

PONTIAC CITY COUNCIL

Kermit Williams, District 7
President
Randy Carter, District 4
President Pro Tem



Patrice Waterman, District 1
George Williams, District 2
Mary Pietila, District 3
Gloria Miller, District 5
Dr. Doris Taylor Burks, District 6

It is this Council's mission "To serve the citizens of Pontiac by committing to help provide an enhanced quality of life for its residents, fostering the vision of a family-friendly community that is a great place to live, work and play."

Garland S. Doyle, M.P.A.
Interim City Clerk

STUDY SESSION (AMENDED AGENDA)

January 14, 2020

6:00 P.M.

134th Session of the 10th Council

Call to order

Roll Call

Authorization to Excuse Councilmembers

Amendments to the Agenda (Move Items 2 and 3 above public comment)

Approval of the Amended Agenda

Approval of the Minutes

1. January 7, 2020

Resolutions

City Council

2. Resolution to appoint Harold Harris, Linda Watson and Mattie Lasseigne to the Board of Review
3. Resolution for Friends of Murphy Park

Public Comment

Resolutions

City Council

4. Resolution to require that all Planning Commission recommendations that require final action and or Pontiac City Council approval, must be placed on the Pontiac City Council's agenda within twenty-one (21) days from the date the applicant was provided a recommendation by the Planning Commission.

Mayor's Office

5. Resolution to appoint Mr. Dan Ringo as the Director of Public Works for the City of Pontiac.

Planning

6. Resolution to approve the Specially Designated Distributer (SDD) Class C 'Bistro' License on behalf of the petitioner Fillmore 13 Brewery, and that notice of approval be sent to the Michigan Liquor Control Commission for consideration.
7. Resolution to approve a Zoning Map Amendment request [ZMA 19-08] for 7 & 9 Glenwood Avenue also known as Parcel Numbers 64-14-21-383-011 & 012, to amend the current site zoning C-1 Local Business to C-3 Corridor Commercial and M-1 Light Manufacturing with CR Conditional Zoning and create a Medical

Marihuana Overlay District [MMOD] to allow medical marihuana provisioning and non-provisioning facilities to locate within the MMOD. Additionally, the CR Conditional Rezoning is effective for a period not less than twenty years.

8. Resolution to approve a Zoning Map Amendment request [ZMA 19-12] for Parcel No. 64-14-18-351-017 to amend the current site zoning C-4 Suburban Commercial to C-3 Corridor Commercial with CR Conditional Rezoning.
9. Resolution to approve a Zoning Map Amendment request [ZMA 19-13] for 676 Cesar Chavez also known as Parcel No. 64-14-19-429-013 to amend the current site zoning C-1 Local Business to C-3 Corridor Commercial with CR Conditional Rezoning.
10. Resolution to approve a Zoning Map Amendment request [ZMA 19-14] for 114 W. Walton Blvd also known as Parcel No. 64-14-08-380-027 to amend the current site zoning C-1 Local Business to C-3 Corridor Commercial with CR Conditional Rezoning.
11. Resolution to approve a Zoning Map Amendment request [ZMA 19-15] for 108. W. Walton Blvd also known as Parcel No. 64-14-08-380-028 to amend the current zoning C-1 Local Business to C-3 Corridor Commercial with CR Conditional Rezoning.
12. Resolution to approve a Zoning Map Amendment request [ZMA 19-16] for 228 W. Walton Blvd also known as Parcel No. 64-14-08-354-010 to amend the current zoning C-1 Local Business to C-3 Corridor Commercial with CR Conditional Rezoning.
13. Resolution to approve Mayoral recommendation to reappoint the following individuals to the Planning Commission: Mona Parlove for a term ending June 30, 2021 and Dayne Thomas for a term ending June 30, 2022 **(This item was deferred from the November 26, 2019 Council Meeting.)**
14. Resolution to reappoint the following individuals to the City's Planning Commission: Lucy Payne for a term ending June 30, 2023 and E. Ashley Fegley for a term ending June 30, 2022. **(This item was deferred from the December 10, 2019 Council Meeting)**
15. Resolution to schedule a Public Hearing for the City of Pontiac 2020-2024 Parks & Recreation Master Plan on January 21, 2020 beginning at 6:30 p.m. at the Council Chambers in Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan 48342.

Adjournment

#1

MINUTES

**Official Proceedings
Pontiac City Council
133rd Session of the Tenth Council**

Call to order

A Formal Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Tuesday, January 7, 2020 at 6:00 p.m. by Council President Kermit Williams.

Invocation – Pastor Douglas Jones

Pledge of Allegiance

Roll Call

Members Present: Carter, Miller, Pietila, Taylor-Burks, Waterman, G. Williams and K. Williams.

Mayor Waterman was present.

Clerk announced a quorum.

Authorization to Excuse Councilmembers

Amendments to the Agenda

20-1 **Motion to add Planning Commission Recommendation of Rezoning of Glenwood Plaza after approval of minutes.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

Ayes: Miller, Pietila, Taylor-Burks, Waterman, G. Williams, K. Williams and Carter

No: None

Motion Carried.

20-2 **Motion to move public comment after Planning Commission recommendation of Rezoning and reduce presentations time limit to seven (7) minutes.** Moved by Councilperson Taylor-Burks and second by Councilperson G. Williams.

Ayes: Pietila, Taylor-Burks, Waterman, G. Williams, K. Williams, Carter and Miller

No: None

Motion Carried.

Motion to schedule Public Hearing for Parks & Recreation. Moved by Councilperson Pietila and no second. Motion Fails.

Motion to defer item #7 (Resolution to award the Professional Engineering and Architectural Services for the Phoenix Center to IDS for possible violation of Opening Meetings Act.) Moved by Councilperson Pietila and no second. Motion Fails.

Approval of the Amended Agenda

20-3 **Approval of Amended Agenda.** Moved by Councilperson Taylor-Burks and second by Councilperson Miller.

Ayes: G. Williams, K. Williams, Carter, Miller, Pietila, Taylor-Burks and Waterman

No: None

Motion Carried.

Approval of the Minutes

20-4 **Approve meeting minutes for December 30, 2019.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

Ayes: K. Williams, Carter, Miller, Pietila, Taylor-Burks, Waterman and G. Williams

No: None

Motion Carried.

Add On- Discussion regarding the Planning Commission Recommendation of rezoning of Glenwood Plaza.

Vern Gustafsson, Planning Manager stated that he was not prepared to present.

Public Comment

Five (5) individuals addressed the body during public comments.

20-5 **Motion to give Mattie Hatchett Point of Privilege.** Moved by Councilperson G. Williams and second by Councilperson Pietila.

Ayes: Carter, Miller, Pietila, Taylor-Burks, Waterman, G. Williams and K. Williams

No: None

Motion Carried.

Closed Session

20-6 **Resolution to go into Closed Session.** Moved by Councilperson Waterman and second by Councilperson Pietila.

Whereas, Michigan Open Meetings Act Section 8(h), MCL 15.268(h), allows a public body to go into closed session to consider material exempt from discussion or disclosure by state or federal statute; and Whereas, Michigan Freedom of information Act Section 13(g) exempts from disclosure records subject to the attorney-client privilege;

Now, Therefore, Be It Resolved by the Pontiac City Council that it recess into closed session to discuss an attorney-client privileged memorandum regarding the Request for Proposals (RFP) for the Phoenix

Center, information exempt from disclosure by statute, specifically an attorney client privileged memorandum exempt from disclosure pursuant to MCL 15.243(1) (g).

Ayes: Miller, Pietila, Taylor-Burks, Waterman, G. Williams, K. Williams and Carter
No: None
Motion Carried.

20-7 **Motion to come out of Closed Session.** Moved by Councilperson Waterman and second by Councilperson Pietila.

Ayes: Pietila, Taylor-Burks, Waterman, G. Williams, K. Williams, Carter and Miller
No: None
Motion Carried.

Special Presentations (Presentations are limited to 7 minutes.)

20-8 **Suspend the rules.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ayes: Tylor-Burks, Waterman, G. Williams, K. Williams, Carter, Miller and Pietila
No: None
Motion Carried.

20-9 **Defer special presentation #3 (Park Place Little City) for two weeks.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

Ayes: Waterman, G. Williams, K. Williams, Carter, Miller, Pietila and Taylor-Burks
No: None
Motion Carried.

Parks & Recreation Master Plan Update and Scheduling of Public Hearing.

Presentation Presenter: Donovan Smith, City Planner

****Council President would like the status of Hidden River Park Ownership****

2019 City Audit Highlights

Presentation Presenter: Jane Bais DiSessa, Deputy Mayor.

Recognition of Elected Officials– H. Bill Maxey, Pontiac Library Treasurer

Agenda Address- None

Communication

Office of the City Clerk

Medical Marihuana Application Process Status Update

The Interim City Clerk gave an update on the process and announced that the Office of the City Clerk has its own website <http://pontiaccityclerk.com>

Resolution

Department of Public Works (DPW)

Resolution to award the Professional Engineering and Architectural Services for the Phoenix Center to IDS and to authorize the Mayor to sign contract in the amount of \$659,000 and a Not to Exceed Cost of \$13,000 for Reimbursable expenditures. Moved by Councilperson Pietila and no second. Failed.

Mayoral Monthly Reports

Monthly Check Register

(The check registers for November 29, 2019; December 6, 13 and 20, 2019 have been posted on the website and are attached.)

Staff Changes Report

City Credit Card Statement

(The December credit card statement was not submitted by the Mayor's Office.)

Council President Williams stated that the Council would receive the monthly reports.

Mayor, Clerk and Council Closing Comments

Mayor Deirdre Waterman, Interim City Clerk Garland Doyle, Councilwoman Doris Taylor-Burks, Councilwoman Mary Pietila, Councilman George Williams, Councilwoman Patrice Waterman, Council Pro-tem Randy Carter and Council President Kermit Williams made closing comments.

Adjournment

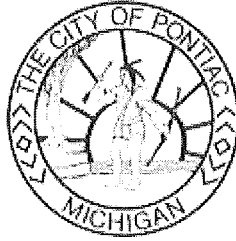
Council President Kermit Williams adjourned the meeting at 8:32 p.m.

GARLAND S. DOYLE
INTERIM CITY CLERK

#2

RESOLUTION

Pontiac City Council Resolution



WHEREAS, section 5.402 of the Pontiac City Charter requires the City Council to appoint three electors of the City annually, to the Board of Review before the first meeting; and,

WHEREAS, in addition to the charter requirement of being an elector, all members of the Board of Review must attend and receive training.

NOW, THEREFORE BE IT RESOLVED, that the Pontiac City Council appoints Harold Harris, Linda Watson and Bobbie Yates to the Board of Review and Mattie Lasseigne shall serve as an alternate.

#3

RESOLUTION

City of Pontiac Resolution for the Friends of Murphy Park

WHEREAS, it is with warm and sincere gratitude that we recognize the Friends of Murphy Park; organized in 1994 in the Recreation Department when the Adopt a Park program was established, under the leadership of Maurice (Butch) Finnegan and Portia Fields-Anderson; and,

WHEREAS, sanctioned by the City of Pontiac, a liaison was formed with the Mayor, City Council, District Seven Citizens District Council and organizers Jean Sheppard, Sally McAllister, and Charlie "June" Adams who answered the call to adopt Murphy Park and subsequently organized the Friends of Murphy Park, whose mission was to: enhance the quality of life for youth with quality and relevant recreation programs; and most notably for operating a structured summer playground program that has operated for 13 years serving thousands of youth of all abilities and diversities with activities in nature, fitness, wellness, personal development, special events, cultural arts, enrichment, drama, dance, music, art, sports, field trips , daily lunch, and provided summer job opportunities for youth ages 14 to 21; and,

WHEREAS, the Friends of Murphy Park continued to flourish with the support of its friends, partners and collaborators: Welcome Baptist Church, Michigan Works, OHLSA, DNR, Take One Programs, DTE, Forgotten Harvest, Unique Foods, Meals on Wheels, Pontiac DPW, Better Pontiac, Night Riders, Pontiac Creative Art Center, Oakland County Parks, Huron Clinton Metropolitan Authority, Nicks Corner, Save-a-Lot, Elam Brothers, Habitat for Humanity, Welcome Baptist Church, St. Vincent Church, Woodside Bible, Take One Programs, Pontiac Horse Shoe Pitchers , Leona Patterson, Mattie McKinney-Hatchett, Chuck Johnson, Kermit Williams, Loretta Crisp, Cheryl Morway, Attorney Earlene Baggett, Dave Coleman, Leonard Smith, Willie Martinez, Butch Finnegan, Duck McConner, Travis, Dennis Williams, Yohannes Bolds, Everette Seay, Curtis Cheeks, Shardae Johnson, Pat Franks, Troy Craft, Deborah Vaden, Margaret Yellen, Regina Press, Mark Holland, Maria and Esther Jimenez, Maria Bermudez, Rip Peterson, Brenda and Randy Carter, Ramone "Cornbread" Johnson, parents, City of Pontiac Mayors and members of the City Council, and,

WHEREAS, the Friends of Murphy Park has been recognized by the National Recreation and Association Ethnic Minority Society and the Michigan Recreation and Parks Association Community Service Award.

NOW, THEREFORE BE IT RESOLVED, that the Pontiac City Council recognizes the Friends of Murphy Park for 25 years of service to the City of Pontiac and more specifically the Murphy Park Community, and

BE IT FURTHER RESOLVED, that this honor be bestowed to current officers Queenie Jones-Hawkins, Joe Woods, Gloria Hill, and Portia Fields-Anderson.

Kermit Williams, President

Randy Carter, President Pro-Tem

Patrice Waterman, Councilwoman

George Williams, Councilman

Mary Pietila, Councilwoman

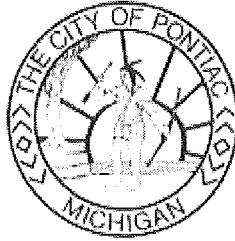
Gloria Miller, Councilwoman

Doris Taylor-Burks, Councilwoman

#4

RESOLUTION

Pontiac City Council Resolution



WHEREAS, the Planning Commission is tasked with the responsibility of coordinating, intergovernmental cooperation, zoning administration, infrastructure, land division, subdivision reviews and capital improvement planning; and,

WHEREAS, state law mandates that the Planning Commission make and approve a master plan as a guide for future development of the City and make careful and comprehensive surveys and studies of present conditions and future growth of the City with regard to its relation to neighboring jurisdictions; and,

WHEREAS, the Planning Commission reviews all development and re-development proposals including site plans, planned unit developments, subdivisions and special use permits; and,

WHEREAS, the Planning Commission forwards recommendations for street or alley vacation, zoning amendments, the layout of redevelopment or rehabilitation of blighted areas, the removal, relocation, widening, narrowing, abandonment, change of use, or extension of streets, grounds, open spaces, buildings, utilities, or other facilities to the City Council for final action.

