

Memo

To: Planning Commission/DDA Members
From: Julie Durkin, Zoning Administrator
Date: October 2, 2023
Re: Zoning Administrator's Report

Permits & Code Enforcement: Please note the following since my last report:

- * 2 Land Use Permits were issued – fence & generator
- * 35 Waivers were issued – most were for re-roof due to the hail storm we experienced
- * 3 ROW Permits issued – Driveways

Planning Commission:

Old Business:

1. BTC 475 Pinckney, LLC (Kril) – Request for Conditional Rezoning or Reversion back to R4 from SBD:
 - a. Public hearing

As we discussed at the last meeting, based on Section 152.262 (N)(8), Village Council requested that the Planning Commission begin the process to revert the property at 450 N. Howell Street back to the original zoning of R4 due to the lack of any progress and expiration of both the special land use and site plan and consequently the non-fulfillment of the Agreement for Conditional Rezoning.

Mr. Kril has indicated that although the project was delayed due to several reasons (including COVID), he does intend to complete the project moving forward. He has submitted an application for conditional rezoning, which essentially is starting the process from the beginning. If approved, he will need to also re-submit for special land use and site plan. This would be a fairly simple process as his plans would remain unchanged.

The Commission has two options:

- i. Recommend to Village Council adoption of the proposed ordinance as written amending the Village of Pinckney Code of Ordinances by amending Title XV; Land Usage, Chapter 152, Zoning, Section 15.041, Zoning Map reverting parcel #4714-23-301-004 back to the R4, multiple family residential district based on the expiration of the approvals and non-compliance with the Conditional Rezoning Agreement.

Or

- ii. Recommend to Village Council they enter into an agreement with BTC 475 Pinckney, LLC for the conditional rezoning from R4 to SBD with Mr. Kril's voluntary conditions as follows:
 - The Property Owner will execute a shared driveway and parking agreement between parcels
 - The Property Owner will use only the southeast access as the main entrance and exit for the sports complex
 - 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 of operation limited to 10:00 am to 9:00 pm Monday-Saturday, Sunday 10:00 am to 8:00 pm (seasonally adjusted to operate during daytime hours only).
 - 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 the R4, multiple family residential district within 12 months.

- The Owner agrees to:
 - * Enhance the existing property and structure by revitalizing the exterior with a facade improvement and internal upgrades for functionality
 - * Provide indoor/outdoor recreation providing an outlet for the youth of our community and surrounding areas
 - * Provide exterior security lighting
 - * Install a pedestrian gate along the E. side of the 195 E Hamburg main gate & use pedestal mailbox/signage to separate vehicle & pedestrian traffic
 - * Install shrubbery for screening of the fence along Hamburg St. & Howell St.
 - * Extend Sidewalk from current location at E. Hamburg east corner of property at the street to include service walk into the pedestrian gate and continue to the corner of N. Howell
2. Final Site Plan Review – Lakeland Knoll - Project Update: On 8/30/23, we received a revised site plan submittal from the applicant taking into account the waiver of Technical Standards as approved by Council. Although some of the comments of the Village Engineer were addressed and the Engineer has removed some of his comments to be handled during the construction plan review, there are still significant issues that need to be addressed as you will see in the Engineer's review dated 9/26/23 (included in the packet). Furthermore, although the Village Planner is suggesting that the Planning Commission make favorable recommendation to Council (review letter dated 9/13/23 included in the packet), there are also outstanding issues that could be addressed and/or eliminated with submission of revised plans. This item was tabled date specific, therefore I simply wanted to provide an update as to the progress and request that consideration of the final site plan be tabled until November. This would also be a good time to ask any questions regarding the site plan so that they may be addressed prior to the next meeting. I have included a copy of the plan in the packet, but it should be noted that there has been no change in the plan since the last meeting.

New Business:

1. Special Land Use Request (Day Care Facility) – 125 E. Unadilla - Set Public Hearing for November 6, 2023: According to Section 152.101, Child Care Centers are allowed as a Special Land Use within the R3 zoning district. We have received application from Julie Amy, CEO/Executive Director of For Kids Sake Early Learning Center to establish a year around facility for 25 children within the existing Community Congregational Church at 125 E. Unadilla. In order to proceed, we need to schedule a public hearing for the November 6th meeting.

DDA:

1. Request for Funding: We have a request from M36 Rotary for funding assistance for the Spooktacular Event scheduled for October 28th. They are asking that the DDA pay for the Tent Rental at a cost of \$375 (Eventi Colangelo Tent & Event Rentals) and the MC at a cost of \$300 (Lori Smith, Southern Drawl). There are funds budgeted for this function.
2. Approval of Expenditures – Santa's Light Crew -Holiday Garland & Lights: Last year we contracted with Santa's Light Crew for the installation of LED lights and garland on 60 poles along the streets within the DDA. The price included the purchase and storage of the decorations at a cost of \$105 each. Within this year's budget, the Board included an additional 20 poles to expand what we started last season. Included in your packet is a quote for the installation on the original 60 poles at \$75 each and a cost of \$110 (slight increase from last year) each to include the purchase of the décor and installation of the additional 20 poles. There does seem to be a discrepancy between what we were told last year for years one and two and what has been quoted. I will have clarification prior to Monday's meeting.

3. Holiday Banners: Within this year's budget, we have provided funds for light pole banners for the winter/holiday season. Light Up the Park is scheduled for Sunday following the Thanksgiving holiday, and the plan is to have the holiday decorations installed by that time. I would also like to switch the spring banners for new holiday banners. We have received a quote from Econoprint for 100 banners and we have provided renderings for your consideration. I would like to not incorporate the Village logo on these as the colors would conflict with the holiday colors. I would like to keep them simple and classic for the holidays. If you would like to see something different, we can work on other designs, but we are getting to a point where they do need to be ordered to get them in time.

Other Business:

- Sign Ordinance: At the September 25th meeting, the Village Council chose not to adopt the sign ordinance as the Planning Commission recommended. The main focus was on the temporary sign restrictions as we had discussed at our last meeting and the Village Attorney's opinion based on recent Supreme Court's rulings. I will work on editing that section of the ordinance to make it more generic, less content based and less subject to a First Amendment violation challenge.
- Updated website information: Recently, we have made some changes to the village website:
 - * Site Plan Review: On the zoning page, a lot of information has been added to assist potential developers find the necessary information and understand the process for site plan, special land use and other planning functions as well as provide flowcharts, links to pertinent sections of the Zoning Ordinance, links to specific applications, etc. <https://villageofpinckney.org/zoning-planning/>
 - * Boards and Commissions: A new page has been added to provide an overview of the duties, expectations, etc. of board and commission members for not only potential applicants, but also serves as training, and refresher for current members by providing handbooks, fact sheets, current bylaws, goals, plans and other resources and reference material. <https://villageofpinckney.org/get-involved/>

If you have an opportunity, please take a look at the information and let me know if you have any comments. Please take just a moment to review the Planning Commission and DDA sections in particular, especially new members who may not have seen some of these documents before.