Memo

To: President Lavey & Council Members
From: Julie Durkin, Zoning Administrator
Date: February 9, 2023
Re: Recommendation to Village Council – Rezoning of 350 Mower Road

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At their February 6, 2023 meeting, the Planning Commission held a public hearing to consider the request from The Corporate Protection Group, LLC (CPG) to rezone the property located at 350 Mower Road (Parcel 14-22-400-010 & 14-22-400-007) from the current PL (Public Lands) to SBD (Secondary Business District). Notice of the public hearing was published and mailed to surrounding property owners. Public input was received during that meeting, the draft minutes are attached to this memo reflecting those comments. After considering the criteria as defined in Section 152.461 and the Planner's review and recommendation, the Commission unanimously voted to recommend an alternative zoning of O, Office. Mr. Morgan of CPG indicated that rezoning to office would be acceptable to them as that is their true function.

If Council is in agreement with the findings and wishes to proceed, they should accept the recommendation of the Planning Commission and adopt the ordinance as prepared by the Village Attorney.

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

VILLAGE OF PINCKNEY

APPLICATION FOR ZONING AMENDMENT

Date of Application: 12/15/2022

Owner: Putnam Township
Address: 3280 W. M-36, Pinckney
Phone: 734-878-3131
Email:

Applicant: The Corporate Protection Group, LLC
Address: 1126 S. Main St., Plymouth, MI 48170
Phone: 734-667-3910 (Lennie Morgan)
Email: lenniem@cpgstrategy.com

Property Address: 350 Mower Road Tax Code: 14-22-400-010 & 14-22-400-007
Property is located on Mower Rd. between Howell Street and Fairwood Dr. roads
Legal Description (attach if necessary):

Existing Zoning: PL (Public Lands) Current Use of the Property: vacant Senior Center

Requested Zoning:SBD (Secondary Business District) Proposed Use of the Property: Office

- Include a statement addressing map amendment criteria as follows:

  (A) Consistency with the goals, policies and future land use map of the Village of Pinckney Comprehensive Plan, including any subarea or corridor studies. If conditions have significantly changed since the Comprehensive Plan was adopted, the consistency with recent development trends in the area;

  (B) Compatibility of the site's physical, geological, hydrological and other environmental features with the host of uses permitted in the proposed zoning district;

  (C) The ability of the site to be reasonably developed with one of the uses permitted under the current zoning;

  (D) The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature or use, traffic impacts, aesthetics, infrastructure and potential influence on property values and local economy;

  (E) The capacity of village infrastructure and services to accommodate the uses permitted in the requested district without compromising public health, safety or welfare;

  (F) The apparent demand for the types of uses permitted in the requested zoning district in the village in relation to the amount of land in the village currently zoned to accommodate the demand;

  (G) Where a re-zoning is reasonable given the above criteria, a determination the requested zoning district is more appropriate than another district or amending the list of permitted or special land uses within a district; and

  (H) The request has not previously been submitted within the past one year, unless conditions have changed or new information has been provided.
- Attach a sketch drawn to scale of the subject property and all property with 100 feet including the use of all properties

I (we) certify that I am (we are) the sole owners of the above property and agree to the request for rezoning as presented.

Signature of Owner Attached Letter of Authorization

Signature of Applicant: Date January 13, 2023

Date of Submittal: 12/15/2022

Fee Paid: $1,000

Escrow Paid: $1,500

Planning Commission Action Recommend O, Office
Recommend Approval or Denial

Date: 2/6/23

Council Action:
Approval or Denial

Date:

CPG

22 December, 2022

Julie Durkin
Zoning Administrator
Village of Pinckney
220 S. Howell
Pinckney, MI 48169

RE: Rezoning of 350 Mower St, Pinckney MI

Dear Julie,

Per your note and our meeting, the following is our statement of intent for the above property located in the village.

Upon rezoning and closing on the above property, we will be relocating our offices from Plymouth, MI.