NOW, THEREFORE BE IT RESOLVED that all Planning Commission recommendations that require final action and or Pontiac City Council approval, must be placed on the Pontiac City Council's agenda within twenty-one (21) days from the date the applicant was provided a recommendation by the Planning Commission.

BE IT FURTHER RESOLVED, that all other outstanding Planning Commission recommendations which require final action and or City Council approval, must also be placed on the Pontiac City Council's agenda within twenty-one (21) days from the date of passage of this resolution.

#5

RESOLUTION



DR. DEIRDRE WATERMAN
MAYOR
CITY OF PONTIAC

To: Honorable City Council President Kermit Williams and City Council
From: Mayor Waterman
CC: Jane Bais DiSessa, Deputy Mayor; Anthony Chubb, City Attorney; Garland Doyle, Interim City Clerk, and Kiearha Davidson, HR Manager
DATE: January 9, 2020
RE: **Recommendation to Appoint Dan Ringo as DPW Director for the City of Pontiac.**

Since June 3, 2019, Dan Ringo, has served as Deputy DPW Director for the Department Public Works. Dan has over 20 years of experience in operations management. He obtained both his Juris Doctor and Bachelors of Technology and Interdisciplinary Studies from Wayne State University. A United States Air Force Veteran, Dan Ringo's combined education and experience, has been an asset to the department. A copy of his resume is attached.

Dan Ringo's work performance has been exemplary. In accordance with Article IV, Chapter 1, Section 4.106, it is my recommendation that Dan Ringo is formally appointed as the Director of Public Works (DPW) for the City of Pontiac.

As such, it gives me great pleasure to recommend the following resolution:

WHEREAS, the Mayor, in accordance with Article IV, Chapter 1, Section 4.106 appoints Dan Ringo as DPW Director for the Department of Public Works; and

WHEREAS, in accordance with Article IV, Chapter 1, Section 4.106 such appointment is subject to approval by Council; and

WHEREAS, Dan Ringo has the credentials, experience, and professionalism necessary to be the DPW Director; and

WHEREAS, Dan Ringo has served as Deputy Director of Public Works since June 3, 2019;

Now, therefore, be it resolved in accordance with appointment procedures provided by law and the City Charter, Dan Ringo is formally appointed, effective immediately, as Director of Public Worker for the City of Pontiac.

Attachment

47450 Woodward Avenue • Pontiac, Michigan 48342
Direct: (248) 758-3181 • Appointments: (248) 758-3326 • Fax: (248) 758-3292
E-mail: DWaterman@pontiac.mi.us • www.pontiac.mi.us
<https://www.facebook.com/pontiacmayor/>

Dan Ringo, J.D.

Chief Executive Officer

Name of Firm:

Ringo Services, Inc.

Years of Experience:

20 years' experience in Operations Management

Education:

Juris Doctor - Wayne State University Law School

Bachelor of Technology and Interdisciplinary Studies - Wayne State University

Associate of Applied Science in Electrical/Mechanical Technology - Community College of the Air Force

Licenses / Certifications:

City of Detroit Stationary Engineer First Class

Detroit Unlimited Refrigeration Journeyman

City of Dearborn Chief Engineer License

State of MI Mechanical Contractor's License

Background:

Dan is a United States Air Force veteran where his peacetime mission was as a heating, ventilation, air-conditioning and refrigeration journeyman. Leading a squadron of Air Force emergency engineering forces, Mr. Ringo studied mechanical and electrical engineering while serving in the military and went on further to study law.

Dan's experience and background covers both blue and white collar jobs in both private and public sectors. He has immense experience in negotiating multi-million dollar contracts of various natures. Dan also possess a Juris Doctor degree which he earned while working full-time managing a \$33 million dollar and fourteen million square foot account for a multinational billion-dollar organization. Dan also developed the very first Chicago Public Schools (CPS) Integrated Facilities Management (IFM) Pilot program where he served as VP of facility operations. The knowledge and experience he gained through law school allowed him to think critically and act quickly ultimately becoming a driving force of any team. He has successfully maneuvered his way in especially intense and difficult labor and negotiation situations that he credits to his legal experience. It has helped with virtually any type of endeavor. It has given Dan a panoramic and broad professional view that will help produce better and more informed results."

As Chief Executive Officer, Dan Ringo holds leadership responsibility for Ringo Services, including over-all strategy and operations as well as strategic planning, client relationship management, customer satisfaction, sales leadership, employee development/retention/recruitment, and performance management.

Professional Experience:

Ringo Services, Inc

Chief Executive Officer (March 2016 – Present)

- Founded company in 2016 and by year two grew company to over \$6million dollars in revenue and a diversified portfolio.
- Established an incredibly strong and diverse leadership team to execute and offer an innovative service offering
- Responsible for client, partner, and community relations
- Ensures quality of services provided follows client expectations
- Holds ultimate responsibility for over-all account performance
- Provides executive leadership to all operational, human resources, IT, and financial functions
- Final decision maker for Ringo Services regarding contractual matters, allocation of resources, and operational issues

REDICO / Continuum Services / American House

Chief Operating Officer (Aug 2015 – June 2016)

- Complete oversight for Continuum Services' operations including three operational divisions and business development, accounting, human resources and administrative support
- Reduced anticipated losses in Exterior Services division by 50% for 2015
- Secured agreements with long-term customers to stabilize revenue expectations
- Increased internal client sales with securing American House preventive maintenance contract
- Implemented and standardized processes for Key Performance Indicator measurements and Requests for Proposals
- For 2016, exceeded sales revenue in Exterior Services by \$300,000

Sodexo / SodexoMAGIC

VP – Facility Operations (Aug 2012 – Aug 2015)

- Strong experience and proven success with P&L accounts with total managed volume of \$50M+
- Led team of professionals that developed \$8.5M in savings for FY15

- Managed over 10,000,000 gross SF and 150 school buildings within the Detroit and Chicago Public Schools
- Consistently exceeded net income projections every year
- Led a full Integrated Facility Management (IFM) program from start-up to implementation with a span of control covering custodial, engineering, maintenance, and grounds operations including managing service contracts with elevator, pest control and fire system vendors
- Attained 90% completion on corrective and preventive maintenance for critical assets
- Consistently maintained customer satisfaction quality ratings above 90%
- Created safety program that has netted several consecutive periods without incident
- Delivered APPA Level 2 Quality for buildings managed under portfolio for Chicago Public Schools
- Created and implemented innovative operational processes which provided and improved transparency and employee/manager accountability
- Proven leader in developing and cultivating key client relationships to foster smooth and seamless contract administration

Powerlink Facility Management Services

Director of Operations (Mar 2011 - Aug 2012)

- Responsible for the over-all direction and maintenance of Detroit Public School Facility Services including Engineering, Custodial, Skilled Trades, and Site Management providing non-instructional support services for over 14,000,000 SF and approximately 140 facilities with the Detroit Public Schools
- Created and implemented operational programs that reduced operational costs, increased productivity, and improved client interaction and satisfaction
- Responsible for staffing levels and assignments to ensure maximum productivity and minimal over- hour accumulation
- Managerial responsibility for 200 employees, 4 Area Managers, and 6 skilled trades foremen
- Provided and presented monthly progress reports of the Detroit Public Schools/Sodexo Facilities Joint Venture
- Facilitated an improved operational relationship through client planning meetings with both the Detroit Public Schools Chief Operating Officer and Facility Operations Executive Director and Sodexo's Vice President of Operations
- Interpreted and enforced contractual agreement between Sodexo and the Detroit Public Schools
- Interpreted and enforced collective bargaining agreements between Powerlink Facility Management Services and the IUOE Local 324 and Sodexo and the Greater Detroit Building Trades Union, including disciplinary actions and contract provision interpretations
- Created and issued reports to Executive Level Management regarding budget, personnel, staff and facility operations

International Union of Operating Engineers Local 324, Bloomfield Twp. Michigan

Executive Director / Recording Corresponding Secretary (Aug 2009 - Mar 2011)

- Central figure for the successful implementation and merger of IUOE Local 547 into IUOE Local 324. This merger of Local Operating Engineer Unions impacted 20,000 employees across Michigan
- Directed, managed, and facilitated staff operations for Local 324's Stationary Division comprised of two directors, five business representatives serving approximately 6,000 members statewide, and 225 collective bargaining agreements

Detroit Public Schools

Facility Manager/Chief Engineer (Sept 1997- Dec. 2008)

- Overall management and supervision for physical plant operations for individual school operations
- Managed custodial and engineering staff
- Ensured a clean, safe and healthy learning environment for staff and students
- Led energy and sustainability efforts in the school

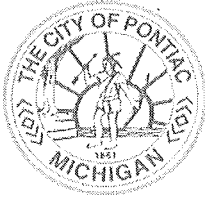
United States Air Force, Maxwell Air Force Base Alabama

Heating, Ventilation, Air-Conditioning and Refrigeration Journeyman (Nov 1993- 1997)

- Maintained, serviced, installed, and operated various HVAC/R equipment.
- Member of the Prime Base Emergency Engineering Force (Prime B.E.E.F.)
 - Ready to deploy anywhere in the world to support wartime mission

#6

RESOLUTION



CITY OF PONTIAC
Department of Building Safety & Planning
Planning Division

47450 Woodward Ave • Pontiac, Michigan 48342
Telephone: (248) 758-2800

Mayor Deirdre Waterman

TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL

FROM: VERN GUSTAFSSON – PLANNING MANAGER
DONOVAN SMITH – CITY PLANNER
THROUGH THE OFFICE OF DEPUTY MAYOR, JANE BAIS-DISESSA

SUBJECT: FILMORE 13 BREWERY - RESOLUTION FOR APPROVAL OF REDEVELOPMENT LIQUOR
'BISTRO' LICENSE

DATE: JANUARY 8, 2020

Whereas, the City of Pontiac City Council chooses to engage in PA 58, 1998, (MCL 436.1101 to 436.2303) Se. 521(a)(1)(b) for the issuance and establishment of Redevelopment Liquor Licenses in a Tax Increment Financing District in accordance with Sec 521(a)(1)(b) of MCL 436.1101 to 436.2303,

Whereas, Filmore 13 Brewery, 7 S. Saginaw St. Suite D, has made petition for a Specially Designated Distributer (SDD) Class C 'Bistro' License, and whom meets eligibility requirements for licensure issuance under subsection Sec 521 (1)(b) and (6)(a-c) of MCL 436.1101 to 436.2303,

Whereas, the City of Pontiac Planning Commission unanimously approved a recommendation at the December 4, 2019 meeting, that the Bistro Liqueur License for Filmore 13 Brewery be approved for issuance to the Pontiac City Council,

Whereas, Filmore 13 Brewery, shall comply with the City of Pontiac Ordinance 2366 to Allow for Redevelopment Liquor Licenses and Conditions for Issuance and Operations of the petitioned Specially Designated Distributer (SDD) Class C 'Bistro' License and the MCL 436.1101 to 436.2303,

Therefore it be resolved, that on January 14th, 2020, at the regularly schedule City Council meeting, City Council voted to approve the acceptance of the Specially Designated Distributer (SDD) Class C 'Bistro' License on behalf of the petitioner Fillmore 13 Brewery, and recommends this application be considered for approval by the Michigan Liquor Control Commission.



City of Pontiac

Redevelopment Liquor License

Planning Division Staff Review Assessment

Application Review Date:	October 25, 2019	
Applicant:	Filmore 13 Brewery	
Contact Person: Lee Todd	Phone: 248-977-3972	Email:
Business Name: Filmore 13 Brewery	Address: 7 N Saginaw Ste D	
Type of Redevelopment License:	<input type="checkbox"/> A-Hotel <input type="checkbox"/> B-Hotel <input checked="" type="checkbox"/> Class C <input type="checkbox"/> Tavern	
Description of Business:	Restaurant/Brewery with Sunday & Outdoor Sales Permits for Sale of Beer & Wine	
Documentation Submission		
<input checked="" type="checkbox"/> Proof Of Ownership <input checked="" type="checkbox"/> Detail Breakdown of Personal Property Investment <input checked="" type="checkbox"/> City of Pontiac New License Application <input checked="" type="checkbox"/> City of Pontiac Questionnaire <input checked="" type="checkbox"/> Notarized Affidavit of Attempt to Secure Escrowed License <input checked="" type="checkbox"/> Submission of Application Fee		
Eligibility Requirements		
Eligibility Requirements:	<input checked="" type="checkbox"/> Business is to be Licensed with eligible license area.	
(All Boxes Must be check to be eligible)	<input checked="" type="checkbox"/> Applicant has expended over \$75,000 over the preceding 5 years or committed to the expenditure before the license is issued.	
	<input checked="" type="checkbox"/> Business engages in dining, entertainment, or recreation with a seating capacity of more than 50 persons.	
	<input checked="" type="checkbox"/> More than 50% of Business revenue is generated from food and non-alcoholic sales.	
License and Property Details		
Types of Liquor Sales	<input checked="" type="checkbox"/> Beer <input checked="" type="checkbox"/> Wine <input checked="" type="checkbox"/> Spirits (Hard Liquor)	
New Construction Building	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Facility Currently Occupied	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Is the facility planning a renovation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Detailed Breakdown of Personal Investment Included:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Value of Personal Investment:	\$ 194,800.00	
Assessors Assessment of Investment:	\$ 81,000	

Donovan Smith

10/25/2019

Printed Staff Reviewer Name

Date

Donovan Smith

10/25/2019

Signed Staff Reviewer Name

Date

6)

i. Fillmore 13 Brewery will utilize the DDA Redevelopment License to further advance an already successful venture in Downtown Pontiac. Including a full range of spirits to our already unique craft brewery will open our doors to more general public and give us the opportunity to expand our clientele by widening our product selection.

a. By introducing a full bar to our selection, we will be hiring extra serving and bar staff to help deliver our products in a professional and timely manner.

b. Continuing on our path as an already solidified Pontiac business, we will utilize the license to help new concepts see our success in the city and help the growth of the Downtown District.



