



May 27, 2025

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

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| Subject: | Special Use Review Mugg & Bopps including Gas Station, Convenience Store, and Dunkin Donuts Counter with Drive-Thru |
| Applicant/Owner: | Pinckney-M36, LLC |
| Location: | 75 S. Dexter (Former Rite Aid) - Parcel # 4714-23-400-013 |
| Current Zoning: | SBD, Secondary Business District |

Dear Commission Members:

We have reviewed the Mugg & Bopps development proposal, which seeks Special Land Use approval for a vehicle service station and a fast food restaurant with a drive-thru window on the former Rite Aid property, zoned SBD (Secondary Business District). This report addresses only the Special Land Use approval review, as outlined in Sections 152.240 through 152.243 of the Village Zoning Ordinance.

1. PROJECT DESCRIPTION AND BACKGROUND

This subject property comprises 4.95 acres of land, featuring an existing 11,100-square foot building (as measured from the drawing), a drive-thru window, and a paved parking area. The site currently provides access to both M-36 and Dexter-Pinckney Road.

The applicant has submitted the following documents:

- An application for a special use permit, including a statement explaining how the proposed development meets the general and specific special use approval criteria.
- A preliminary site plan set dated May 1, 2025.

The proposed development entails reducing the existing building to an approximately 9,220-square foot structure. The new configuration will house a Mugg & Bopps convenience store, an ice cream/food counter, and a Dunkin' counter with drive-thru service -located where the former drive-thru window that served the Rite-Aid was situated. The parking lot would be reconfigured with the proposed gas pumps located on the west side of the renovated building along Dexter-Pinckney Road.

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

Adjacent existing and future land uses, and zoning districts are included in the Table below.

| | | Existing use | Zoning District | Future Land Use |
|---|-------|-----------------------------------|----------------------------------|--------------------------------------|
| 1 | West | Single-Family Residence | SBD, Secondary Business District | Recreation/Conservation |
| 2 | West | Vacant | SBD, Secondary Business District | Commercial |
| 3 | West | BP Gas Station & Tubby's Sub Shop | SBD, Secondary Business District | Commercial |
| 4 | North | Vision Source Optician | SBD, Secondary Business District | Commercial |
| 5 | North | Multi-Family Residence | SBD, Secondary Business District | Commercial |
| 6 | East | Single-Family Residence | SBD, Secondary Business District | Commercial |
| 8 | East | Vacant | SBD, Secondary Business District | Commercial & Recreation/Conservation |
| 8 | South | Vacant | SBD, Secondary Business District | Recreation/Conservation |

Site Location Map



3. SPECIAL LAND USE REVIEW

The procedures for granting a special land use request are outlined in Section 152.241 of the Village Zoning Ordinance. The Planning Commission conducts a public hearing, reviews the application, and may approve the request with or without conditions, deny it, or postpone/table it for further consideration.

Section 152.240 explains the purpose of the special land use process:

"to provide an opportunity for the Planning commission to impose the conditions as are necessary to ensure that the special land use will be compatible with surrounding uses and consistent with the purpose of the district in which it will be located. If it is determined that one or more negative impacts will be generated by the special land use and that these impacts cannot be reasonably mitigated, the Planning Commission may deny the special land use to protect the health, safety, welfare and quality of life of village residents."

According to Section 152.242 of the Village Zoning Ordinance, the Planning Commission must consider the following general criteria in making its findings and decision.

(1) Compliance with Comprehensive Plan

The special land use must be consistent with the general goals, objectives and policies of the Village of Pinckney Comprehensive Plan.

The subject site is designated *Secondary Commercial* on the Future Land Use Map, with *Recreation/Conservation* at the rear of the property, where environmentally sensitive wetlands associated with a stream are located. Adjacent properties are also planned for *Secondary Commercial* uses.

The proposed land uses are consistent with the *Secondary Commercial* future land use designation, which is intended to support a broad range of retail and service businesses, including fast food restaurants (with drive thrus) and gas stations.

(2) Compliance with Zoning District

- (a) *The special land use must be listed within the applicable zoning district.*
- (b) *The use must be consistent with the district's purpose.*
- (c) *The use must meet applicable lot, access, yard, and other site design requirements.*
 - (a) Vehicle service stations and fast food restaurants (including drive-thrus) are listed as special land uses in the SBD zoning district.
 - (b) These uses align with the intent of the SBD which accommodates higher-volume auto-oriented commercial activity than the Village central business district.
 - (c) As depicted on the submitted drawings, the property layout generally complies with the minimum lot size, lot width, yard/setback, lot coverage, and building height requirements of SBD District. **However, the parking lot layout does not comply with the required setback from the roadway.** A reduced parking lot setback along Dexter-Pinckney Road is reasonable where space is limited due to the location of the pumps. However, the setback from M-36 could be maintained to comply with Section 152.281 (D) of the Village Zoning Ordinance.

(3) Compatibility

The special land use must be designed, constructed, operated and maintained to be compatible with the character, permitted use, enjoyment, and value of surrounding properties, and should enhance the community.

The proposal incorporates building renovations, including interior reconfiguration and exterior upgrades such as new windows, siding, and entry features. The proposed uses are expected to be compatible with surrounding properties and contribute positively to the community.

(4) Infrastructure and services

The site must be adequately served by public utilities and infrastructure, and the proposed use should not require additional public investment.

The site is currently served by Village water and sewer, as well as public roads. Multiple drainage structures on the property connect to an underground stormwater system. The proposed redevelopment is not expected to create a need for additional public services or facilities.

(5) Traffic

The proposed use must minimize traffic impacts and ensure safe access, circulation, and parking. Relevant considerations include projected traffic volumes, access to public roads, sight distances and intersections, off-street parking, and pedestrian safety. Access drives connected to roads under state and county jurisdiction shall comply with applicable road agency standards.