1. Our primary business is insurance advisory and support. We help our clients buy and manage their insurance more efficiently
2. Customer traffic will be minimal, as most of our services are completed virtually
3. We will employ between 8-12 people at the Mower location
4. We have several other locations in the US, as well as Canada.
5. We will be doing some minor improvements to the interior
    a. New Paint
    b. New flooring
    c. Addition of offices
    d. Addition of a Boardroom
    e. Upgrade the bathrooms
6. Additional information is available on our company at cpgstrategy.com

Since, I and most of our Michigan employees live in Pinckney or the surrounding communities the building offered a centralized location and ease of commute.

Should you or the board have any additional questions please feel free to contact me.

Thank you for considering our request.

Lennie Morgan
Licensed Insurance Counselor

Cc: Matt Semler, CPG

The Corporate Protection Group, LLC.
1126 S. Main Street, Plymouth, Michigan 48170
Phone: 734-667-3910

REZONING STATEMENT
350 MOWER ROAD, VILLAGE OF PINCKNEY MICHIGAN
PARCEL NUMBER'S 14-22-400-010 & 14-22-400-007
FOR
THE CORPORATE PROTECTION GROUP, LLC

The Corporate Protection Group, LLC (CPG) currently has under contract in the Village of Pinckney the former Putnam Township Senior Center located at 350 Mower Road in the Village. It is the intent of CPG to repurpose the building as an office to support their business which consist of insurance advisory and support.

The subject building has been vacant for some time as the Senior Center has been relocated to a larger, more modern facility which better suites their current needs. The building contains ample parking and Village services to function as an office building for the intended proposed use. Immediately to the East is the Mill Pond Animal Hospital located in the Secondary Business District (SBD) Zoning District. Immediately to the West is a single family residence on property that is zoned R3, High Density Residential. A short distance to the West is the St Mary's Cemetery.

In accordance with the Village of Pinckney Application For Zoning Amendment, the following information is provided as required :

A. **Consistency with the goals, policies and future land use map of the Village of Pinckney Comprehensive Plan, including any subarea or corridor studies. If conditions have significantly changed since the Comprehensive Plan was adopted, the consistency with recent development trends in the area;**

   The Recreation and Conservation goals of the adopted master plan states that this category includes "the Mike Levine Lakelands Trail as well as areas that have not been developed because they incorporate environmentally sensitive land". This category however, does not take into account parcels such as the subject parcels that have been developed for a particular use but are no longer viable for such use and need to be repurposed. The subject parcel's contain an existing well-constructed building that sits on a piece of high ground that is easily suited for office use. Ample parking and infrastructure to support such a use are already in place on the property and no exterior improvements are needed and necessary to support the proposed use change. The parcel immediately to the East currently is zoned SBD with an existing Animal Hospital which further supports the proposed use of the subject parcel.

B. **Compatibility of the site's physical, geological, hydrological and other environmental features with the host of uses permitted in the proposed zoning district;**

As the subject site is already developed and requires no physical changes to the exterior of the site to function, the proposed use is compatible with these items. In fact, the proposed office use will function similarly to the former senior center with respect to these items.

C. The ability of the site to be reasonably developed with one of the uses permitted under the current zoning;

As previously stated, the subject site already has a viable structure existing on the site. Under the current Public Lands District, there is very limited allowable uses that would utilize building such as the one that currently exists. Permitted uses such as "elementary, middle and high schools" would require substantially larger pieces of property while other allowable uses such as "public buildings and public utility facilities" seem undesirable as well as the last uses of the building, a Senior Center and prior to that a library, have relocated to more desirable locations.

D. The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature or use, traffic impacts, aesthetics, infrastructure and potential influence on property values and local economy;

While the SBD zoning district has several permitted uses, including the intended professional office, most of such uses are likely not practical due to the existing building and site limitations. The proposed office use that is intended for this re-zoning is compatible with the surrounding uses as it will operate in a very similar manor as the prior Senior Center and Library before that.