CITY OF PONTIAC APPLICATION FOR
NEW LICENSES

Date: 9-15-19

Instructions: This application must be completed and returned with a \$150 application fee for each license before it can be considered. All answers must be typed or printed. Sign the completed form in ink and return to the City Clerk, 47450 Woodward Ave., Pontiac, Michigan 48342.

MAKE ALL CHECKS OR MONEY ORDERS PAYABLE TO THE CITY OF PONTIAC, MICHIGAN.

1. Applicant identification-all applicants	
Name of individual, partnership, corporation or limited liability company who will hold the license: <u>FILLMORE 13 BREWERY L.L.C.</u>	Contact Person Name: <u>LAITH ROUMAYA</u>
Business Street Address: <u>7 N. SAGINAW STE 1D</u>	Street Address: <u>20378 VINE DR.</u>
City/State/Zip Code: <u>PONTIAC / MI / 48342</u>	City/State/Zip Code: <u>MACOMB TOWNSHIP / MI / 48042</u>
Township:	Business Phone No. <u>(248) 977-3972</u> Home Phone No. <u>(586) 266-7701</u>

2. Nature of Application – (Check all that apply)
<input checked="" type="checkbox"/> Retail Applicants <input type="checkbox"/> Manufacturer or Wholesale Applicants

3. Retail Applicants – (Please identify all permits being applied for with this license application)	
3a. Check Type of License	3b. Check Type of Permits
<input type="checkbox"/> SDM <input type="checkbox"/> Class C <input type="checkbox"/> A-Hotel <input type="checkbox"/> B-Hotel <input type="checkbox"/> Tavern <input type="checkbox"/> Club <input type="checkbox"/> SDD <input checked="" type="checkbox"/> Redevelopment <input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> Sunday Sales <input type="checkbox"/> Add Bar <input type="checkbox"/> Entertainment Sales <input checked="" type="checkbox"/> Outdoor Sales <input type="checkbox"/> Before / After Hours For: _____

4. New Manufacturer or Wholesale Applicants		
<input type="checkbox"/> Wine Maker <input type="checkbox"/> Small Wine Maker <input type="checkbox"/> Wine Maker Tasting Room <input type="checkbox"/> Micro Brewer <input type="checkbox"/> Small Distiller	<input type="checkbox"/> Manufacturer of Spirits <input type="checkbox"/> Industrial Manufacturer <input type="checkbox"/> Warehouse <input type="checkbox"/> Brewpub	<input type="checkbox"/> Outstate Seller of Mixed Spirit Drinks <input type="checkbox"/> Outstate Seller of Wine <input type="checkbox"/> Outstate Seller of Beer <input type="checkbox"/> Other: _____

5. Proposed Licensed Address: <u>7 N. SAGINAW STE 1D</u> <u>PONTIAC, MI 48324</u>
--

6. Briefly describe the business, for example – Drug Store, Restaurant, Party Store, Wholesaler, Wine Maker, etc. <u>RESTAURANT / BREWERY</u>



CITY OF PONTIAC REDEVELOPMENT LIQUOR LICENSE PRE-APPLICATION QUESTIONNAIRE

Instructions to Applicants: If you are applying for a City of Pontiac Redevelopment Liquor License, within the Downtown Area this form must be completed prior to filling out the City of Pontiac New Liquor License Application Form. The new application form will not be accepted without a completed pre-application questionnaire. **Please include copies of two pieces of personal identification.**

Please indicate, by checking YES or NO, if your establishment meets the following criteria.

1. Is the business to be licensed within the geographic boundaries of the City of Pontiac Downtown District? ☒ Yes ☐ No (Please indicate proposed location on the attached map.)

FILLMORE 13 BREWERY L.L.C.

Complete name and address of business to be licensed 7 NORTH SAGINAW STE 1D, PONTIAC, MI 48342
Personal Property ID (for existing businesses) 64 99-00-017-055

2. Applicants for development district licenses, must demonstrate to City of Pontiac and the Michigan Liquor Control Commission (MLCC), at the time of investigation, that the amount expended for the rehabilitation or restoration of the building that houses the licensed premises shall be not less than \$75,000 over a period of the preceding five years or a commitment for a capital investment of at least that amount in the building that houses the licensed premises, which must be expended before the issuance of the license. At the time of application, can your business demonstrate this requirement?
☒ Yes ☐ No (Please attach supporting financial information for verification.)
3. Will the licensed business engage in dining, entertainment or recreation, that is open to the general public, with a seating capacity of not less than 50 persons? ☒ Yes ☐ No (Please attach current or proposed floor plan that supports seating capacity.)
4. Will the licensed business generate 50% or more of its revenue from food and non-alcoholic drink sales? ☒ Yes ☐ No
5. What type of on-premise sales are you interested in applying for? Check all that apply. (Checking the boxes does not guarantee award of any or all categories.)
☒ Beer ☒ Wine ☒ Spirits (hard liquor)
6. Please describe (on an attached sheet) how your business will do the following, if issued a license:
- Prevent deterioration in the DDA district and promote economic growth by:
 - creating new employment opportunities
 - adding new tax value through the purchase of new equipment and/or building improvements
 - Represents a desired land use as determined by the City's area master plan and zoning requirements.
 - Contribute to the mix of dining/drinking, entertainment and recreational existing establishments (describe unique characteristics)

Laith Roumaya
Signature of Applicant

Date

LAITH ROUMAYA
Printed Name

If any of the above questions have been answered NO, the applicant is not eligible to apply for a Development District License as designated under Michigan State Law (Public Act 501 of 2006). Applicants that cannot meet the minimum criteria will not be considered by the City of Pontiac. Do NOT fill out an application.

If all of the above questions have been answered YES, the applicant is eligible to apply for a Redevelopment Liquor License. The next step in the application process is to fill out the City of Pontiac application form. Attach this completed form to the application and submit with **\$150 application fee to the Pontiac City Clerk**, 47450 Woodward Ave, Pontiac, MI 48342. Phone No. – 734-794-6140. **A \$600 license fee is due upon approval.**

To inquire about other licensing opportunities, including transfers of existing Class C licenses, please contact the Michigan Liquor Control Commission directly. All transferred licenses begin at the State level. MLCC On-Premises Licensing Division - 517-322-1400.

7. This proposed licensed business will be owned by: (check one)
☐ Me as the individual owner ☐ The named corporation ☒ The named liability company
The following partners (indicate limited partners with an "L" before their name)
Partnership Information: (attach additional sheet if necessary)

Name of Partners	Home Address	Telephone Number
LATH ROUMAYA	20378 VINE DR. MACOMB TOWNSHIP, 48044	(586) 260-7701
HOWARD WILLIAMS	24611 SANDSET TRAIL SOUTHFIELD MI, 48033	(248) 382-8997
LINDA WILLIAMS	SEE ABOVE	SEE ABOVE

* All partners may be required to complete and submit additional information as part of the application review process, by completing this application applicant agrees to comply with any such requests.

8. Personal Information – Individual Applicants and Partnership Members Only
Date of Birth 11-29-1966 (required to confirm applicant is over 21 years of age)

If you are not a US Citizen – Are you a registered alien? ☒ Yes ☐ No Or, do you have a Visa? ☐ Yes ☐ No
Full name of spouse: NICOLE ROUMAYA

Have you ever legally changed your name? ☐ Yes ☒ No If Yes, from _____ to _____
Have you been known by other names? ☐ Yes ☒ No List Names: _____

Have you ever been convicted of a criminal offense, including alcohol related infractions (exclude traffic citations)? ☒ No
☐ Yes If Yes, please list charge, date of conviction, location and disposition below.
(Use additional sheet if necessary.)

CHARGE	DATE	PLACE	DESCRIPTION

List your former occupations for the past 3 years:

DATE (to/from)	OCCUPATION	EMPLOYER NAME AND ADDRESS
11/2015 - PRESENT	OWNER	FILMORE 13 BREWERY 710 SAGINAW STE 10 PONTIAC, MI 48342

I or my spouse previously held or now hold interest in the following licenses for sale of alcoholic beverages as sole licensee, partner or corporation:

NAME OF LICENSE	TYPE OF LICENSE	LOCATION	DATE
FILMORE BREWERY	MICRO BREWER	710 SAGINAW STE 10	3/1/2017

Do you or your spouse hold any law enforcement powers including powers of arrest? ☐ Yes ☒ No

9. Limited Partnership Applicants Only – is the limited partnership authorized to do business under the laws of Michigan?

☒ Yes

☐ No

Date authorized: 01/14/2015

10. Corporate & Limited Liability Company Applicants Only -

Attach copy filed or proposed Articles of Incorporation, last annual report/statement filed & attach copy of stock options.

Corporate/LLC Name:

FILLMORE 13 BREWERY L.L.C.

Incorporation/Organization date:

01/14/2015

Incorporated/Organized in what State?

MICHIGAN

Michigan Authorization date:

01/14/2015

Name, Address, Phone Number of Resident Agent:

Laith Roumayy
20378 VINCEN
MACOMB, MI 48044

586-260-7701

(Check one of each)
Corporation

☒ Profit or ☐ Nonprofit

☒ Public or ☐ Private Corporation

Date last annual report/statement filed with Michigan Corporation and Securities:

Corporate Officers	Name	Address	Phone Number
President	_____	_____	_____
Vice-President	_____	_____	_____
Secretary	_____	_____	_____
Treasurer	_____	_____	_____

11. Corporations and Limited Liability Companies – List all persons, companies and other entities that hold or will hold stock interest or membership in applicant entity.

Name	Address	Phone Number	%Interest
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____

12. Denial of Application/Revocation of License

(A) Have you, prior to this application, made application(s) for a similar or other license on premises other than described in this application?

☐ Yes ☒ No

If yes, please list date, place and disposition of such application(s).

(B) Have you, prior to this application, been disqualified to receive approval for a license under the laws of the State of Michigan?

☐ Yes ☒ No

If yes, please explain.

(C) Have you ever held a liquor license which has been revoked or not renewed?

☐ Yes ☒ No

If yes, please state reason.

13. Financial Details – All applicants

(A) Source of funds used to establish business, or which will be used to purchase this business, list name, address and amount of all money lenders.

Name	Address	Amount
<u>HUNTINGTON BANK</u>	<u>47047 BORME PLANK RD, MALCOMB MI 48044</u>	<u>\$ 650,000.00</u>
_____	_____	\$ _____
_____	_____	\$ _____

(B) Attorney or representative

<u>JOHN MABLEY</u>	<u>26211 CENTRAL PARK BLVD. STE 200</u>	<u>248.797.2711</u>
Name	Address SCOTTFIELD MI 48076	Phone Number

14. Premises (Answer either A, B, or C.) Applicant shall attach a building and grounds layout diagram (8-1/2 x 11) showing the entire structure, premises, and grounds, and in particular the specific areas where the license is to be utilized. Plans shall demonstrate adequate off-street parking, lighting, refuse disposal facilities, and where appropriate, adequate plans for screening and notice control.

(A) New Construction

Do you need to build a facility at the residence that will hold the license? ☐ Yes ☒ No

If yes, do you have building permits? ☐ Yes ☐ No

If no, when do you plan to get them? _____

If yes, when do you expect construction will begin? _____

If yes, when do you expect construction to be completed? _____

If yes, what is the estimated cost of construction of the facility? \$ _____

When is your anticipated occupancy date/open for business date? _____

Would you build the facility at this location if you do not get a license? ☐ Yes ☐ No

(B) Existing Facility-No Renovation

Is the facility currently occupied? ☒ Yes ☐ No

If yes, do you intend to be licensed under the existing business at this location? ☒ Yes ☐ No

If yes, do you intend to be licensed under the same management? ☒ Yes ☐ No

How long has the existing business be at the location? 3 YEARS

Are you currently associated with the business operation on site? ☒ Yes ☐ No

If yes, in what capacity are you associated? OWNER

If no, will you be purchasing the premises? _____

(C) Existing Facility Renovation

Do you plan to renovate an existing facility? ☐ Yes ☒ No

If yes, what is the estimated cost of the renovation? \$ _____

If yes, when do you expect construction will begin? _____

If yes, when do you expect the construction to be completed? _____

When is your anticipated occupancy date/open for business date? _____

Is the facility currently occupied? ☐ Yes ☐ No

If yes, are you currently associated with the business operation on site? ☐ Yes ☐ No

If yes, in what capacity are you associated? _____

Will it be necessary to temporarily close the facility for renovation? ☐ Yes ☐ No

If yes, how long will the facility be closed? _____

Are you going to renovate the facility if you do not get a license? ☐ Yes ☐ No

15. Employment -- (All applicants must complete either A or B section)

(A) Existing Business

How large is the current staff? (i.e. 1 full-time bartender)

Number	Full	or	Part-time	Position
<u>1</u>	<u>✓</u>		<input type="checkbox"/>	<u>MANAGER</u>
<u>2</u>	<u>✓</u>		<input type="checkbox"/>	<u>BREWER</u>
<u>8</u>	<u>✓</u>		<input type="checkbox"/>	<u>SERVER/BAR</u>
<u>5</u>	<u>✓</u>		<input type="checkbox"/>	<u>COOKS</u>
_____	<input type="checkbox"/>		<input type="checkbox"/>	_____
_____	<input type="checkbox"/>		<input type="checkbox"/>	_____

Will you be retaining current staffing levels, expanding current staffing levels, or decreasing current staffing levels if you receive the license? Explain. _____

EXPANDING DUE TO EXPECTED INCREASE IN SALES

(B) New Business

How large of a staff do you plan to have? (i.e. 1 full-time bartender)

Number	Full	or	Part-time	Position
_____	<input type="checkbox"/>		<input type="checkbox"/>	_____
_____	<input type="checkbox"/>		<input type="checkbox"/>	_____
_____	<input type="checkbox"/>		<input type="checkbox"/>	_____
_____	<input type="checkbox"/>		<input type="checkbox"/>	_____
_____	<input type="checkbox"/>		<input type="checkbox"/>	_____

16. Operating Statement – Attach a general operation statement outlining the proposed manner in which the business for which the license being proposed will be operated, including a schedule of the hours of operation, food services, crowd control, and use of facilities.

Please see Attached.

17. Personal Statement – (App applicants must complete this requirement)

Please describe how this business will enhance the City of Ann Arbor community. What special considerations should we take into account in evaluating your application? PLEASE LIMIT YOUR ANSWER TO 200 WORDS OR LESS. Please attach a separate sheet of paper if necessary.

