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Date: October 4, 2021
February 3, 2022

Conditional Rezoning For Pittsfield Township, Michigan

Project Number:	RZ 21-05
Applicant:	Bottom Line Enterprise
Project Name:	5801 S. State
Plan Date:	N/A
Location:	5801 S. State (east side of State Road north of Textile (L)12-21-300-012)
Zoning:	AG, Agriculture (Conditional Rezoning to BD)
Action Requested:	Conditional Rezoning

PROJECT DESCRIPTION

The applicant is requesting a conditional rezoning of the property located at 5801 S. State Road from AG, Agriculture to BD, Business District. The site is approximately 5 acres and is surrounded on the north, east and south by the State Street Business Park PUD. To the west, the site is bordered by the existing UBE industrial facility and the Inglewood Park mixed-use development.

The applicant is requesting a conditional rezoning of the site from AG, Agricultural to BD, Business District with the following written conditions submitted as part of the rezoning application:

Our intention is to set up a swim school with an attached physical therapy center. We would also like to create space for medical offices such as orthodontist, optometry, dental, etc.

As part of the rezoning application we would like to propose the following permitted uses be excluded:

- *Bar/lounge*
- *Retail, large scale*
- *Vehicle rental*
- *Smoking lounge*
- *Public arenas/stadiums*
- *Funeral home*
- *Self-storage facility*

We note all of these uses are conditional uses in the BD district with the exception of bar/lounge which is not a use listed as permitted or conditional in the BD district.

Subject Property



Zoning Classification of Parcel, Adjacent Parcels, and Current Land Use:

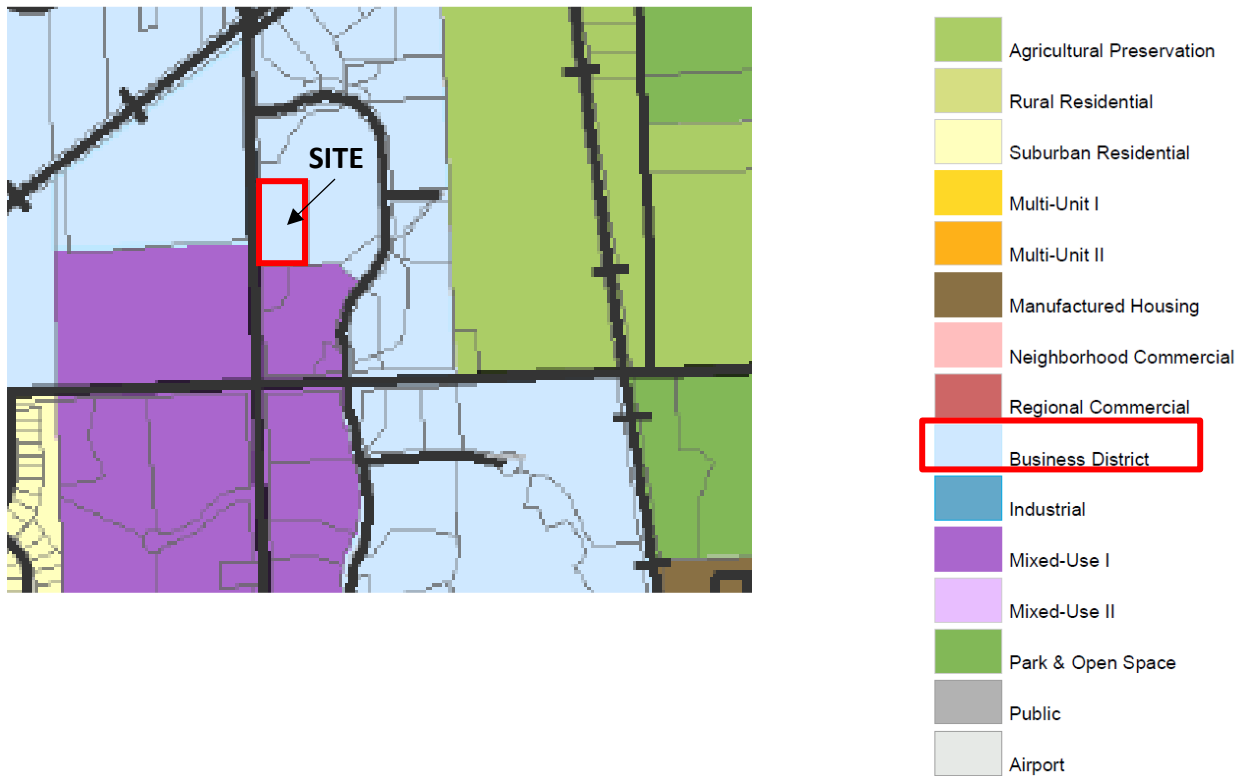
Adjacent zoning and land uses are as follows:

Direction	Zoning	Use
North	PUD, Planned Unit Development	State Street Business Park
South	PUD, Planned Unit Development	State Street Business Park
East	PUD, Planned Unit Development	State Street Business Park
West	PUD, Planned Unit Development	UBE/Inglewood Park