E. The capacity of village infrastructure and services to accommodate the uses permitted in the requested district without compromising public health, safety or welfare;

The proposed re-zoning for the use of the existing building as an office will not be detrimental to the Village infrastructure and it will function similarly to the previous Senior Center in those regards.

F. The apparent demand for the types of uses permitted in the requested zoning district in the village in relation to the amount of land in the village currently zoned to accommodate the demand;

The demand for the proposed office use intended by the applicant is aligned with the demand by the fact that this will be an owner-occupied facility. This site and current building offers an ideal building configuration and

location that is compatible with their needs. Other nearby locations that met this criteria were not readily available in the immediately vicinity.

G. **Where a re-zoning is reasonable given the above criteria, a determination the requested zoning district is more appropriate than another district or amending the list or permitted or special land uses within a district;**

With the current Public Land (PL) zoning, the allowable uses are neither compatible or similar to that which would allow an office building. Given the fact that this site contains a vacant building that that has many practical uses, such as the proposed office building, a change in zoning appears to be the most logical way to accommodate such.

H. **The request has not previously been submitted within the past one year, unless conditions have changed or new information has been provided;**

A request for re-zoning has not been submitted within the past one year.

EXHIBIT A - 1

LEGEND: SECTION CORNER; FENCE; SET IRON ROD; FOUND IRON ROD/PIPE; FOUND MONUMENT; SOIL BORING

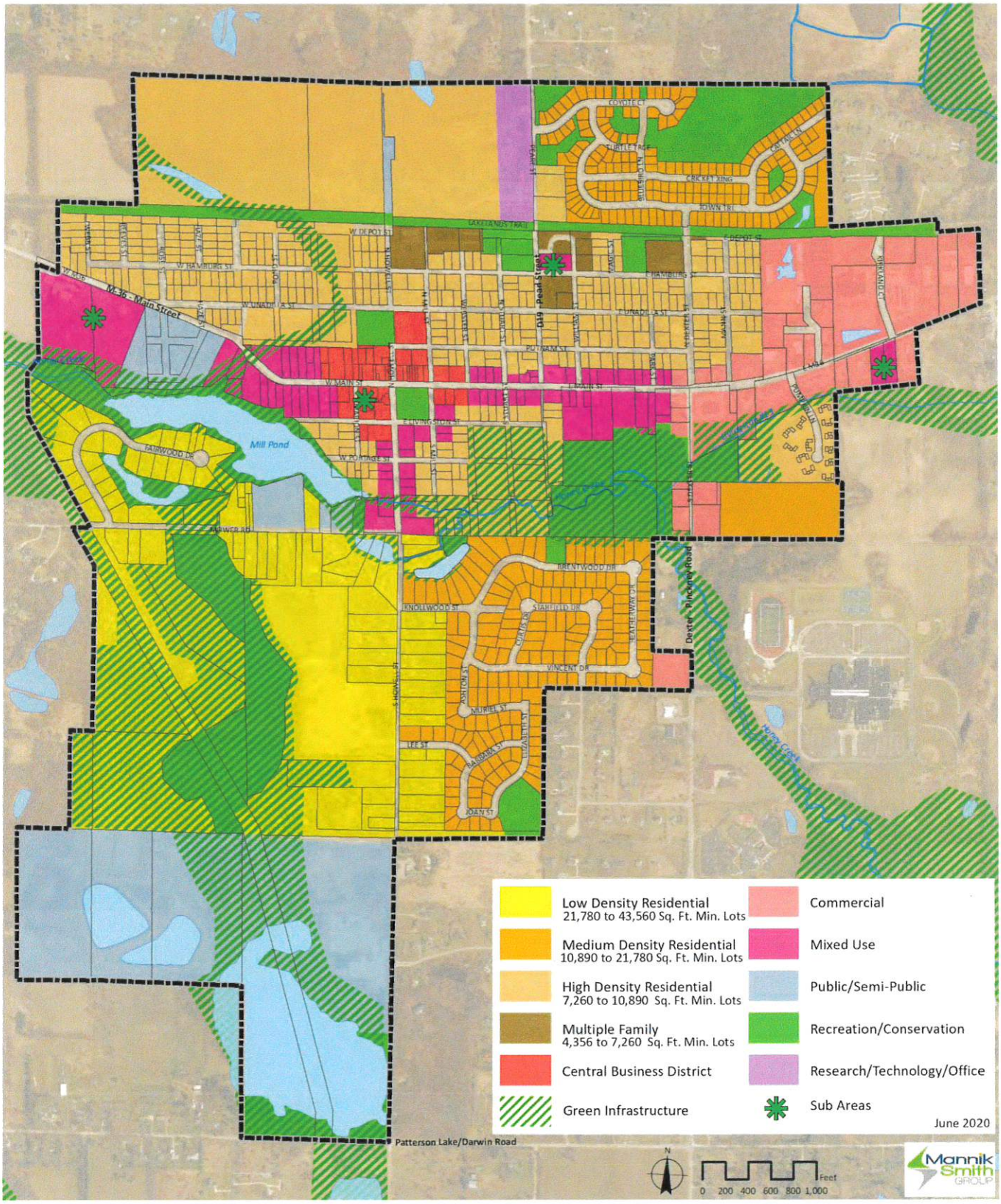
I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE RELATIVE POSITIONAL PRECISION OF EACH CORNER IS WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING AND THAT ALL THE REQUIREMENTS OF PUBLIC ACT NUMBER 132 OF 1970, AS AMENDED, HAVE BEEN COMPLIED WITH.