Please see Attached

I have read all of the above answers and they are true. I agree to provide all requested information and to fully cooperate with all City Service Areas requesting any and all additional information provided in this application or any attachment thereto. Any changes that occur after the date of this application, applicant will notify the City Clerk, in writing, within 14-days of such change. I understand that the falsification of the information on this form or any false statements made during investigations may constitute grounds for denial of a license.

I warrant that I am not disqualified to receive a liquor license under the ordinances of the City of Pontiac or the laws of the State of Michigan. If granted a liquor license I will not violate any federal or state laws or any ordinance of the City of Pontiac in the conduct of business.

Attested to:

Date of Application

Signature of Applicant
(if applicant is a corporation, include title
of signor)

Name of person completing this
form if not the applicant

16)

Fillmore 13 Brewery will continue to operate 7 days a week as follows:

Monday: 3PM – 10PM

Tuesday: 11AM – 11PM

Wednesday: 11AM – 11PM

Thursday: 11AM – 11PM

Friday: 11AM – 12AM

Saturday: 11AM – 12AM

Sunday: 12PM – 9PM

We will utilize this license during all hours of operation paired with our extensive menu offering brick oven pizza, handmade sandwiches and house entrees. The DDA Liquor license will pair with our microbrewery to further service the many individuals who work in the area or seek entertainment in one of Pontiac's many venues.

17)

Fillmore 13 Brewery will continue to be a destination point in Downtown Pontiac and this license will help us expand our vision and dedication to excellence by broadening our available products to greater client base. We ask that you view our progress over the last three years and see that we have become a part of the Pontiac community, as well as an attraction for residents of outlying cities to visit our rebuilding Downtown Area. The acquisition of this license will help us create an environment that not only satisfies individuals looking for excellent craft beer, but will now offer a full service restaurant, brewery and bar.

ORDINANCE NO. #2366

THE CITY OF PONTIAC ORDAINS:

I. BISTRO RESTAURANTS

- (1) An applicant for a liquor license may propose to utilize the license for purposes of the operation of a bistro. Dining, entertainment, or recreation may be the primary purpose of the bistro. Unique and diverse venues with specialized menus that attract new patronage are encouraged.
- (2) For purposes of this chapter, a "bistro" is defined as being a fixed food service establishment with interior seating that meets all of the following criteria:
 - (a) The liquor license must be a redevelopment district or development district license, as defined in the Michigan Liquor Control Code, MCLA § 436.1101 et seq., as amended.
 - (b) Interior seating (including bar seating) can be no less than 50 people and no greater than 150 people.
 - (c) Sidewalk Cafes and Outdoor Dining Patios as defined in Section 2.539 of the Pontiac Zoning Ordinance are permitted in establishments with Bistro Liquor Licenses, provided that the City determines that there is sufficient space on an adjacent public sidewalk. Rooftop seating does not qualify as seasonal sidewalk cafe seating. Alcohol may only be served to seated patrons in sidewalk seating areas.
 - (d) Bar seating shall be limited to 25% or less of the interior seating.
 - (e) The establishment shall close no later than 12:00AM. With the prior approval of City Council, an establishment may remain open to offer food service.
 - (f) Sales of food shall total not less than 50% of the total revenue of the establishment.
 - (g) The licensee must otherwise comply with all requirements of the City Code.
- (3) Bistro Restaurants may only be located in the C-2 Downtown Zoning District.
- (4) Bistro Restaurant liquor licenses may not be transferred to other businesses, nor other addresses. A Bistro Restaurant liquor license may be transferred to a subsequent owner of the business originally granted the Bistro Restaurant liquor license if approved by the City Council, which shall use the criteria set forth in Section 8(a)-(h) to make such determination.
- (5) Prior to requesting approval by the City Council, a Bistro Restaurant shall obtain a Special Exception Permit from the City Planning Commission.
- (6) Prior to operating a bistro, a licensee shall enter into a Development Agreement with the City setting forth all rehabilitation/restoration plans and operating requirements for the Bistro Restaurant. Failure to comply with the terms and conditions of the Agreement shall be grounds for the City Council to recommend revocation of the license by the Michigan Liquor Control Commission.
- (7) Grounds for Immediate Review. A bistro license holder may be subject to immediate review by the

City Council if he or she is cited for three violations within one calendar year. When under review, the City Council may determine that the bistro license holder is no longer operating within the best interests of the city, and the City Council may recommend revocation of the bistro license to the Michigan Liquor Control Commission.

- (a) A violation includes any of the following:
 - (i) Violations issued from the Michigan Liquor Control Commission.
 - a. Citations from the City.
 - (ii) Citations issued from any other governmental body.

(8) Approval. If the City Council is satisfied that the establishment or operation will provide a benefit to the City of Pontiac and constitute an asset to the community, it will adopt a resolution granting approval, subject to the satisfaction of any conditions stated in the resolution. The City Council shall consider the following nonexclusive list of criteria to assist in the determination if the establishment will provide a benefit and be an asset to the community.

- (a) The applicant's demonstrated ability to finance the rehabilitation/restoration as set forth in the Development Agreement.
- (b) The applicant's demonstrated ability to finance the operations of the proposed project.
- (c) The applicant's track record with the city, including responding to city and/or citizen concerns.
- (d) Whether the applicant has an adequate site plan to handle the bistro liquor license activities at the proposed establishment.
- (e) Whether the applicant has adequate health and sanitary facilities at the proposed establishment.
- (f) Potential community benefits proposed by the applicant.
- (g) The applicant's ability to employ city residents.
- (h) Whether the applicant has outstanding obligations to the city (i.e., property taxes, utilities, etc.). Applicant shall be automatically denied if applicant has any outstanding/past-due obligations to the city or other municipality or governmental agency.

(9) Approval Procedures and Requirements;

- A. **Submission & Initiation of Licensee Process.** A property owner with business interest in an existing establishment, a possessory interest entitled to exclusive possession, or a contractual interest may submit to the City of Pontiac Planning Division an application requesting a Bistro Redevelopment Liquor License.
- B. **Submission of application.** All requirements of the Bistro Redevelopment License Application and Special Exemption Application must be submitted to the Planning Division with all required information included to be considered complete, incomplete applications will not be reviewed. Applications must be submitted 45 days prior to the scheduled Planning Commission Meeting.
- C. **Technical Review.** Upon receipt of the Bistro License Application, and prior to the scheduled Planning Commission Special Exemption Review, the Planning Division must

conduct a technical review of the application findings based on the criteria outline above Section 8(a)-(h), as well as those criteria outline in the Zoning Ordinance for Special Exemption Review.

- D. **Special Exemption and Application Review.** Upon the Planning Commission's review of the proposed Bistro Redevelopment Liquor License, the Planning Commission will offer a recommendation to City Council for Denied or Approval of the license request.
- E. **City Council License Review.** Upon receipt of the Planning Commission recommendation of the proposed Bistro Redevelopment Liquor License. City Council will affirm that the proposed site complies with the City of Pontiac Zoning Ordinance and section 8(a)-(h) of this ordinance, and vote to adopt a resolution to approve or deny the applicant's request for a Bistro Redevelopment Liquor License.


Ayes: Pietila, Taylor-Burks, Waterman and Williams

No: None

Ordinance Passed.

Councilwoman Miller was absent during the vote.

I, Garland S. Doyle, Interim City Clerk of the City of Pontiac, hereby certify that the foregoing is a true copy of the Ordinance passed by the City Council of the City of Pontiac at a regular Council Meeting held in the City Council Chambers in said City on the 6th day of August 2019. This Ordinance shall be effective ten days after date of adoption by the City Council.

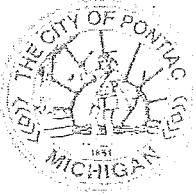


Garland S. Doyle, Interim City Clerk



#7

RESOLUTION



CITY OF PONTIAC
Department of Building Safety & Planning
PLANNING DIVISION

47450 Woodward Ave • PONTIAC, MICHIGAN 48342
TELEPHONE: (248) 758-2800

Mayor Deirdre Waterman

TO: HONORABLE MAYOR, COUNCIL PRESENT, AND CITY COUNCIL

FROM: VERN GUSTAFSSON, PLANNING MANAGER
THROUGH THE OFFICE OF DEPUTY MAYOR JANE BAIS-DISESSA

SUBJECT: GLENWOOD PLAZA REVIEW PROCESS SUMMARY

DATE: JANUARY 9, 2020

We are excited to present the City Council with a Zoning Map Amendment with Conditions to convert the former Glenwood Plaza into mixed use retail, cannabis and light manufacturing facilities [see attached report]. It is a significant development project with many moving parts and City's internal, Planning Commission and City Council reviews to get the applicant at this point for City Council to review and approve the Zoning Map Amendment with Conditions.

The process began in mid-2019:

- July 2019: Split/Combination Applications submitted
- August & September 2019: City Attorney & I worked with applicant and consultant to final Conditional Rezoning Agreement
- October 2019: City Council approve Lot Split/Combination
- December 2019: Planning Commission recommends approval of Zoning Map Amendment with Conditions to City Council
- January 2020: City Council to review and approve Glenwood Plaza Zoning Map Amendment with Conditions

We request City Council to approve a resolution on the next page to rezone Parcel Numbers 64-14-21-383-011 & 012 from C-1 Local Business to C-3 Corridor Commercial and M-1 Light Manufacturing with CR Conditional Rezoning and create a Medical Marihuana Overlay District [MMOD] to allow medical marihuana provisioning and non-provisioning facilities to locate within the MMOD.

Resolution

ZMA 19-08 - Zoning Map Amendment
Address: 7 & 9 S. Glenwood Avenue
Parcel No: 64-14-21-383-011 & 012

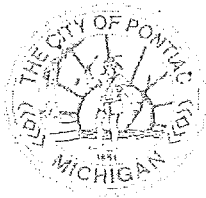
Whereas, The City has received an application for a Zoning Map Amendment for 7 & 9 S. Glenwood Avenue identified as Parcel Numbers. 64-14-21-383-011 & 012 from Manuel David Ferraiuolo; and

Whereas, The Planning Division has reviewed the applicant's rezoning request and the requirements set forth by Section 6.804 of the Zoning Ordinance, and the Planning Division has determined the aforementioned request and proposed intended use of the property complies with the City of Pontiac Zoning Ordinance; and

Whereas, In accordance with the procedures outlined in the Zoning Ordinance, Sections 6.802 as it relates to Zoning Map Amendments, the request has undergone the required: Technical Review, Public Hearing, and Planning Commission Recommendation; and

Whereas, On December 18, 2019, a Public Hearing was held and in consideration of public opinion, the Planning Commission recommends City Council to approve the Zoning Map Amendment request for 7 & 9 Glenwood Avenue approving the change from the current C-1 Local Business to C-3 Corridor Commercial and M-1 Light Manufacturing with CR Conditional Rezoning; and

Now Therefore, Be It Resolved, That the City of Pontiac City Council approve the Planning Commission recommendation for the Zoning Map Amendment (ZMA 19-08) request for 7 & 9 Glenwood Avenue also known as Parcel Numbers 64-14-21-383-011 & 012, to amend the current site zoning C-1 Local Business to C-3 Corridor Commercial and M-1 Light Manufacturing with CR Conditional Zoning and create a Medical Marihuana Overlay District [MMOD] to allow medical marihuana provisioning and non-provisioning facilities to locate within the MMOD. Additionally, the CR Conditional Rezoning is effective for a period not less than twenty years.



CITY OF PONTIAC
Department of Building Safety & Planning
PLANNING DIVISION

47450 Woodward Ave • PONTIAC, MICHIGAN 48342
TELEPHONE: (248) 758-2800

Mayor Deirdre Waterman

TO: HONORABLE MAYOR, COUNCIL PRESENT, AND CITY COUNCIL

FROM: VERN GUSTAFSSON, PLANNING MANAGER
THROUGH THE OFFICE OF DEPUTY MAYOR JANE BAIS-DISESSA

SUBJECT: ZMA 19-08 ZONING MAP AMENDMENT WITH CONDITIONS
MANUEL DAVID FERRAIUOLO
7 & 9 S. GLENWOOD AVE. | PIN 64-14-21-383-011 & 012
C-1 LOCAL BUSINESS TO M-1 LIGHT MANUFACTURING & C-3 CORRIDOR
COMMERICAL WITH CONDITIONS

DATE: JANUARY 9, 2020

The City of Pontiac is in receipt of application ZMA 19-08 for the proposed conditional rezoning of parcel 64-14-21-383-011 & 012. The approximately 26 acre site is located on 7 & 9 S. Glenwood Avenue, southeast of Perry Street. Manuel David Ferraiuolo, the Applicant proposes a Zoning Map Amendment from C-1 Local Business to C-3 Corridor Commercial and M-1 Light Manufacturing with CR Conditional Rezoning and create a Medical Marihuana Overlay District [MMOD] which would allow medical marihuana provisioning and non-provisioning facilities to locate within the MMOD. According to the application, the Applicant proposes to convert the former Glenwood Plaza into mixed use retail, Medical Marihuana and light manufacturing facilities. At the December 18, 2019 meeting the Planning Commission recommended to City Council the approval of the Zoning Map Amendment.

If the rezoning with conditions are approved, the Applicant is required to obtain an approved Medical Marihuana permit for each Medical Marihuana facility from the City and state of Michigan and complete a site plan per Section 6.204 to obtain preliminary and final site plan review for each phase of development from the Planning Commission.

Proposal/Process

As noted above, the Applicant requests rezoning with conditions and establish a new MMOD on the subject site with the intention to convert the former Glenwood Plaza into mixed use retail, medical marihuana and light manufacturing facilities. A significant amount of buildings in the approx. 20 acre proposed M-1 Light Manufacturing area will be renovated and improved to facilitate Medical Marihuana growers, processors and other non-provisioning medical marihuana facilities and construct new light manufacturing facilities.

In the approx. 6 acre proposed C-3 Corridor Commercial development area, the Applicant plans to construct an anchor grocery store, farmer's market/event space, support business/retail center and

potentially a medical marihuana provisioning center. The Zoning Map Amendment application includes conditions volunteered by the Applicant, which are described in greater detail in this report.

In accordance with Section 6.807 of the City Zoning Ordinance, the request for Conditional Rezoning requires a technical review, Public Hearing and recommendation by the Planning Commission, and final decision by City Council. The Conditional Rezoning Agreement will be executed between the Applicant and City Council at the time City Council approves the Conditional Rezoning.

Existing Development Pattern

The subject site, which is the former Glenwood Plaza received lot combination/lot split approval from the Planning commission to create two parcels on the east side of S. Glenwood Avenue. Both parcels have vehicular access from S. Glenwood Avenue. Land uses to the north, east, and south surrounding the site are predominately residential. Areas to the west are commercial uses wedged between S. Glenwood Avenue and Perry Street and along the west side of Perry Street.

