



May 1, 2024

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

Subject:	Preliminary Site Plan Review Essence - Class A Marihuana Microbusiness
Applicant/Owner:	Marco Lytwyn, Pinckney Developments LLC
Location:	1268 East Main Street / M-36 (Parcels no. 4714-23-400-007 & 4714-23-400-008)
Current Zoning:	SBD, Secondary Business District
Project No.:	401.2400218.000

Dear Commission Members:

We have considered a request for Preliminary Site Plan approval for a proposed Marihuana Microbusiness located on parcel no. 4714-23-400-007 and part of parcel 4714-23-400-008. This review focuses on the preliminary site plan approval standards and compliance with Section 152.387 through 152.390 of the Village Zoning Ordinance.

1. PROJECT BACKGROUND AND SITE DESCRIPTION

The two parcels, presently vacant, contain approximately two acres of land, and include a total of approximately 232 feet of frontage on Main Street/M-36. The parcels were previously occupied as a residential home, which has since been demolished.

On December 11, 2023, the applicant received special land use approval for a Village of Pinckney Class A marihuana microbusiness license by Village Council, subject to the following conditions:

1. Establishment of a cross access agreement across the two parcels.
2. Provision of enhanced landscaping and pedestrian amenities, surpassing the minimum requirements of the Village Zoning Ordinance, to soften the appearance of the building and the site, especially the view from Main Street/M-36. This entails the addition of a low decorative wall combined with increased landscaping along the front of the property, and additional landscaping along the east property boundary.
3. Accommodations for walking/bicycling customers or employees with a sidewalk connection to Main Street/M-36, a bike rack by the entrance, outside seating, and waiting areas.
4. Incorporation of innovative stormwater management techniques aligning with the green infrastructure Master Plan goal.
5. Provision of additional information for Planning Commission review and approval on the proposed building, demonstrating attention to the existing character of the Village center and edge with compatible materials, colors, and detailing.

The applicant has submitted updated drawings (drawing dates range from 1-5-2024 to 4-6-2024) along with various documents, including the application for preliminary site plan review, environmental checklist, topographic survey, wetlands compliance/delineation, impact assessment, parking analysis, traffic volume, and



cross access agreement. The updated overall development proposal features several potential future businesses: a 3,900 square feet gas station/retail with a drive thru window and four pumps, a 560 square foot car wash facility, a 1,675 square foot oil change facility, along with a 3,200-square foot marihuana micro-business.

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

Table 1: Adjacent Property Existing Land Uses, Zoning Districts, and Future Land Uses

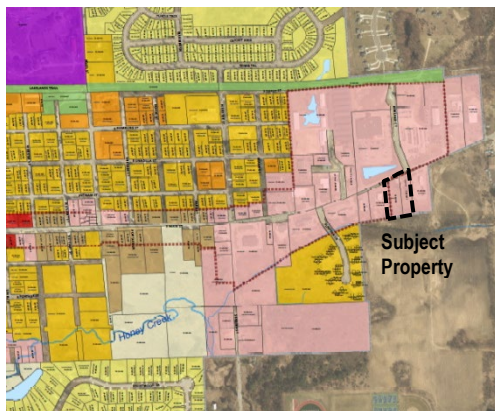
	Existing Land Use	Zoning District	Future Land Use
North	Busch's Market	SBD, Secondary Business District	Commercial
East	Taco Bell	SBD, Secondary Business District	Commercial
South	Creek & Farmed Land	A-O, Agricultural/Open Space Putnam Township	General Business Putnam Township
West	Wendy's	SBD, Secondary Business District	Commercial

Figure 1: Existing Land Uses, Zoning Districts, and Future Land Uses



Aerial Photo - Existing Land Uses

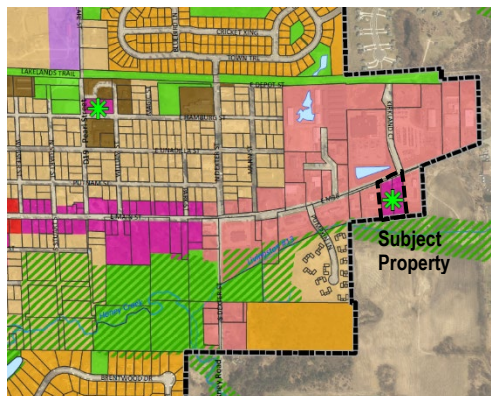
Subject Property
Current Land Use:
Vacant



Zoning District Map Detail

- R1, Low Density Residential District
- R2, Medium Density Residential District
- R3, High Density Residential District
- R4, Multiple-Family Residential District
- ROB, Residential-Office Business District
- CBD, Central Business District
- SBD, Secondary Business District
- RTO, Research-Technology-Office District
- O, Office District
- PL, Public Lands District
- DDA Boundary