LIVINGSTON ENGINEERING
CIVIL ENGINEERING SURVEYING PLANNING
3300 S. OLD U.S., BRIGHTON, MI 48114
INTERNET: WWW.LIVINGSTONENG.COM PHONE: (810) 225-7100 FAX: (810) 225-7699

CLIENT	0' 150' 300'		DATE 01/16/23
DESCRIPTION SE 1/4 OF SEC 22 T1N, R4E, PUTNAM TWP LIVINGSTON COUNTY, MI			REV.
	SCALE 1"=150'	JOB No. 23114	CREW
	SHEET No.1 of 2	DRAWN	CHECK

C:\Users\user\Dropbox (Liveng)\Projects\2023\23114 CPG 350 Mower Rd\03 DWGS\Rezoning Exhibits\23114-Rezoning Exhibits.dwg

Figure 14. Future Land Use Map



Putnam Township
3280 West M-36
Pinckney, MI 48169

Dennis M. Brennan
Supervisor

(734) 878-3131
Supervisor@putnamtwp.us

December 20, 2022

The Village of Pinckney
Attention: Jill Chapman, Village Clerk
220 S. Howell St.
Pinckney MI 48169

Subject: 350 Mower Rd. Parcel IDs 14-22-400-007 and 14-22-400-010

Dear Jill,

Acting on behalf of Putnam Township, this letter authorizes Leonard Morgan, as Purchaser under a Purchase Agreement dated October 18, 2022, to apply to the Village of Pinckney for rezoning of the subject property, subject to the closing of the purchase, in accordance with that Purchase Agreement.

We understand that Leonard Morgan has reserved the right to complete the purchase on behalf of a Limited Liability Corporation (LLC) to be named at a later date.

We thank you for your cooperation in this matter.

Very truly yours,

Dennis M. Brennan,
Supervisor

Subscribed and sworn before me, this 20th day of December, 2022, a Notary Public in and for Livingston County, State of Michigan.

(Signature)
NOTARY PUBLIC
My Commission expires 09-23-2025

February 1, 2023

Village of Pinckney
Planning Commission
220 S. Howell
Pinckney, Michigan 48169

Subject:	**Rezoning Request Review** From **PL**, Public Lands to **SBD**, Secondary Business District
Applicant:	Lennie Morgan, The Corporate Protection Group, LLC (lenniem@cpgstrategy.com)
Owner:	Putnam Township, 3280 W. M-36
Location:	350 Mower Road (Parcel # 4714-22-400-010 & 4714-22-400-007)
Current Zoning:	PL, Public Lands District

Dear Commission Members:

We have reviewed this request for rezoning a property from PL, Public Lands District to SBD, Secondary Business District. Our review follows the considerations outlined in Section 152.461 Map Amendment Criteria of the Village Zoning Ordinance.