Existing Zoning Pattern

The subject site and abutting property to the west are zoned C-1 Local Business. Immediately to the north, east and south are zoned R-1 One Family Dwelling.

Master Plan

The City of Pontiac updated the City Master Plan in 2014. The Plan has an economic development focus. A key goal of the Master Plan is to “take advantage of Pontiac’s central location and affordability to attract new office, retail, commercial, and mixed-use development/redevelopment to Pontiac that works to help recruit new economy businesses and workers”.

Various land use categories are identified in the Master Plan to support the City’s goals and preferred vision for future land development. The distribution of these future land use categories are embedded in the Master Plan as Exhibit 42 – Pontiac Future Land Use Map.

The subject site is designated as Entrepreneurial: Industrial, Commercial, and Green Future Land Use. This zoning district’s stated goal is to provide flexibility that encourages the positive reuse of under-utilized properties in strategic locations throughout the City. The Conditional Rezoning limits proposed uses and achieves the objectives of the Master Plan by eliminating a blighted, vacant site.

Rezoning Criteria

The City of Pontiac City Council should consider “any of the following criteria [found in Section 6.804, A-J] that apply to the rezoning with conditions application in making findings, recommendations, and a decision” to amend the Official Zoning Map (see Section 6.804).

Additionally, the section also stipulates that the City of Pontiac City Council may also consider other factors or considerations that are applicable to the application, but are not listed among the ten criteria. To assist the City of Pontiac City Council in its evaluation of these and other criteria, we offer the following findings of fact for your consideration. The *ten stated criteria* are listed below with our findings:

1. *Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.*

As described in the Master Plan, this proposed development project is consistent with the goals, policies, and objectives of the City's Master Plan.

2. *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*

The site was previously developed so it's geological, hydrological, and other environmental features were previously lost.

3. *Evidence the Applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning.*

The Applicant did not provide evidence that they could develop the 26 acre property with only small business and personal service uses, since it would not be in character with Glenwood Avenue and Perry Street commercial corridor and would not provide a reasonable return on investment.

4. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*

Planned development in the C-3 Corridor Commercial District and M-1 Light Manufacturing District with CR Conditional Rezoning limits select commercial and manufacturing uses and would be compatible with existing single family uses surrounding the site. Additionally, the planned commercial uses would be compatible to the commercial nature of the S. Glenwood Avenue and Perry Street's development patterns, land suitability, aesthetics and should not affect property values.

5. *The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City.*

Existing City utilities and services capacity would be sufficient for the proposed use.

6. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*

S. Glenwood Avenue is a Major Road. The proposed development will not impact the ability of Glenwood Avenue and Perry Street to handle potential traffic.

7. *The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*

The boundaries of the rezoning with conditions are reasonable in relationship to surroundings and meet dimensional regulations in the C-3 and M-1 zoning districts.

8. *If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.*

The Conditional Rezoning request is much more appropriate than other zoning districts.

9. *If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*
It would be inappropriate to amend the existing C-1 Local Business district to permit a wide range of uses including large-scale retail, service commercial, office and low-impact light manufacturing uses. Conditional Rezoning of the subject site is the most appropriate action to allow limited proposed uses within the C-3 and M-1 zoning districts.
10. *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*
This Conditional Rezoning application would not create an incompatible C-3 and M-1 zoning district within the entire Glenwood Avenue corridor.

Conditional Rezoning Agreement

The Applicant has volunteered conditions as part of their Conditional Rezoning Agreement [see attachment] that will restrict the uses developed on the subject site and we determined that the Conditional Rezoning Agreement to be consistent with Michigan Zoning Enabling Act, Michigan Public Act 110 of 2006, specifically Section 405.

- The Developer obtains all of the necessary permits from MDOT, Oakland County Road Commission, Water Resource Commission and the City of Pontiac, and any other approval or permits necessary for site work construction approval.
- The Developer shall as part of Phase I of the project remove the existing façade from the entire shopping center, install all necessary underground utilities and infrastructure, repair or replace entire roof, and install new perimeter fences and walls. Phase I shall be completed within six (6) to twelve (12) months of receiving the necessary permits.
- The Developer shall as part of Phase II completely buildout no more than One Hundred Thousand (100,000) square feet of space for medical marijuana tenants until there is a grocery tenant that is minimum of Fifteen Thousand (15,000) square feet that has received a certificate of occupancy and is open to the public for business. The Developer shall also replace, remove and or repair the entire asphalt parking lot. Phase II shall be completed within six (6) to twelve (12) months of receiving the necessary permits.
- The Developer shall as part of Phase III complete the interior build out of the remaining retail space to white box standard. The Developer may also elect to construct a new retail strip center. Phase III shall be completed within six (6) to twelve (12) months of receiving the necessary permits.

The City of Pontiac City Council must evaluate the request with these conditions in mind. It is important to note that the City cannot request or suggest modifications to these conditions. Per the Michigan Zoning Enabling Act, such conditions must be made voluntarily of the Applicant. If favorable consideration is given to the request, the City Attorney will review the Conditional Rezoning Agreement for execution between the Applicant and City Council.

CONDITIONAL REZONING AGREEMENT

This Conditional Rezoning Agreement (the "Agreement") is made this 2nd day of October, 2019, by and between the City of Pontiac, a Michigan City, with its offices located at 47450 Woodward Ave, Pontiac, Michigan, 48342 (the "City"), and Rubicon Capital LLC, a Michigan Limited Liability Company, (the "Developer") with its principal offices located at 4234 Bald Mountain Rd, Auburn Hills, Michigan, 48326.

THE PARTIES RECITE THAT:

WHEREAS, City of Pontiac exercising all of their powers pursuant to the City Charter; and

WHEREAS, the Developer is a Michigan corporation organized and existing in good standing under and pursuant to the Business Corporation Act, 1972 PA 284, as amended, and exercising all of the powers provided therein; and

WHEREAS, the Developer is looking to develop certain parcels of real property located within the City of Pontiac, specifically parcel numbers; 14-21-383-004, 14-21-383-005, 14-21-383-006, 14-21-383-007, 14-28-126-047 _____ in Pontiac, 48326 which is currently zoned C-1 Local Business (as specifically listed and legally described on EXHIBIT A) (the "Property"), and desires to proceed with creating a Medical Marijuana Overlay District (M.M.O.D.) which would allow cannabis manufacturing and processing facilities to locate within the district; and

WHEREAS, under and pursuant to Section 405 of the Michigan Zoning Enabling Act, 2008 PA 110, as amended (codified at MCL §125.3405 et seq), certain conditions voluntarily offered by the owner of land, including an agreement between the City and the Developer, may become a condition of rezoning of the Property; and

WHEREAS, the City Planning Commission on October 2nd ____ 2019 held a Public Hearing reviewing the conditional rezoning application; and

WHEREAS, the Developer on July 8, 2019, submitted an Application for a Zoning Map Amendment through way of a Conditional Rezoning (attached as EXHIBIT B), voluntarily offering, in writing, certain conditions to rezone the Property from C-1 Local Business, including, among other conditions, this Agreement; and

WHEREAS, the City, on October 2nd ___, 2019, held a Public Hearing on the request for Conditional Rezoning and proposed amendment to the City's Zoning Map; and

WHEREAS, the City Planning Commission, on October 2nd ___, 2019, voted to recommend approval of the request for Conditional Rezoning and proposed amendment to the City's Zoning Map Ordinance based upon this Agreement and the attached Exhibits; and

WHEREAS, the City Planning Commission, on October 2nd ___, 2019, voted to approve the request for Conditional Rezoning and adopted Ordinance No. _____ to amend the City's Zoning Map Ordinance based upon the conditions set forth in this Agreement and the attached Exhibits; and

NOW, THEREFORE, in consideration of the foregoing and the mutual promises hereinafter set forth, the City and the Developer agree as follows:

1. THE DEVELOPMENT PROJECT

- a. **Project Definition.** The Developer agrees to redevelop the entire site over a number of phases to create a new age commerce park that will have a mix of uses from retail(grocery, potential provisioning center, fast casual restaurant, etc.) to light manufacturing tenants(medical marihuana grow and processing, robotic repair, etc.)
- b. Construct a retail strip center and grocery store to service the needs of the community and tenants of the site (the "Project") on the Property. The Project will commence after site plan approval is completed and approved by the City and the Planning Commission.
- c. The Project shall be based on the Developer's forthcoming Site Plan Approval Application Submittal, with revisions as necessary from City staff review for new construction. The zoning use district regulations for the Property shall be based upon the C-3 Corridor Commercial and M-1 Light Manufacturing for the purposes of allowing cannabis growing and processing facilities along with a mix of traditional users allowed under the C-3 and M-1 zoning districts.

2. TIMING

- a. **Project Sequence.** The City and the Developer agree that the following approvals and activities are conditions to this Agreement, and that the activities shall be completed in an expeditious manner and that each condition

requires the completion of all of the previous approvals and activity, and will not take place until all of the previous approvals and activities have been completed;

- i. The Developer obtains all of the necessary permits from MDOT, Oakland County Road Commission, Water Resource Commission and the City of Pontiac, and any other approval or permits necessary for site work construction approval.
- ii. The Developer shall as part of Phase I of the project remove the existing façade from the entire shopping center, install all necessary underground utilities and infrastructure, repair or replace entire roof, and install new perimeter fences and walls. Phase I shall be completed within Six (6) to 12 (12) months of receiving the necessary permits.
- iii. The Developer shall as part of Phase II completely buildout no more than One Hundred Thousand (100,000) square feet of space for medical marijuana tenants until there is a grocery tenant that is minimum of Fifteen Thousand (15,000) square feet that has received a certificate of occupancy. The Developer shall also replace, remove and or repair the entire asphalt parking lot. Phase II shall be completed within Six (6) to 12 (12) months of receiving the necessary permits.
- iv. The Developer shall as part of Phase III complete the interior build out of the remaining retail space to white box standard. The Developer may also elect to construct a new retail strip center. Phase III shall be completed within Six (6) to 12 (12) months of receiving the necessary permits.

- d. **Enforced Delay.** In the event of enforced delay in the performance by the Developer of its obligations under this Agreement, specifically including, but not limited to, the obligations described in paragraph 2(a) above, due to unforeseeable causes beyond its control and without fault or negligence, including, but not restricted to, acts of God or of the public enemy; acts of the federal, state or county government; acts of the judiciary, including injunctions, temporary restraining orders and decrees; acts of the other party; strikes or labor unrest; fires; floods; unstable soils; epidemics; environmental contamination; or severe weather; the time for performance of such obligations shall be extended by mutual agreement for the period of the enforced delays; provided, however, that the Developer shall, within ten (10) days after the beginning of such enforced delay, have first notified the City in writing of the causes thereof and requested an extension for the period of the enforced delay. The City's approval of an extension for enforced delay shall not be unreasonably withheld.

3. DEFAULT

- a. **Developer Performance.** In the event that the Developer fails to obtain the necessary approvals set forth in Section 2(a)(i) above for the development, then, by written notice given by the City to the Developer within three (3) months following such failure by the Developer, the City may, at its option and within its sole discretion, terminate this Agreement. In the event that this Agreement is terminated by the City or the Developer fails to complete the

construction of the development and receive certificates of occupancy as set forth in Section 2(a)(iii) above; then, by written notice given by the City to the Developer within three (3) months following such failure by the Developer, the City Council may, at its option and within its sole discretion, declare the Property to revert back to the C1 – Local Business zoning and terminate the Site Plan Approval for the development.

4. **CHANGE IN USE.** Any change to the use of the structure to a use other than what has been specified in this Agreement may be administratively approved by the City Planning, and Zoning Official and/or the Mayor if it meets the following standards:
 - a. The change to the use would not increase by more than five percent (5%) any or all of the following characteristics of the property: "The City may include conditions such as:" the total number of parking spaces required or provided; or the expected traffic generation; and
 - b. The use is allowed in the M1 and or C-3 zoning districts. Any change to the use of the structure other than what has been specified in this Agreement that does not meet the standards above shall be treated as a new application for the use and must be approved in accordance with the procedures and standards of the City's Zoning Ordinance, the Special Use Permit approval, a variance approval or for amendment or rezoning, as applicable.
5. **ENTIRE AGREEMENT.** This Agreement, the exhibits attached hereto, if any, and the instruments which are to be executed in accordance with the requirements hereof set forth all the covenants, agreements, stipulations, promises, conditions, and understandings between the City and the Developer concerning the Project as of the date hereof, and there are no covenants, agreements, stipulations, promises,

conditions or understandings, either oral or written, between them other than as set forth herein.

6. **RELATIONSHIP OF THE PARTIES.** The relationship of the City and the Developer shall be defined solely by the expressed terms of this Agreement, including the implementing documents described or contemplated herein, and neither the cooperation of the parties hereunder nor anything expressly or implicitly contained herein shall be deemed or construed to create a partnership, limited or general, or joint venture between the City and the Developer, nor shall any party or their agent be deemed to be the agent or employee of any other party to this Agreement.
7. **MODIFICATION.** This Agreement can be modified or amended only by a written instrument expressly referring hereto and executed by the City and the Developer.
8. **MICHIGAN LAW TO CONTROL.** This Agreement and the rights and obligations of the parties hereunder shall be construed in accordance with Michigan law.
9. **DUE AUTHORIZATION.** The City and the Developer each warrant and represent to the other that this Agreement and the terms and conditions thereof have been duly authorized and approved by, in the case of the City, its City Council and all other governmental agencies whose approval may be required as a precondition to the effectiveness hereof, in the case of the Authority by its members and all other applicable governmental agencies, and as to the Developer, by the members thereof, and that the persons who have executed this Agreement below have been duly authorized to do so. The parties hereto agree to provide such opinions of counsel as to the due authorization and binding effect of this Agreement and the collateral documents contemplated hereby as the other party shall reasonably request.

10. NO PERSONAL LIABILITY. The obligations hereunder of the City and the Developer shall constitute solely the obligations of the respective entities to be satisfied solely from their respective assets, and no officer, Board member, agent, employee, or partner of any of said entities shall have any personal obligation, responsibility or liability for the performance of the terms of this Agreement.

{Signature Page Follows}

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on
the date first set forth above.