Subject Property
Existing Zoning:
SBD



Future Land Use Map Detail

- Low Density Residential
21,780 to 43,560 Sq. Ft. Min. Lots
- Medium Density Residential
10,890 to 21,780 Sq. Ft. Min. Lots
- High Density Residential
7,260 to 10,890 Sq. Ft. Min. Lots
- Multiple Family
4,356 to 7,260 Sq. Ft. Min. Lots
- Central Business District
- Green Infrastructure
- Commercial
- Mixed Use
- Public/Semi-F
- Recreation/Cc
- Research/Technology/Office
- Sub Areas

Subject Property
Future Land Use:
Mixed Use

June 2020

3. OVERALL PROPERTY MASTER PLAN - LAND USE AND ZONING CONSIDERATION

Given the current zoning district of the properties, SBD Secondary Business District, all potential future uses including a gas station, car wash, drive-thru, and oil change facilities, will require Special Land Use approval before consideration for site plan review.

As detailed in Section 152.240 of the Village Zoning Ordinance, the purpose of the special land use approval process is to provide the Planning Commission an opportunity to impose conditions necessary ensuring compatibility of the special land uses with surrounding areas and consistency with the district's intended purpose. If it is found that one or more negative impacts may arise from these special land uses, and such impacts cannot be reasonably mitigated, the Planning Commission may recommend denial to protect the health, safety, welfare, and quality of life of Village residents.

In making its determinations and decisions regarding the proposed land uses, the Planning Commission will need to consider both the general criteria outlined in Section 152.242 and the specific approval criteria outlined in Section 152.243 which, based on the overall property master development plan, would pertain to subsection (H) Vehicle service stations, repair services and washes and subsection (I) Restaurants, taverns, and nightclubs.

The applicant must apply for special land use approval before being considered for site plan approval for any of the future potential development phases.

4. PRELIMINARY SITE PLAN REVIEW

The submitted drawings show several layouts for both the site and the building, which vary from one another. The sheet labeled Preliminary Site Plan (1-18-2024) appears to present the overall property master development plan. The sheet labeled Master Site/Utility Plan (1-18-2024) seems to show an interim phase of site development. The sheet labeled Site Plan – Proposed (A001.1) shows the marihuana microbusiness along with a large, paved area on the west parcel. **This large, paved surface on the west property is not an approved use for this parcel.**

The applicant needs to clarify what layout and building are being submitted for preliminary review and provide a complete package for review and approval.

We are providing our preliminary comments with text shown in bold indicating comments needing attention or discussion.

Informational Requirements

The information provided does not meet the preliminary site plan submittal requirements. We strongly recommend that the applicant engage the services of a civil engineer or another suitable professional to prepare a **complete submittal package** that complies with the site plan review regulations of the Village Zoning Ordinance.

Area and Dimensional Requirements

The site layout depicted on sheet A001.1 adheres to the dimensional requirements outlined in the Zoning Ordinance for SBD, Secondary Business District. Table 2 provides a detailed overview of the area and dimensional standards, as depicted and/or measured from the submitted drawings and considering both parcels.

Table 2: Area, Height, Yard, and Other Standards

	Required SBD, Central Business District	Provided Per Sheet A001.1 Parcel 4714-23-400-007
Minimum Lot Area	5,000 square feet	+/- 45,738 Square Feet
Minimum Lot Width	66 feet	154 feet
Minimum Front Yard	25 feet	39 feet
Minimum Side Yard- East	0	15 feet
Minimum Side Yard- West	0	+/- 55 feet
Minimum Rear Yard	20'	+/- 255 feet
Maximum Lot Coverage	50%	+/- 7%
Maximum Building Height	35 feet	16.5 feet

Existing Conditions and Natural Features

The site features mature vegetation and a wooded area that slopes down to Livingston County Drain #13 located south of the property. According to the EGLE wetlands Map Viewer, the south portion of the site may include wetlands. **A wetland determination should be submitted for review.**

Sheet A001, Existing Site Plan – Demolition, indicates the removal of all existing trees and overhead utility lines. Additionally, the trees planted in the M-36 right-of-way will need removal to make way for the proposed drive approach, necessitating a permit from MDOT, which has authority over the roadway.

Site Access and Circulation

Sheet A001.1 depicts a proposed parking area accessible from Main Street/M-36 via a new 3-lane drive approach, approximately 36 feet wide. **The drive approach will need to meet MDOT’s standards and receive approval.**

The applicant has submitted a cross-access agreement, which will need a review by the Village Attorney and subsequent recording in the Livingston County Register of Deeds.

