vacancy

MOTION CARRIED UNANIMOUSLY

PUBLIC FORUM:

Chairperson Oliver opened the public forum at 7:27 p.m. Hearing no comment, the forum was closed at 7:27 p.m.

MEMBER DISCUSSION: None

ADJOURNMENT:

Motion by Hartman, supported by D. Oliver

To adjourn the regular Planning Commission meeting at 7:28 p.m.

VOTE: Ayes: 5 Nays: 0 Absent: 1 Vacancy: 1 MOTION CARRIED

Respectfully submitted,

Christine Oliver, Chairperson

Julie Durkin, Zoning Administrator
Recording Secretary