WITNESSED:

SIGNED:

For: City of Pontiac
By: _____

For: City of Pontiac
By: _____

Notary Public

_____ County, _____

Acting in _____ County, _____

My Commission Expires _____

WITNESSED:

SIGNED:

For: Rubicon Capital LLC
By: Manuel Ferraiuolo

Notary Public

_____ County, _____

Acting in _____ County, _____

My Commission Expires _____



LEGEND

DOI: 10.1002/ajb.a.20315

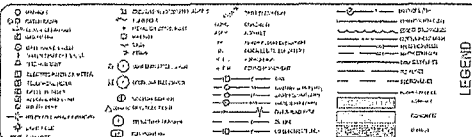
ZONE 15: HIGH MOUNTAIN ZONE


POINTS OF INTEREST

APPROX. 650' FROM FREE LINE ISLAND CHRISTIAN CENTER TO
PROPOSED SITE ENTRANCE AT HIGH TIDE. OTHER APPROX. 250'.
APPROX. 210' SITE ENTRANCE (GROW) TO ZONE 4 - 1
APPROX. 720' SITE ENTRANCE (HIGGINS) TO FRONT DOOR AT 1.0. OTHER APPROX.



J. PADOCK ST.



 **SPALDING
DeDECKER.**

For more information, write to:
Spalding DeDecker
10000 Highway 100, N.E.
Atlanta, Georgia 30329
Tel. (404) 251-4100
Telex 995431 Spaldec
Fax (404) 251-4101

[illegible]

CLIENT:
RELISON CAPITAL
33717 WOODWARD AVE #201
BIRMINGHAM, MI 48009

GLENWOOD PLAZA
UPDATE AND REZONING
PONTIAC, MI
AERIAL BUFFER MAP

SECTION 21		
TOWN : NORTH PARK W-0517		
CITY OF PHOENIX		
CHALMERS COUNTY, MISSISSIPPI		
NO.	DATE	REMARKS

STATION REPORT

FIREFIGHTER 1-100

ENGINEER 1-100

SQUAD 1-100

TANK 1-100

PUMP 1-100

WATER 1-100



Application for Zoning Map Amendment

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: Glenwood Plaza - 7 S. Glenwood Ave.

Sidwell Number: 14-21-283-001, 14-21-283-005, 14-21-283-006, 14-21-283-007, 14-28-126-047

Date: 07/03/2019

Office Use Only

PF Number: _____

Instructions: Completed applications with appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least 30 days prior to the regularly scheduled Planning Commission meeting. Applications must be complete in all respects with supporting documents such as site plan, property survey etc. Planning staff will schedule the application for consideration by the Planning Commission in accordance with the attached schedule. Incomplete applications will delay the review process.

Applicant (please print or type)

Name	Manuel David Ferraiuolo		
Address	4234 Bald Mountain Road		
City	Auburn Hills		
State	Michigan		
ZIP Code	48326		
Telephone	Main: n/a	Cell: 248-214-9236	Fax: n/a
E-Mail	Manni@RubiconCapital.co		

Project and Property Information

Name of Proposed Development: Rubicon Capital, LLC

The subject property is location at 7 S. Glenwood Ave. on the N / S / E / W side of N. Perry St.
between Gage St. and N. Paddock St.

The property is zoned: C1

Proposed Zoning District: C3 & M1

It is proposed that the property will be used as: Commerce Park with a mix of uses.

The subject property is legally described as follows (include sidwell numbers):

Please see attached.

Property Owner Information

Name	Manuel David Ferraiuolo		
Address	4234 Bald Mountain Road		
City	Auburn Hills		
State	Michigan		
ZIP Code	48326		
Telephone	Main: n/a	Cell: 248-214-9236	Fax: n/a
E-Mail	Manni@RubiconCapital.co		

Are you the ☒ Owner _____ Agent/rep. of the owner _____ Other _____

The proposed will be used for the following purpose (provide as much detail as possible with photographs, sketches, site plans, written documents, etc.).

The property will be used to create a new age commerce park that would allow for a mix of uses from retail (grocery store, fast casual restaurant, potential provisioning center, etc.) to light manufacturing (medical marihuana growing facility, robotics repair, etc.) See attached proposed site plan and renderings for details.

State the reason for the Zoning Map Amendment, particularly the manner in which the City will benefit if the amendment is approved and why such change will not be detrimental to the public welfare and/or the property rights of other persons located in the vicinity of the site.


This proposed zoning amendment will bring the property inline with the uses/tenants that have been utilizing the now dilapidated shopping center. For the last 25 plus years the

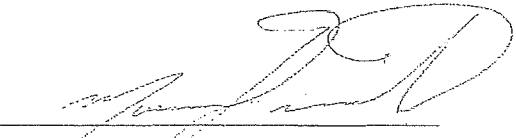
shopping center has struggled to have any real meaningful tenants or improvements made to it. By allowing this Zoning Map Amendment the City will enable the property to be

redeveloped into a new age commerce park. The redevelopment calls an entire overhaul of the site along with new construction. This new development coupled with the mix of

proposed tenants will greatly benefit the not only the area residents in the vicinity of the site but the entire city by bring living wages jobs, a safe and secure development, additional

tax revenue and large investment dollars. See attached proposed site plan and renderings for details.


Signature of Owner

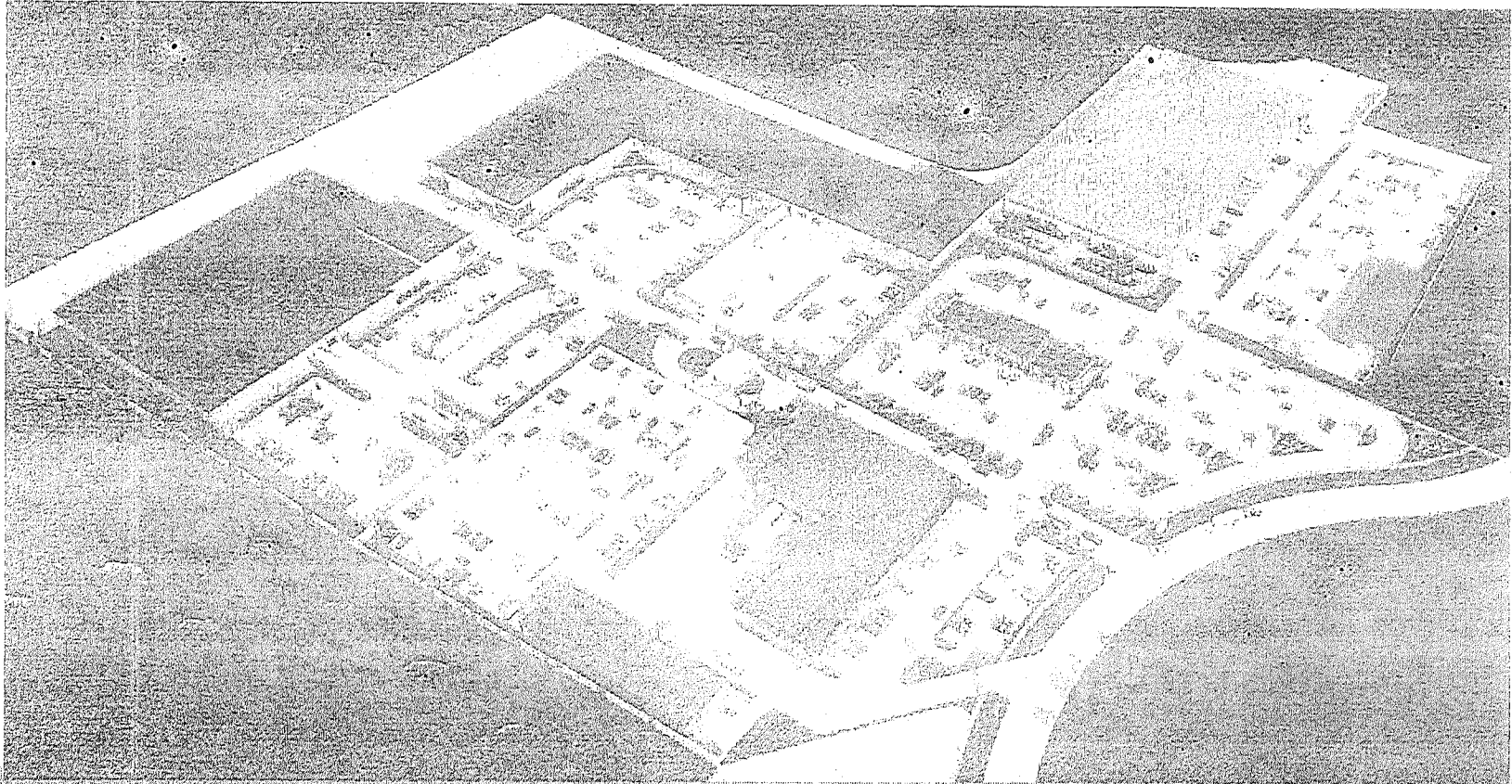

Signature of Applicant

State of Michigan
County of Oakland

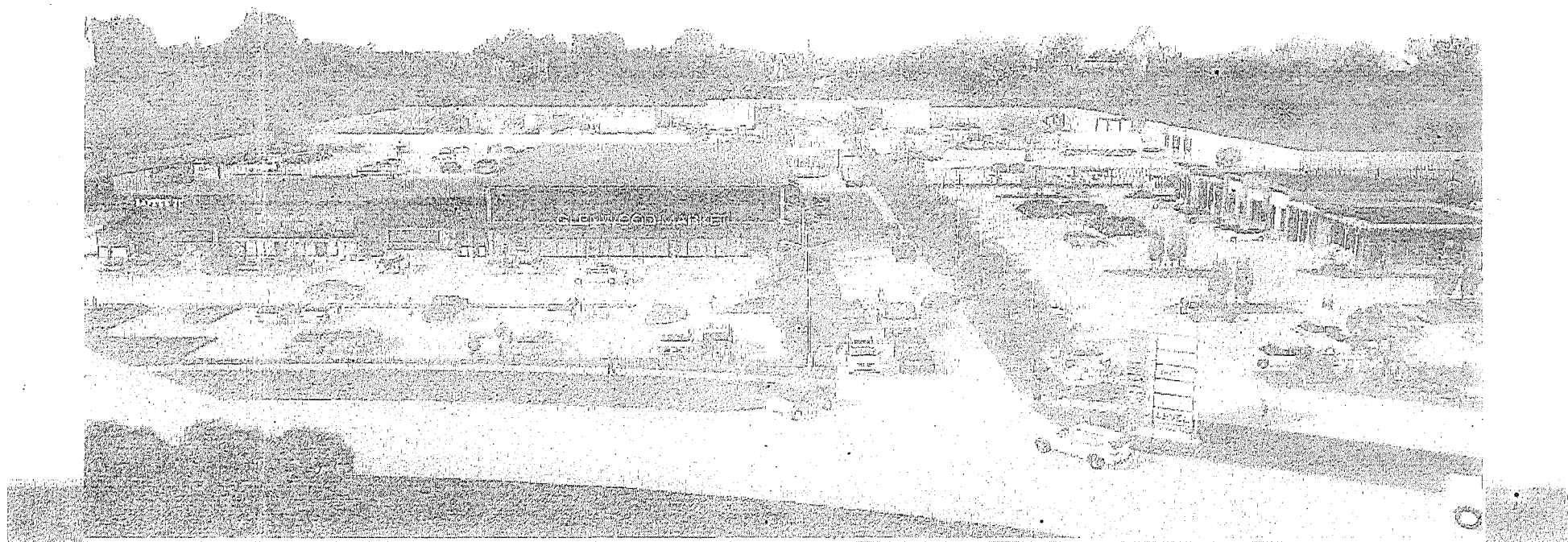
On this ____ day of _____, A.D., 20____, before me personally appeared the above named person, who being duly sworn, stated he/she has read the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.