No pedestrian access is proposed to the building. **A concrete walkway connecting the sidewalk along Main Street/M-36 to the building entrance is required.**

Parking/Loading

The proposal indicates 17 off-street parking spaces on Sheet A001.1, including one barrier-free space. However, considering the number of employees and the maximum number of customers allowed in the showroom or waiting area (see Sheet A-1), peak usage would require 38 spaces. **Given the significant traffic associated with marihuana establishments, we believe the site plan should accommodate at least 38 spaces to service this use alone.**

A 12 by 20-foot loading/unloading space is proposed which falls short of the minimum requirement set by the Village Ordinance. Additionally, Sheet A001.1 shows a large, paved area proposed on the west property, the purpose of which for this development phase remains unclear. **Such extensive pavement and impervious areas are inconsistent with the property’s Master Plan designation which emphasizes the integration of innovative stormwater management techniques aligning with the green infrastructure Master Plan goal.**

The layout of the proposed parking spaces shown on Sheet A001.1 at the rear of the building meets the dimensional standards for parking spaces (9 X 20 feet) and for drive aisle minimum width of 22 feet, except for the drive located at the rear of the property measuring 18.6 feet. We recommend applying engineering “truck

turning templates” to the layout to ensure adequate and safe maneuvering for emergency vehicles and truck dumpster access.

Landscaping

The proposed preliminary landscape plan, as depicted on Sheet A002, features foundation plantings along the west side of the building, shrubs within the parking lot islands, and a decorative wall along M-36 combined with shrubs.

The proposed Landscape Plan falls short of meeting the landscaping regulations set forth by the Village of Pinckney. Specifically, it lacks required landscaping adjacent to roads, interior parking lot landscaping, and perimeter parking lot landscaping.

Furthermore, the proposed development does not align with the conditions of special land use approval, one of which calls for increased landscape improvements along Main Street/M-36 and additional landscaping along the eastern property boundary. This condition extends to the management of the wooded area in the rear of the property, including the removal of invasive non-native plant species, selective clearing, and supplementation with native plantings. The utilization of bio-swales and/or rain gardens is encouraged to mitigate the negative impact of the parking and impervious surfaces.

Building Floor Plans and Elevations

The new building floor plan and elevations (Sheets A1 and A2) feature a design incorporating diverse materials, including dark grey bricks with black grout topped with composite siding horizontal boards, and the use of powder coated aluminum rain screens. According to Sheet A001.1, access to the man-door and garage door is accommodated by a walkway along the east side of the building.

We recommend that the applicant brings building sample materials to facilitate the Planning Commission's review of the exterior building finishings and aesthetics for compatibility with the design and character of surrounding structures.

Signage

Wall signs are proposed along the south, east, and west sides of the building. Further details must be submitted for review prior to the issuance of a sign permit.

Exterior Lighting

The lighting photometric plan and details (Sheets EL1.10 and EL2.10) indicate 14 wall-mounted luminaires/sconces along the building facades. Additionally, four pole-mounted luminaires (SL3 Gardco Optiform Series LED) are proposed in the parking lot. In accordance with the standards outlined in the Village Zoning Ordinance, the proposed light intensity levels do not exceed one (1) foot-candle at the lot line or ten foot-candles anywhere on the site, and the pole mounted light fixtures do not exceed 20 feet in height. Details and cut sheets of the proposed light fixtures will need to be submitted prior to final site plan approval.

Waste Storage

A dumpster enclosure is proposed at the rear of the property and Sheet A002 shows a detail meeting ordinance standard.

Site Grading and Utilities

We suggest that a preliminary grading plan be developed to assess the feasibility of the overall property potential development. We defer to the Village Engineer for review and comment on the engineering aspects of this site plan proposal.

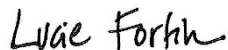
5. **RECOMMENDATION**

Based on the information provided by the applicant, we recommend that the Planning Commission postpones approval of this Preliminary Site Plan for the property located on parcel no. 4714-23-400-007 and 4714-23-400-008 until additional information can be submitted including:

1. Submittal of a complete preliminary site plan package meeting Ordinance requirements including a proposed layout plan consistent with the new building submitted for approval.
2. An expanded parking lot serving the proposed peak use and the removal of the large unused expanse of pavement proposed on the west property.
3. A revised Landscape Plan that not only meets but exceeds the landscaping regulations of the Village of Pinckney.
4. Submission of building sample materials for Planning Commission review.
5. Review and approval of the cross-access agreement by the Village Attorney, followed by recording with the Livingston County Register of Deeds.
6. Review and approval by Village staff (Zoning Administrator, DPW, Fire Marshall), Village Engineer, and any needed outside agencies (Michigan Department of Transportation, Livingston County Drain Commissioner's Office, and Building Department).

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

Sincerely,



Lucie Fortin, AICP, PLA
Community Planner/Landscape Architect

c: Marco Lytwyn, Pinckney Developments LLC (email: k_lytwyn@hotmail.com)