1. PROJECT BACKGROUND AND SITE DESCRIPTION

This property is currently owned by Putnam Township and has been used as the Township Senior Center. It contains approximately 1.2 acres of land, a one-story building (approximately 230 square feet), a shed, and a 19-space parking lot including barrier-free spaces, and landscaping. The property borders Mill Pond to the north and Honey Creek to the east.

The applicant is proposing to make minor improvements to the existing building's interior and use it for an insurance business office. The property, however, can be used **for any of the uses permitted** in the new district, regardless of the use currently proposed.

The procedures for granting a rezoning request and amending the zoning map are outlined in Section 152.460 of the Village Zoning Ordinance. The Planning Commission conducts a public hearing, reviews the application, and makes a recommendation to the Village Council to approve with or without modifications, or deny the request. The Village Council makes the final decision on the map amendment or re-zoning request.

1771 N. Dixie Highway, Monroe, Michigan 48162 Tel: 734.289.2200 Fax: 734.289.2345 www.MannikSmithGroup.com

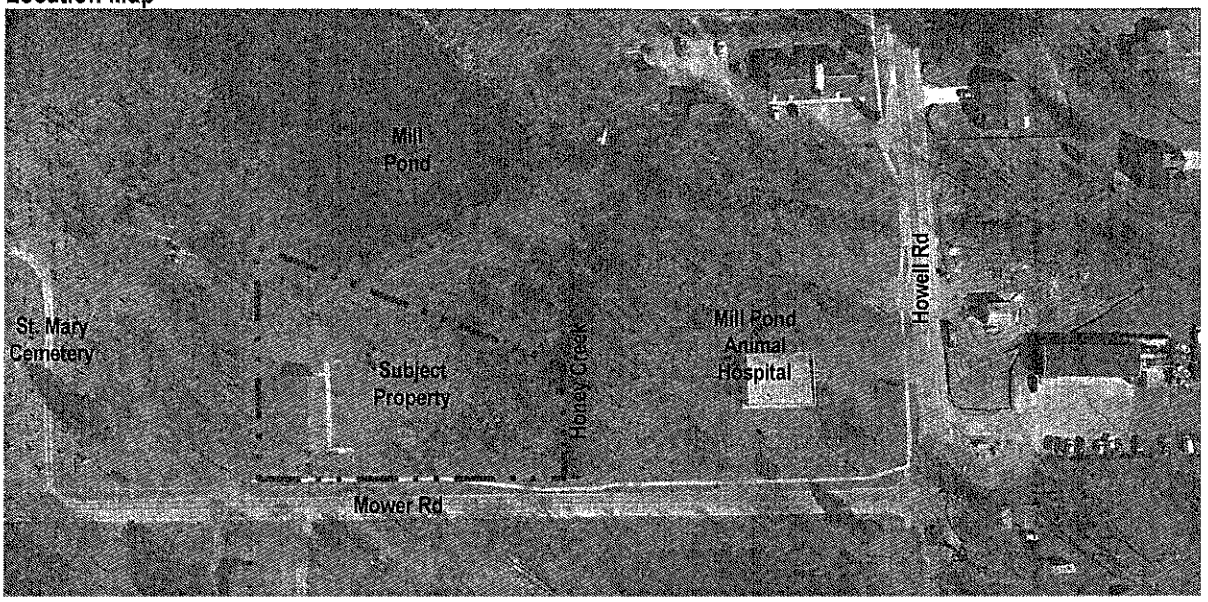
2. EXISTING LAND USES, ZONING, AND PLANNED LAND USES

The subject property is currently zoned PL and planned for Low Density Residential and Public/Semi-Public uses. Adjacent existing and future land uses and zoning districts are:

