

F. The Planning Commission of the Village has determined that, with appropriate conditions regarding the use and development of the Property contained herein, the requested Multiple Family Residential (R-4) zone is an appropriate land use change.

G. The Village, by action of its Village Council at a regular meeting held on the 11th day of June, 2018 has accepted the offer of the Property Owner to enter into this Agreement.

NOW THEREFORE, in consideration of these premises, the parties hereto agree as follows:

Section 1. RE-ZONING & CONDITIONS.

1.1 Re-zoning. At the request of the Property Owner, the Village shall rezone the Property from Multiple Family Residential (R-4) to Secondary Business District (SBD) as such terms are identified in the Village of Pinckney Zoning Ordinance. The following conditions shall apply to such Re-zoning.

1.2 Voluntary Conditions. The Property Owner voluntarily offers and consents to the following offered Re-zoning Conditions:

- a. The Property Owner will execute a shared driveway and parking agreement between parcels.
- b. The Property Owner will use only the southeast access as the main entrance and exit for the sports complex.
- c. The Property Owner will limit internal building hours of operation to Monday through Saturday from 9:00 am to 10:00 pm and Sunday 10:00 am to 8:00 pm. The external recreational hours shall be limited to Monday through Saturday from 10:00 am to 9:00 pm and Sunday 10:00 am to 8:00 pm. The external recreational hours will be seasonally adjusted to operate during daytime hours only.
- d. The Owner agrees that the purpose of this conditional rezoning is for indoor/outdoor recreational use only. If this use ends, the parcel will revert back to Multiple Family Residential (R-4) within 12 months.

1.3 Use Limitations. The use of the Property shall be limited to the Commercial indoor recreation and Commercial outdoor recreation special uses contained in the Secondary Business District (SBD) [Pinckney Code Section 152.182(J) and (K)], as proposed by the Property Owner. It is understood that the proposed use shall also be contingent on complying with the size, design, special use permit, site plan approval, and other requirements governing such uses in the Village's SBD zoning district under the adopted zoning and land use code of the Village. It is further agreed that after the Conditional Re-zoning, the Property Owner shall comply with all of the requirements regulating the use and development within the new Secondary Business District (SBD),