MASTER PLAN

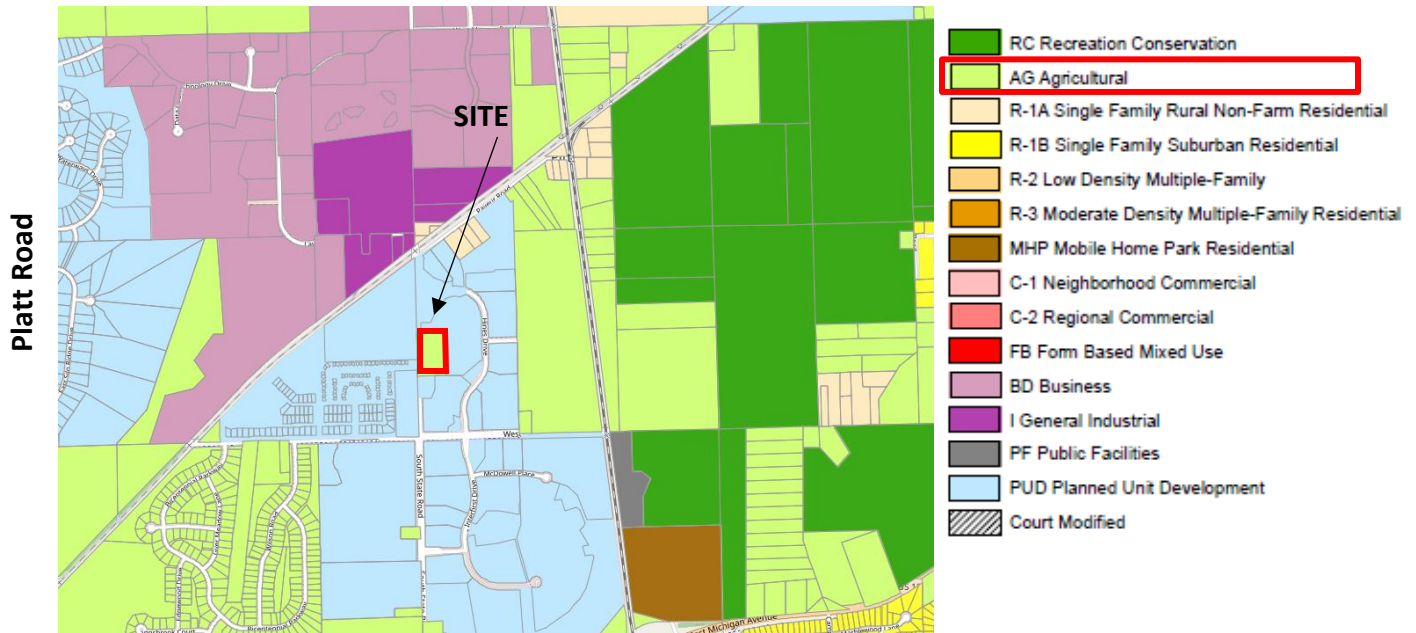
The Future Land Use Plan designates the subject site and the areas to the north, east and west as “Business District”. The Business District future land use designation areas are intended to evolve with a mixture of uses designed at the human scale along the major road frontages in order to accommodate pedestrians and the use of the transit. Appropriate uses in the Business District future land use classification include: light industrial, office, and research and development uses. Limited retail and service uses may be permitted to meet the needs of nearby residents and employees.

The BD zoning classification coincides with the Business District future land use classification and is the most similar zoning classification with respect to the surrounding State Street Business Park PUD. The BD zoning classification allows for commercial recreation facilities and health fitness centers (swim school) as a conditional use. Medical, professional and general office uses are permitted uses in the BD zoning district.



CURRENT ZONING

The subject site is zoned AG.



The applicant is seeking a rezoning from AG, Agriculture to BD, Business District.

Rezoning to BD is consistent with the Master Plan and the surrounding zoning. The PUD zoning in the surrounding area has been developed as business district and office type uses or as mixed use (near intersection of State and Textile).

FUTURE DEVELOPMENT C-2, REGIONAL COMMERCIAL

The applicant is seeking a conditional rezoning to BD, Business District eliminating specific uses for development on the property. These uses are listed in the project description section on page 2 of this report. However, there are a number of other commercial uses the applicant has not listed in their conditions that could be developed as permitted uses if rezoned as requested. These include:

- Artisan food and beverage production
- Dance, martial arts, music and art studios
- Durable medical supplies
- Medical clinics
- Medical laboratories
- General offices
- Professional and medical offices
- Technology centers/office research
- Data processing and computing centers
- Manufacturing and assembly

- Printing and publishing
- Warehouse establishments

As noted, the BD zoning classification coincides with the Business District future land use classification and is the most similar zoning classification with respect to the surrounding State Street Business Park PUD. The BD zoning classification allows for commercial recreation facilities and health fitness centers (swim school) as a conditional use. Medical, professional and general office uses are permitted uses in the BD zoning district.

REZONING STANDARDS

In consideration of the proposed rezoning, the Planning Commission shall consider the following standards as set forth in Section 18.05 of the Zoning Ordinance:

1. *Whether or not the requested zoning change is justified by a change in conditions since the original ordinance was adopted or by an error in the original ordinance.*
2. *The precedents, and the possible effects of such precedents, which might likely result from approval or denial of the application.*
3. *The ability of the Township or other government agencies to provide any services, facilities, and/or programs that might be required if the application were approved.*
4. *Effect of approval of the application on the condition and/or value of property in the Township or in adjacent civil divisions.*
5. *Effect of approval of the application on adopted development policies of Pittsfield Township and other government units.*

We find that the proposed conditional rezoning to BD meets the intent of the Master Plan and the surrounding area. Additionally, the intended uses of the property outlined in the applicant's letter outlining conditions, swim school/therapy center and medical office uses, are allowable uses in the BD, Business zoning district that coincides with the Master Plan future land use classification.

RECOMMENDATIONS

This a conditional rezoning, and as such the Planning Commission cannot not place conditions upon the rezoning. Any additional conditions must be voluntary offered. However, as part of the Planning Commission discussion, the Commission should consider all other uses that would be permitted if rezoned and determine if those uses are appropriate for the site and if the rezoning meeting rezoning standards.



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