Notary Public, Oakland County, Michigan
My Commission Expires: _____

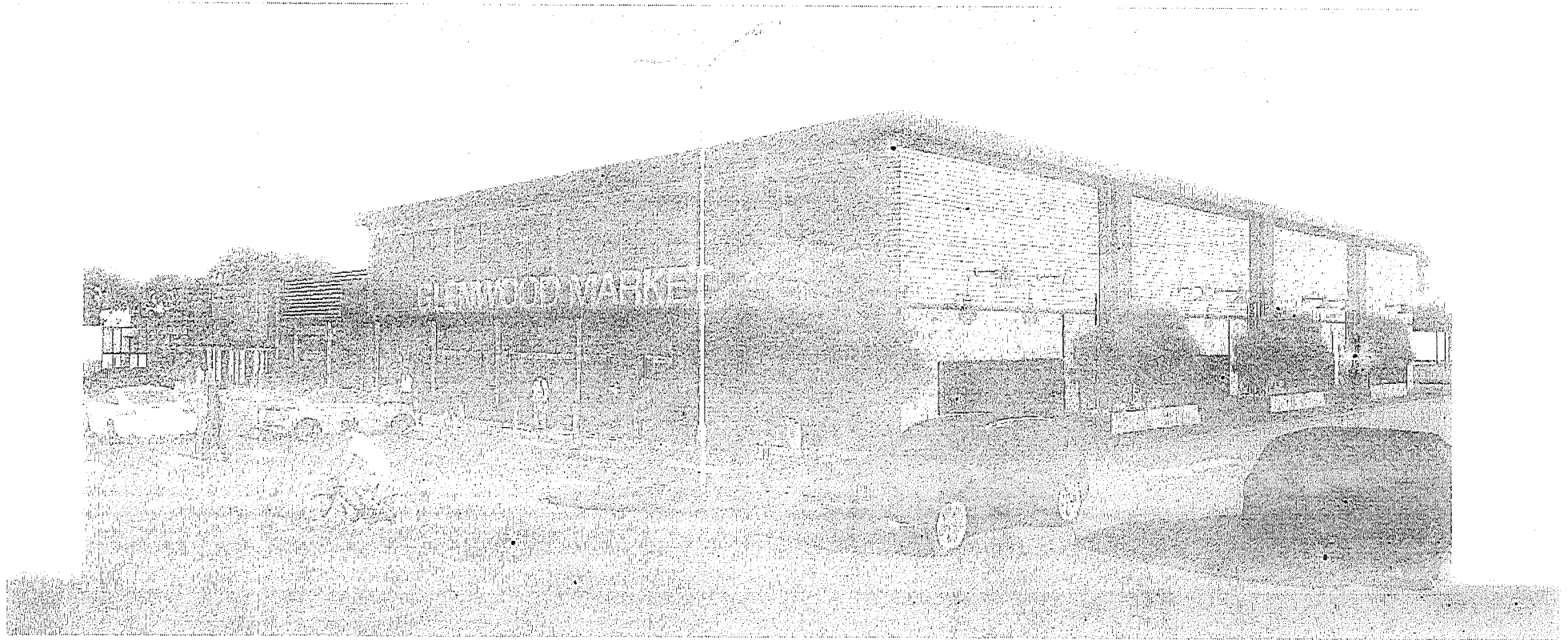
ZMA 19-08...Proposed Development Plan



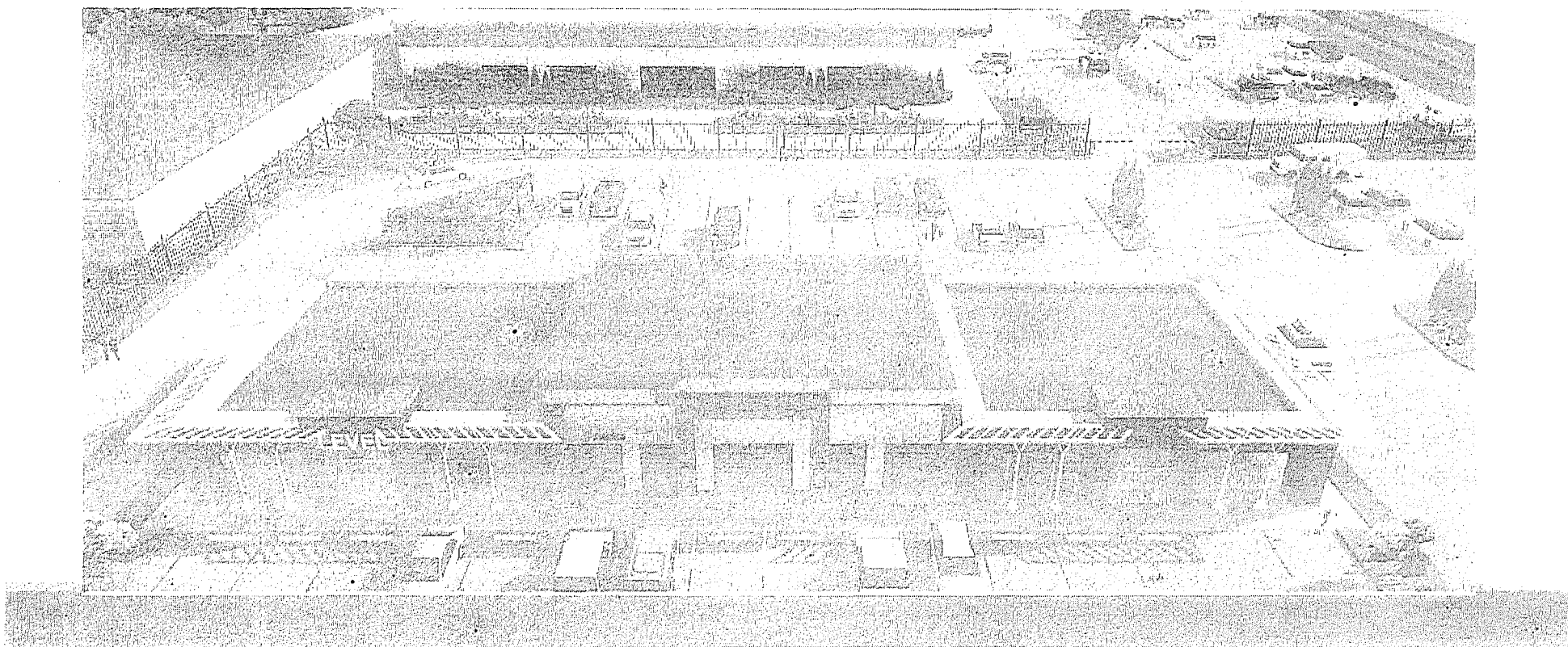
ZMA 19-08 – Development Images



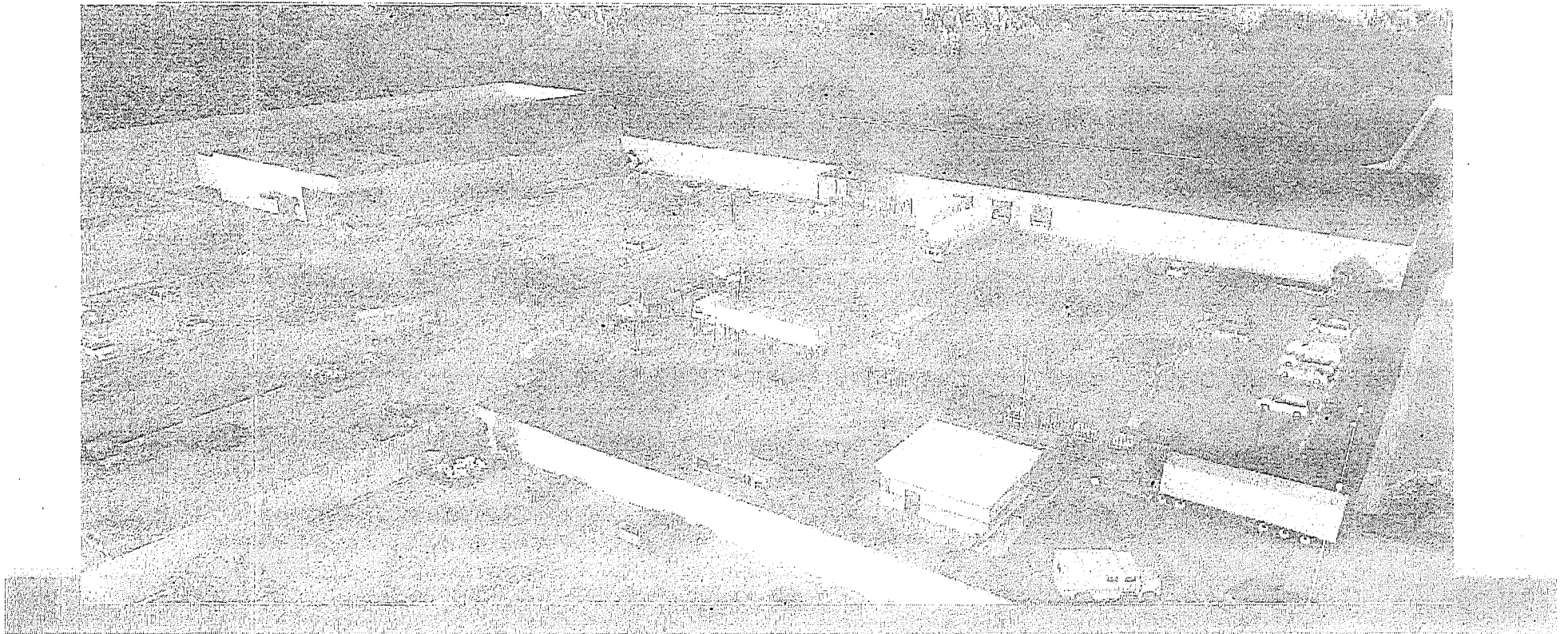
ZMA 19-08 – Development Images



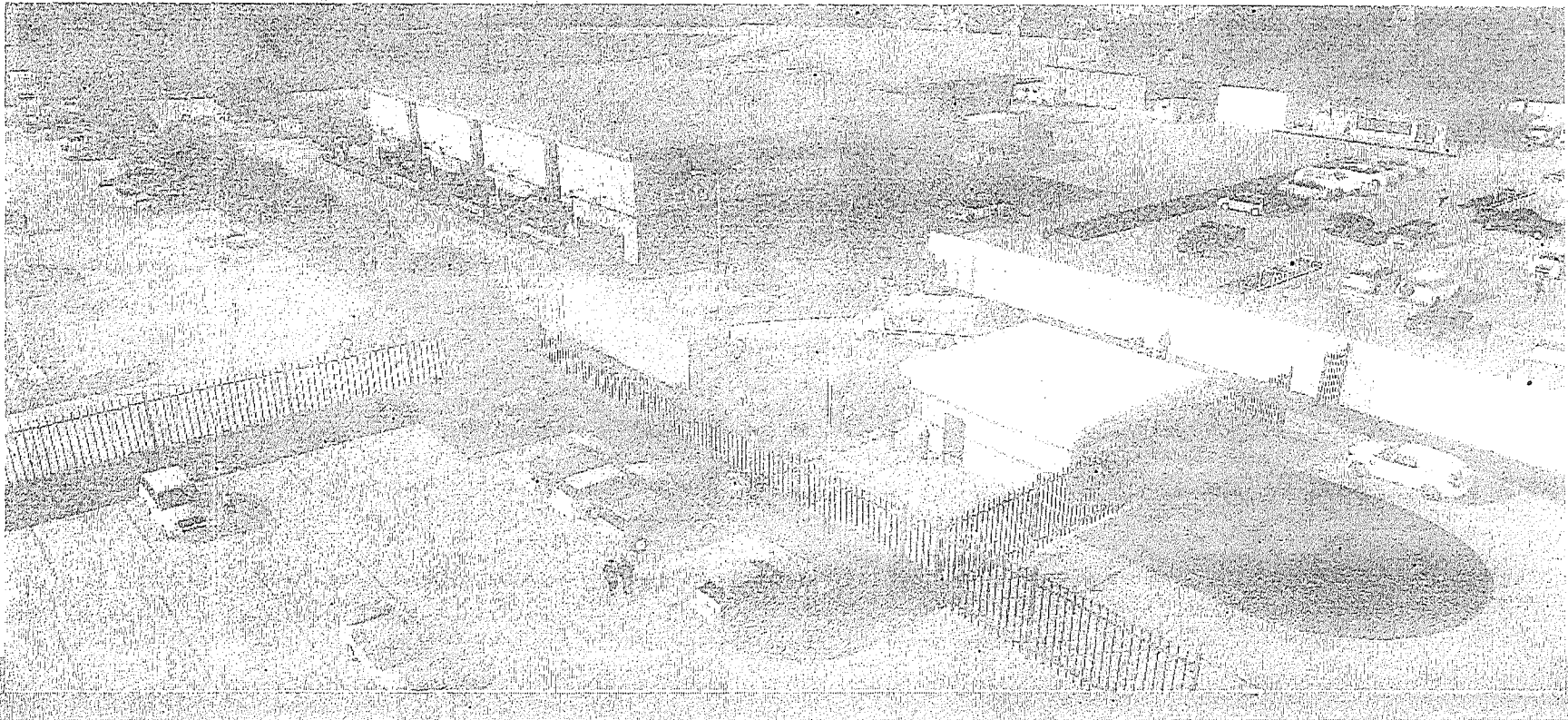
ZMA 19-08 – Development Images



ZMA 19-08 – Development Images



ZMA 19-08 – Development Images



#8

RESOLUTION



Department of Building Safety & Planning
PLANNING DIVISION
47450 Woodward Ave | PONTIAC, MICHIGAN 48342-5009
TELEPHONE: 248.758.2800 | FAX: 248.758.2827

Mayor Deirdre Waterman

TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL

FROM: VERN GUSTAFSSON, PLANNING MANAGER
THROUGH THE OFFICE OF DEPUTY MAYOR-JANE BAIS-DISESSA

SUBJECT: ZMA 19-12 RESOLUTION TO APPROVE ZONING MAP AMENDMENT WITH
CONDITIONS
OO CESAR CHAVEZ LLC
VACANT PROPERTY-CESAR CHAVEZ | PIN 64-14-18-351-017
C-4 SUBURBAN COMMERCIAL TO C-3 CORRIDOR COMMERCIAL
PROPOSED MEDICAL MARIHUANA PROVISIONING CENTER

DATE: JANUARY 9, 2020

The City of Pontiac is in receipt of application [ZMA 19-12] for a Zoning Map Amendment [rezoning] with conditions per Section 6.807 of the Pontiac Zoning Ordinance for parcel number 64-14-18-351-017. The approx. 2.0 acre site is located on the east side of Cesar Chavez, south of West Road. OO Cesar Chavez LLC, the applicant requests a rezoning from C-4 Suburban Commercial to C-3 Corridor Commercial. The rezoning would ensure that the proposed Medical Marijuana Provisioning Center is properly zoned. At the January 8, 2020 meeting the Planning Commission recommended to City Council the approval of this Zoning Map Amendment with Conditions.

Summary

1. The applicant requests rezoning the subject site from C-4 Suburban Commercial to C-3 Corridor Commercial.
2. The Master Plan identifies the subject site as Entrepreneurial: Industrial, Commercial & Green. The proposed zoning designation is consistent with this future land use designation.
3. The subject property is compatible with C-3 zoning standards.
4. If the Zoning Map Amendment is approved, the applicant would be required to comply with Article 6, Chapter 2, and Section 6.204 Site Plan Review of the Pontiac Zoning Ordinance, In addition, ensure all requirements to the Medical Marijuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marijuana license from the City of Pontiac and the state.
5. The applicant submitted a condition to the rezoning that the rezoned parcel will revert back to the current zoning district if a properly licensed cannabis facility is not operating and not open to the public within three years from date of Pontiac City Council approval of Zoning Map Amendment with Conditions.

Master Plan

According to the City's 2014 Master Plan Update any new economic prospects on which to build a sustainable destiny with new retail/commercial development is a major land use objective. It is with this spirit that is embedded in the Master Plan update.

The subject site is designated as Entrepreneurial: Industrial, Commercial & Green mixed-use land use category that allows flexibility in use and form to encourage the use of vacant property in locations around the City. These areas have been identified with the potential to be catalysts for other positive re-investment in these neighborhoods and/or corridors by entrepreneurs to start businesses and create jobs in the process.

Areas to the west, north and east are also planned as Entrepreneurial: Industrial, Commercial & Green. Area to the south planned as Civic/Public, which is owned and operated by the Oakland County Water Resource Commission.

The Zoning Map Amendment request complies with the requirements found within the Master Plan's Entrepreneurial District classification, which is to spur regional commercial corridor economic developments in areas that allows flexibility to attract creative and motivated entrepreneurs and locate in the Medical Marihuana Overlay District described in Ordinance 2363 – Medical Marihuana Zoning Ordinance.

Medical Marihuana Overlay District

Based on our technical review of the proposed rezoning, the subject site is located in the Cesar Chavez Medical Marihuana Overlay District. In consideration of the proposed rezoning from C-4 Suburban Commercial to C-3 Corridor Commercial zoning district, the following Medical Marihuana uses; Provisioning Center, Safety Compliance and Secure Transporter facilities may be located on this site, if all requirement of the Medical Marihuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marihuana license from the City of Pontiac and the state.