Table 1: Adjacent Zoning and Land Use

	Current Land Use	Zoning District	Future Land Use
North	Mill Pond	PL, Public Lands District	Recreation/Conservation
East	Honey Creek	PL, Public Lands District	Recreation/Conservation
	Mill Pond Animal Hospital	SBD, Secondary Business District	Mixed-Use
South	Single-Dwelling Residential Unit	R1, Low Density Residential District	Low Density Residential
West	Single-Dwelling Residential Unit	R3, High Density Residential District	Low Density Residential
	St. Mary Cemetery	PL, Public Lands District	Public/Semi-Public

Location Map



3. ZONING DISTRICT COMPARISON

The dimensional requirements for PL and SBD are outlined in Table 2. Table 3 outlines the uses allowed for PL, SBD, and O Districts

Table 2: Schedule of Regulations

Zoning District	Minimum Lot Area (In Square Feet)	Minimum Lot Width (In Feet)	Minimum Front Yard/ Setback (In Feet)	Minimum Side Yard/ Setback (In Feet)	Minimum Rear Yard/ Setback (In Feet)	Maximum Lot Coverage	Maximum Building Height
PL	11,000	66	30	N/A [10]	N/A [10]	35%	2.5 stories / 35 feet
SBD	5,000	66	25	None[6]	20	50%	2.5 stories / 35 feet

[6]The principal building may be constructed on the side lot line; however, the total minimum side yards shall be 15 feet. When abutting a residential district or use, the side yard shall be at least 20 feet.
[10]Side and rear yards shall conform to the requirements of the abutting zoning district.

Table 3: Permitted and Special Land Uses

LAND USE	PL	SBD	O
Adult foster care family home (1 to 6 adults)			S
Adult foster care small group home (7 to 12 adults)		P	
Adult foster care large group home (13 to 20 adults)		P	
Adult foster care congregate facility (>20 adults)		S	
Bed and breakfast inn		P	S
Business support service		P	P
Cemetery	P		
Central dry cleaning plant			S
Changeable message sign		S	
Commercial indoor recreation		S	
Commercial kennel		S	
Commercial outdoor display		S	
Commercial outdoor recreation	S	S	
Composting center			S
Conference center		S	
Convenience store without gasoline sales		P	S
Day Care: child care center		P	
Day Care: family day care home (1 to 6 children)			S
Dwelling, single-family			P
Farmers market	P	S	P
Financial institution with up to three drive-through windows		P	S
Financial institution without drive-through windows			S
Funeral home and mortuary		P	S
Health club		P	
Home for the elderly		P	
Home Occupation			S
Hospital		S	
Hotel and motel		P[2]	
Indoor self-storage facility		S	
Landscape nursery		S	
Laundromat and dry cleaner		P	S
Marihuana Grower Facility		S	
Marihuana Microbusiness		S	
Marihuana Safety Compliance Facility		S	

LAND USE	PL	SBD	O
Marihuana Secure Transporter Facility		S	
Nursing home		P	
Office: business, professional, medical, dental and non-profit		**P**	**P**
Personal service		P	P
Photography, art and craft studio and gallery		P	P
Private club		S	
Produce stand		S	
Public and private riding stables	S		
Public building	P	P	P
Public park	P	P	P
Public swimming pools and golf courses	S		
Public utility facility	P	S	
Recreation equipment rental		S	
Religious institution	S	S	
Restaurant, carry-out and open front		S	
Restaurant, fast food		S	
Restaurant, standard		P	S
Retail store and retail food store		P[4] /S[5]	
School, elementary, middle and high	P	P	P
School, personal improvement			P
School, vocational and higher education institution		S	
Shopping center		S	
Tavern and nightclub		P	
Telecommunication tower	S		
Theater		P	S
Vehicle service station		S	S
Vehicle repair service, vehicle dealership and car wash		S	S
Veterinary clinic		S	S
Video rental establishment		P	

P= Permitted - S= Special Land Use - [2]: Maximum 20 guest rooms - [4]: Maximum 15,000 square feet of floor area - [5]: More than 15,000 square feet of floor area

4. MAP AMENDMENT/REZONING CRITERIA

According to Section 152.461 of the Village Zoning Ordinance, the Planning Commission and Village Council should consider the following criteria in making its findings and decision.