Access will continue from both M-36 and Dexter-Pinckney Road, with the driveways proposed to be reconfigured and widened. Approvals are required from both MDOT (for the M-36) and from the Livingston County Road Commission (for Dexter-Pinckney Road). These approvals are in progress and will be addressed at site plan review.

Given the significance of traffic and parking to neighboring properties, **we recommend that the Planning Commission request a traffic impact study**, per Section 152.392(10)(c) of the Zoning Ordinance. This study should evaluate peak-hour and daily traffic volumes using the *ITE Trip Generation Manual*. Additionally, **the applicant needs to demonstrate that the proposed reduction in parking spaces is sufficient for all uses on the site. We recommend submitting parking demand data from comparable sites.**

(6) Environmental performance

The use shall not involve activities or conditions detrimental to public health, safety and welfare, or adjacent property, including concerns such as noise, fumes, runoff, lighting, and glare.

The reuse of this existing building and site is not anticipated to introduce additional significant environmental impacts. However, **the Planning Commission may consider restricting any outdoor speaker use to greater than “normal” business hours to minimize potential noise impacts.** According with Section 152.371 (C) of the Village Zoning Ordinance, use of any outdoor speakers are limited to sound levels not exceeding 60 decibels at the lot line, between the hours of 6:00 a.m. and 9:00 p.m. and 45 decibels between the hours of 9:00 p.m. and 6:00 a.m.

Signage and lighting plans must also comply with the Village Zoning Ordinance and will be reviewed during the site plan approval process.

(7) Natural resources

The project must minimize impacts on natural features, such as wetlands, streams, woodlands, and wildlife habitat.

The southern portion of the site contains wetlands associated with a stream. The proposed development remains within the existing developed footprint and is not expected to impact these sensitive areas.

(8) Architecture

All buildings and signs must be designed to fit in with the style and character of nearby structures. The Planning Commission may ask for detailed drawings showing the design of signs and building facades to include building elevations and information about exterior materials, colors, and design features.

As previously noted, the exterior design of the existing building will be improved through the addition of new windows, entryways, siding and other architectural features. These enhancements are expected to improve the building's visual character and increase compatibility with the surrounding area. Building elevations have been submitted with the site plan application, providing some information on the building's exterior. Additional details will be reviewed at the site plan review stage.

(9) Compliance Required

All uses and structures must comply with the provisions of this chapter, including Sections 152.240 through 152.415, as well as all applicable federal, state, and local codes and ordinances.

Additionally, according to Section 152.243 of the Village Zoning Ordinance, the Planning Commission must also consider the following specific criteria when making its findings and decision:

• Prohibited Uses

Outdoor commercial display or storage of vehicle parts, supplies or repair equipment is prohibited, except within an area specifically defined on the site plan, approved by the Planning Commission, and located no more than 10 feet beyond the principal building.

• Lot Area

At 4.95 acres, the property exceeds the minimum requirements for both vehicle service station (17,424 square feet) and a fast food restaurant (15,000 square feet).

• Road Frontage and Access

The property has 359 feet of frontage on M-36 and 648 feet of frontage on Dexter Pinckney Road, satisfying the minimum frontage requirement of 132 feet for vehicle service stations and ensuring vehicular access from an arterial road for both service stations and restaurants.

• Driveways and Parking Lots

All driveways and parking lots must meet the Village Technical Standards regarding approach design, sight distance, curb construction, and related elements. Additionally, they must comply with MDOT standards for M-36 and Livingston County Road Commission standards for Dexter Pinckney Road.

• Setbacks

The building meets the minimum setback requirements: 50 feet from the road right-of-way or residential lot line for a vehicle service station and 15 feet for other structures. These setbacks also satisfy the requirements for fast food restaurants.

• Enclosure and screening.

All commercial activity must be fully screened from adjacent residential parcels by a six-foot-high fence and a landscaped buffer, in accordance with Section 152.329. Dumpster areas must be enclosed and screened in compliance with Section 152.262(M). These features will be further evaluated during site plan review.

• Stormwater Drainage

The parking area will be paved with asphalt and drained via an underground stormwater management system, subject to review and approval by the Livingston County Drain Commissioner's Office.

• Other Requirements

Adequate off-street parking is provided for drive-thru customers. Signage will need to be installed to ensure that vehicle stacking does not obstruct maneuvering lanes, driveways, sidewalks, or public rights-of-way.

One illuminated menu board sign, not exceeding 32 square feet in area and six feet in height, is permitted in addition to other signage allowed under Section 152.300. As noted previously, the Planning Commission may also wish to restrict outdoor loudspeakers or limit hours of operation to mitigate noise impacts.

4. SPECIAL LAND USE REQUEST RECOMMENDATION & SUGGESTED MOTION

We recommend that the Planning Commission make a motion to **approve** the special land use request for a gas station and a fast food restaurant with a drive-thru window on Parcel #4714-23-400-013, located at 75 S. Dexter. Further, given the unique circumstances of this site, we recommend that the following conditions be included in the motion of approval and formally attached to the Special Land Use approval:

1. A minimum 25-foot parking setback from the M-36 right-of-way is required in compliance with Section 152.281 (D). This may be achieved by reducing the drive aisle width.
2. A minimum 10-foot parking/drive setback from the Dexter-Pinckney Road right-of-way is required to accommodate a required road frontage landscape strip.
3. Submittal and review of a traffic and parking analysis to evaluate traffic impacts and demonstrate that reduced parking supply will meet demand.
4. Any additional conditions the Planning Commission may wish to include, such as greater limitations on the use of any outdoor speakers.

Please do not hesitate to contact us if you have any questions.

Sincerely,

Lucie Fortin

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