(A) Consistency with the goals, policies, and future land use map of the Village of Pinckney Comprehensive Plan, including any subarea or corridor studies. If conditions have significantly changed since the Comprehensive Plan was adopted, the consistency with recent development trends in the area.

The Village of Pinckney future land use map shows this property planned for low-density residential and public/semi-public uses. The site borders Mill Pond and Honey Creek and is part of the east-west green infrastructure traversing the Village. While current plans do not involve any changes to the site, any future improvements should take into account the environmentally sensitive site features.

The existing uses in the vicinity are primarily residential with single-family homes on both the west and south sides of the subject property. Properties further east of Honey Creek along Howell Street are currently planned for mixed uses with desirable uses including professional, medical, dental, and veterinary offices and other similar uses and corresponding to ROB, Residential-Office Business District and O, Office District.

While a rezoning to SBD would permit the desired business office use, it is not consistent with the Village Master Plan.

(B) Compatibility of the site's physical, geological, hydrological and other environmental features with the host of uses permitted in the proposed zoning district.

The property includes significant environmental features, which would limit development of many of the uses permitted in the SBD. The less intensive office uses permitted under SBD may be compatible with the site's physical and environmental features.

(C) The ability of the site to be reasonably developed with one of the uses permitted under the current zoning.

The current PL District accommodates public buildings and spaces conducive to community interaction, recreation, and services. The site is currently vacant because Putnam Township has built a new expanded senior center adjacent to Putnam Township Hall in 2021. As noted in Table 3, any re-use of the existing structure and parking would be very limited under the current PL zoning district.

(D) The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature or use, traffic impacts, aesthetics, infrastructure and potential influence on property values and local economy.

Table 3 notes all potential uses permitted by right or with special land use approval in the SBD zoning district. They include a variety of retail and service uses some of which may be considered intensive uses such as laundromats, dry cleaners, large food stores, taverns, night clubs, and fast-food restaurants. These uses may have a negative impact on surrounding residential properties in terms of intensity of development, density, and traffic.

(E) The capacity of Village infrastructure and services to accommodate the uses permitted in the requested district without compromising public health, safety or welfare.

The proposed development is a re-use and not likely to burden the capacity of the Village infrastructure and services or compromise public health, safety or welfare.

(F) The apparent demand for the types of uses permitted in the requested zoning district in the village in relation to the amount of land in the village currently zoned to accommodate the demand.

There is a demand for business and professional offices as demonstrated by both the recent re-use of the property located at 120 Livingston Street and the IHA medical office on Dexter-Pinckney Road. In these two cases, the business and professional office uses were allowed by rezonings to CBD and O districts respectively.

Business and professional offices are allowed in ROB, SBD, O, and CBD zoning districts, which represent a substantial amount of land in the Village primarily located on the major roadways of Main Street, Dexter-Pinckney Road, Pearl Street, and South Howell Street.

(G) Where a re-zoning is reasonable given the above criteria, a determination the requested zoning district is more appropriate than another district or amending the list of permitted or special land uses within a district.

Rezoning is more appropriate than amending the list of permitted or special land uses within the PL District to allow the business office use proposed.

On the other hand, rezoning to O, Office District, in our opinion, would be more appropriate than SBD given the location of this property and the intensity of some of the uses allowed under SBD. The Office District accommodates a variety of business and professional offices and is intended to have less of an impact on surrounding uses.

(H) The request has not previously been submitted within the past one year, unless conditions have changed or new information has been provided.

No rezoning request for this property has been submitted within the past year.

4. CONCLUSION

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, we suggest the Planning Commission makes a recommendation to the Village Council to deny the rezoning request from PL, Public Lands District to SBD, Secondary Business District for the subject property.

However, we would suggest the applicant considers 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.

Lucie Fortin

Lucie Fortin, AICP, PLA
Community Planner/Landscape Architect

Cc: Lennie Morgan, The Corporate Protection Group, LLC (via email: lenniem@cpgstrategy.com)

VILLAGE OF PINCKNEY

ORDINANCE NO. _____

ORDINANCE AMENDING THE VILLAGE OF PINCKNEY CODE OF ORDINANCES BY AMENDING TITLE XV: LAND USAGE, CHAPTER 152, ZONING, SECTION 15.041, ZONING MAP

THE VILLAGE OF PINCKNEY ORDAINS:

Section 1. Title XV, Land Usage, Chapter 152, Zoning, of the Village of Pinckney Code of Ordinances, is hereby amended to modify the Official Zoning Map of the Village of Pinckney, as adopted in Section 152.041 thereof, as follows:

The property, commonly known as 350 Mower Road, Pinckney, Michigan, and identified as Taxation Parcel Nos. 4714-22-400-010 and 4714-22-400-007, and hereinafter legally described, is rezoned from Public Lands District (PL) to Office District (O):

PARCEL I:
PART OF THE SOUTHEAST 1/4 OF SECTION 22, TOWN 1 NORTH, RANGE 4 EAST, PUTNAM TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE CENTERLINE OF MOWER ROAD, SOUTH 89 DEGREES 05 MINUTES 55 SECONDS WEST 592.7 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE CONTINUING ALONG SAID CENTERLINE, SOUTH 89 DEGREES 05 MINUTES 55 SECONDS WEST IOO FEET; THENCE NORTH 3 DEGREES WEST TO THE LOW WATER MARK OF THE MILL POND; THENCE EASTERLY ALONG SAID LOW WATER MARK TO A POINT LYING NORTH 3 DEGREES WEST OF THE POINT OF BEGINNING; THENCE SOUTH 3 DEGREES EAST OF THE CENTERLINE OF MOWER ROAD AND THE POINT OF BEGINNING. TAX ITEM NO. 4714-22-400-010

PARCEL 2:
PART OF THE SOUTHEAST 1/4 OF SECTION 22, TOWN I NORTH, RANGE 4 EAST, PUTNAM TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN DESCRIBE AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 22, SOUTH 89 DEGREES 05 MINUTES 55 SECONDS WEST 398.40 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE SOUTH 89 DEGREES 05 MINUTES 55 SECONDS WEST ALONG SAID SOUTH LINE OF SECTION 22, WHICH IS ALSO THE CENTERLINE OF MOWER ROAD RIGHT OF WAY, 194.30 FEET; THENCE NORTH 3 DEGREES OO MINUTES WEST 235.30 FEET; THENCE SOUTH 56 DEGREES 45 MINUTES 00 SECONDS EAST 245.19 FEET; THENCE SOUTH 00 DEGREES 54 MINUTES 05 SECONDS EAST 97.49 FEET TO THE POINT OF BEGINNING. TAX ITEM NO, 4714-22-400-007

Section 2. Repealer Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. Validity and Severability. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

Section 4. Savings Clause. Should any portion of this Ordinance be found invalid for any reason, such a holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 5. Effective Date. This Ordinance shall be effective twenty (20) days from and after its publication.

_____
Linda E. Lavey, Village President

_____
Jill Chapman, Village Clerk

Village Council Member _____ offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Village Council Member _____, and upon being put to a vote, the vote was as follows:

Linda E. Lavey, President	_____
Justin Bierman, Trustee	_____
Jeffrey Buerman, Trustee	_____
Ted Kinczkowski, Trustee	_____
Brian Matson, Trustee	_____
Jeffrey Spencer, Trustee	_____

The President thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Pinckney this ____ day of February 2023.

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. ____ adopted by the Village Council of the Village of Pinckney, County of Livingston, Michigan, at a regular meeting held on _____, 2023.

_____
Jill Chapman, Village Clerk

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