Existing Zoning Districts

Properties to the west are zoned C-3 Corridor Commercial. North, east and south of subject site are zoned C-4. The proposed Zoning Map Amendment provides a mix of commercial intensity areas, which implements the mix-use land use classification strategy found in the Pontiac Master Plan.

Rezoning Criteria

The Pontiac Planning Commission must consider any of the following criteria [section 6.804, A-J] that apply to the rezoning application in making findings, recommendations, and a decision to amend the Official Zoning Map [Section 6.804]. Additionally, the section also stipulates that the Planning Commission may also consider other factors that are applicable to the application, but are not listed among the ten criteria. To assist in the evaluation of these and other criteria, we offer the following findings of fact for your consideration.

Section 6.804 provides review criteria for the Planning Commission to utilize in making its findings, recommendations, and formulating a decision. The *ten stated criteria* are listed below with our findings:

1. *Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.*

The subject site conforms to the goals and objectives included in the City's Master Plan. The Master Plan created Entrepreneurial districts to develop and encourage adaptive re-use of vacant properties to allow various intensity of commercial uses located within specific areas and foster the economic development rebirth of the Cesar Chavez Corridor.

2. *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*

The site is currently vacant; so it's geological, hydrological, and other environmental features are present on the site and should be developed to preserve these City's natural resources.

3. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning.*

The applicant did not demonstrate an inability to receive a reasonable return on investment with the existing zoning.

4. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*

The development of a Medical Marihuana Provisioning Center is compatible with surrounding uses and in terms of land suitability, density, traffic impacts, aesthetics, and infrastructure.

5. *The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City.*

The City's utilities have capacity and services will be sufficient to accommodate the proposed Medical Marihuana Provisioning Center and not compromise the City's health, safety, and welfare.

6. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*

Cesar Chavez [BR 24] is a business route under the jurisdiction of the Michigan Department of Transportation. The proposed development will not impact the ability of Business Route [BR 24] to handle potential traffic.

7. *The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*

The boundaries of the rezoning are reasonable in relationship to surroundings and zoning district dimensional requirements.

8. *If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.*

With all the previous findings of fact, the boundaries of the proposed C-3 zoning district are reasonable from the City's perspective and comply with the vision found in the City's Master Plan.

9. *If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*

It would be inappropriate to amend the zoning text for C-4 Suburban Commercial zoning district to allow a Medical Marihuana Provisioning Center within the C-4 zoning district.

10. *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*

The proposed rezoning does not create an isolated zoned area and it proposes reasonable continuation of Corridor Commercial zoning to the north and south.

ZMA 19-12 – Zoning Map Amendment with Conditions
Parcel: 64-14-18-351-017

Resolution

Whereas, The City has received an application for a Zoning Map Amendment with Conditions for a vacant property, identified as Parcel No. 64-14-18-351-017 from OO Cesar Chavez LLC for the rezoning of the aforementioned parcel; and

Whereas, The Planning Division has reviewed the applicant's rezoning request in regards to the City's Master Plan and the request conforms to the goals and vision contained within the plan; and

Whereas, The Planning Division has reviewed the applicant's rezoning request and the requirements set forth by Section 6.804 of the Zoning Ordinance, and the Planning Division has determined the aforementioned request and proposed intended use of the property complies with the City of Pontiac Zoning Ordinance; and

Whereas, In accordance with the procedures outlined in the Zoning Ordinance, Sections 6.802 as it relates to Zoning Map Amendments, the request has undergone the required: Technical Review, Public Hearing, and Planning Commission Recommendation; and

Whereas, On January 8, 2020, a Public Hearing was held, and in consideration of public opinion, the Planning Commission recommends City Council approve the Zoning Map Amendment with Conditions request for vacant property, approving the change from the current C-4 Suburban Commercial zoning district to C-3 Corridor Commercial zoning district with Conditions; and

Now Therefore, Be It Resolved, That the City Council for the City of Pontiac approve the Planning Commission recommendation for the Zoning Map Amendment with Conditions (ZMA 19-12) request for vacant property, also known as PIN 64-14-18-351-017, to amend the current site zoning from C-4 Suburban Commercial to C-1 Corridor Commercial zoning district with Conditions.



Department of Building Safety & Planning
PLANNING DIVISION

47450 Woodward Ave | PONTIAC, MICHIGAN 48342-5009
TELEPHONE: 248.758.2800 | FAX: 248.758.2827

Mayor Deirdre Waterman

TO: PONTIAC PLANNING COMMISSION

FROM: VERN GUSTAFSSON, PLANNING MANAGER
PLANNING DIVISION

SUBJECT: ZMA 19-12 ZONING MAP AMENDMENT WITH CONIDTIONS
OO CESAR CHAVEZ LLC
VACANT PROPERTY-CESAR CHAVEZ | PIN 64-14-18-351-017
C-4 SUBURBAN COMMERCIAL TO C-3 CORRIDOR COMMERCIAL
PROPOSED MEDICAL MARIHUANA PROVISIONING CENTER

DATE: DECEMBER 30, 2019

The City of Pontiac is in receipt of application [ZMA 19-12] for a Zoning Map Amendment [rezoning] with conditions per Section 6.807 of the Pontiac Zoning Ordinance for parcel number 64-14-18-351-017. The approx. 2.0 acre site is located on the east side of Cesar Chavez, south of West Road. OO Cesar Chavez LLC, the applicant requests a rezoning from C-4 Suburban Commercial to C-3 Corridor Commercial. The rezoning would ensure that the proposed Medical Marihuana Provisioning Center is properly zoned. In accordance with Section 6.802 of the City Zoning Ordinance, the request for Zoning Map Amendment requires a technical review, Public Hearing, recommendation by the Planning Commission, and a final decision by City Council.

Summary

1. The applicant requests rezoning the subject site from C-4 Suburban Commercial to C-3 Corridor Commercial.
2. The Master Plan identifies the subject site as Entrepreneurial: Industrial, Commercial & Green. The proposed zoning designation is consistent with this future land use designation.
3. The subject property is compatible with C-3 zoning standards.
4. If the Zoning Map Amendment is approved, the applicant would be required to comply with Article 6, Chapter 2, and Section 6.204 Site Plan Review of the Pontiac Zoning Ordinance, In addition, ensure all requirements to the Medical Marihuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marihuana license from the City of Pontiac and the state.
5. The applicant submitted a condition to the rezoning that the rezoned parcel will revert back to the current zoning district if a properly licensed cannabis facility is not operating and not open to the public within three years from date of Pontiac City Council approval of Zoning Map Amendment with Conditions.

Master Plan

According to the City's 2014 Master Plan Update any new economic prospects on which to build a sustainable destiny with new retail/commercial development is a major land use objective. It is with this spirit that is embedded in the Master Plan update.

The subject site is designated as Entrepreneurial: Industrial, Commercial & Green mixed-use land use category that allows flexibility in use and form to encourage the use of vacant property in locations around the City. These areas have been identified with the potential to be catalysts for other positive re-investment in these neighborhoods and/or corridors by entrepreneurs to start businesses and create jobs in the process.

Areas to the west, north and east are also planned as Entrepreneurial: Industrial, Commercial & Green. Area to the south planned as Civic/Public, which is owned and operated by the Oakland County Water Resource Commission.

The Zoning Map Amendment request complies with the requirements found within the Master Plan's Entrepreneurial District classification, which is to spur regional commercial corridor economic developments in areas that allows flexibility to attract creative and motivated entrepreneurs and locate in the Medical Marihuana Overlay District described in Ordinance 2363 – Medical Marihuana Zoning Ordinance.

Medical Marihuana Overlay District

Based on our technical review of the proposed rezoning, the subject site is located in the Cesar Chavez Medical Marihuana Overlay District. In consideration of the proposed rezoning from C-4 Suburban Commercial to C-3 Corridor Commercial zoning district, the following Medical Marihuana uses; Provisioning Center, Safety Compliance and Secure Transporter facilities may be located on this site, if all requirement of the Medical Marihuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marihuana license from the City of Pontiac and the state.

Existing Zoning Districts

Properties to the west are zoned C-3 Corridor Commercial. North, east and south of subject site are zoned C-4. The proposed Zoning Map Amendment provides a mix of commercial intensity areas, which implements the mix-use land use classification strategy found in the Pontiac Master Plan.

Rezoning Criteria

The Pontiac Planning Commission must consider any of the following criteria [section 6.804, A-J] that apply to the rezoning application in making findings, recommendations, and a decision to amend the Official Zoning Map [Section 6.804]. Additionally, the section also stipulates that the Planning Commission may also consider other factors that are applicable to the application, but are not listed among the ten criteria. To assist in the evaluation of these and other criteria, we offer the following findings of fact for your consideration.

Section 6.804 provides review criteria for the Planning Commission to utilize in making its findings, recommendations, and formulating a decision. The *ten stated criteria* are listed below with our findings:

1. *Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.*
The subject site conforms to the goals and objectives included in the City's Master Plan. The Master Plan created Entrepreneurial districts to develop and encourage adaptive re-use of vacant properties to allow various intensity of commercial uses located within specific areas and foster the economic development rebirth of the Cesar Chavez Corridor.
2. *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*
The site is currently vacant; so it's geological, hydrological, and other environmental features are present on the site and should be developed to preserve these City's natural resources.
3. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning.*
The applicant did not demonstrate an inability to receive a reasonable return on investment with the existing zoning.
4. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*
The development of a Medical Marihuana Provisioning Center is compatible with surrounding uses and in terms of land suitability, density, traffic impacts, aesthetics, and infrastructure.
5. *The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City.*
The City's utilities have capacity and services will be sufficient to accommodate the proposed Medical Marihuana Provisioning Center and not compromise the City's health, safety, and welfare.
6. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*
Cesar Chavez [BR 24] is a business route under the jurisdiction of the Michigan Department of Transportation. The proposed development will not impact the ability of Business Route [BR 24] to handle potential traffic.
7. *The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*
The boundaries of the rezoning are reasonable in relationship to surroundings and zoning district dimensional requirements.

8. *If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.*

With all the previous findings of fact, the boundaries of the proposed C-3 zoning district are reasonable from the City's perspective and comply with the vision found in the City's Master Plan.

9. *If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*

It would be inappropriate to amend the zoning text for C-4 Suburban Commercial zoning district to allow a Medical Marihuana Provisioning Center within the C-4 zoning district.

10. *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*

The proposed rezoning does not create an isolated zoned area and it proposes reasonable continuation of Corridor Commercial zoning to the north and south.

Recommendation

Per the review requirements found in Section 6.804 of the Zoning Ordinance and our findings, we suggest that the Planning Commission consider recommending to City Council the request from OO Cesar Chavez LLC to rezone Parcel Number 64-14-18-351-017 [application ZMA 19-12] from C-4 Suburban Commercial to C-3 Corridor Commercial with conditions.

Zoning Map Amendment Site Assessment

Name of Development: TBD

Name of Applicant: 00 Cesar Chavez LLC

Contact at/for site (Name, Tel): 810-471-2567

Address & Zoning for Development 64-14-18-351-017

Proposed Zoning Change: C-3 Corridor Commercial

Proposed Use: Medical Marijuana Facilities

Adjacent Property Zoning: _____

North: C-4 Suburban Commercial

South: C-3 Corridor Commercial

East: C-4 Suburban Commercial

West: C-4 Suburban Commercial

Proposal 1 Buffer Measurements

Located in or outside MM Overlay District: ☒ Overlay Area ☐ Non-Overlay Area

If located in Overlay District, what is the district?: Cesar Chavez

Nearest School Facility: Name: Alcott Elementary Distance: >1,000 ft

Nearest Park Facility: Name: North Kiwanis Park Distance: >500 ft

Nearest Religious Property: Name: The Eternal Mother Temple Distance: >500 ft

Nearest Child Care Facility: Name: Alcott Elem. Child Care Distance: >500 ft

ZMA 19-12



Application for Zoning Map Amendment

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: Vacant (See Legal Description.)

Sidwell Number: 14-18-351-017

Office Use Only

PF Number: ZMA 19-12

Date: July 26, 2019

Instructions: Completed applications with appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least **30 days** prior to the regularly scheduled Planning Commission meeting. Applications must be complete in all respects with supporting documents such as site plan, property survey etc. Planning staff will schedule the application for consideration by the Planning Commission in accordance with the attached schedule. Incomplete applications will delay the review process.

Applicant (please print or type)

Name	00 Cesar Chavez LLC		
Address	1500 Golfside Court		
City	Flushing		
State	Michigan		
ZIP Code	48433		
Telephone	Main: 810-471-2567	Cell: 810-471-2567	Fax:
E-Mail	marshshkeri@yahoo.com		

Project and Property Information

Name of Proposed Development: Unknown at this time.

The subject property is location at 14-18-351-017 on the N / S / E / W side of Cesar E. Chavez, Ave. between Kennett Road and Sarasota Ave.

The property is zoned: C-4

Proposed Zoning District: C-3

It is proposed that the property will be used as: Provisional Center

The subject property is legally described as follows (include sidwell numbers):

Please see attached legal description, and site plans.

Property Owner Information

Name	00 Cesar Chavez LLC		
Address	1500 Golfside Court		
City	Flushing		
State	Michigan		
ZIP Code	48433		
Telephone	Main: 810-471-2567	Cell: 810-471-2567	Fax:
E-Mail	marshshkreli		

Are you the ☒ Owner _____ Agent/rep. of the owner _____ Other _____

The proposed will be used for the following purpose (provide as much detail as possible with photographs, sketches, site plans, written documents, etc.).

To construct a secured location for the purposes of operating a dispensary/provisional center. (See site plans.)

Alternatively, retail development.

State the reason for the Zoning Map Amendment, particularly the manner in which the City will benefit if the amendment is approved and why such change will not be detrimental to the public welfare and/or the property rights of other persons located in the vicinity of the site.

Said new construction will be a secure facility with 24 hour video surveillance and directly patched into the the
Oakland County Sheriff's Department, and any other required law enforcement agencies. The business will provide
numerous construction jobs to complete a new building. The business once up and running will employee full time
employees from the local area. The operation of the secure facility will provide considerable tax revenue,
and continous employment opportunities.

Jesh Shkreli

Signature of Owner

Jesh Shkreli

Signature of Applicant

State of Michigan
County of ~~Oakland~~ Genesee

On this 30 day of July, A.D., 2019, before me personally appeared the above named person, who being duly sworn, stated he/she has read the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.

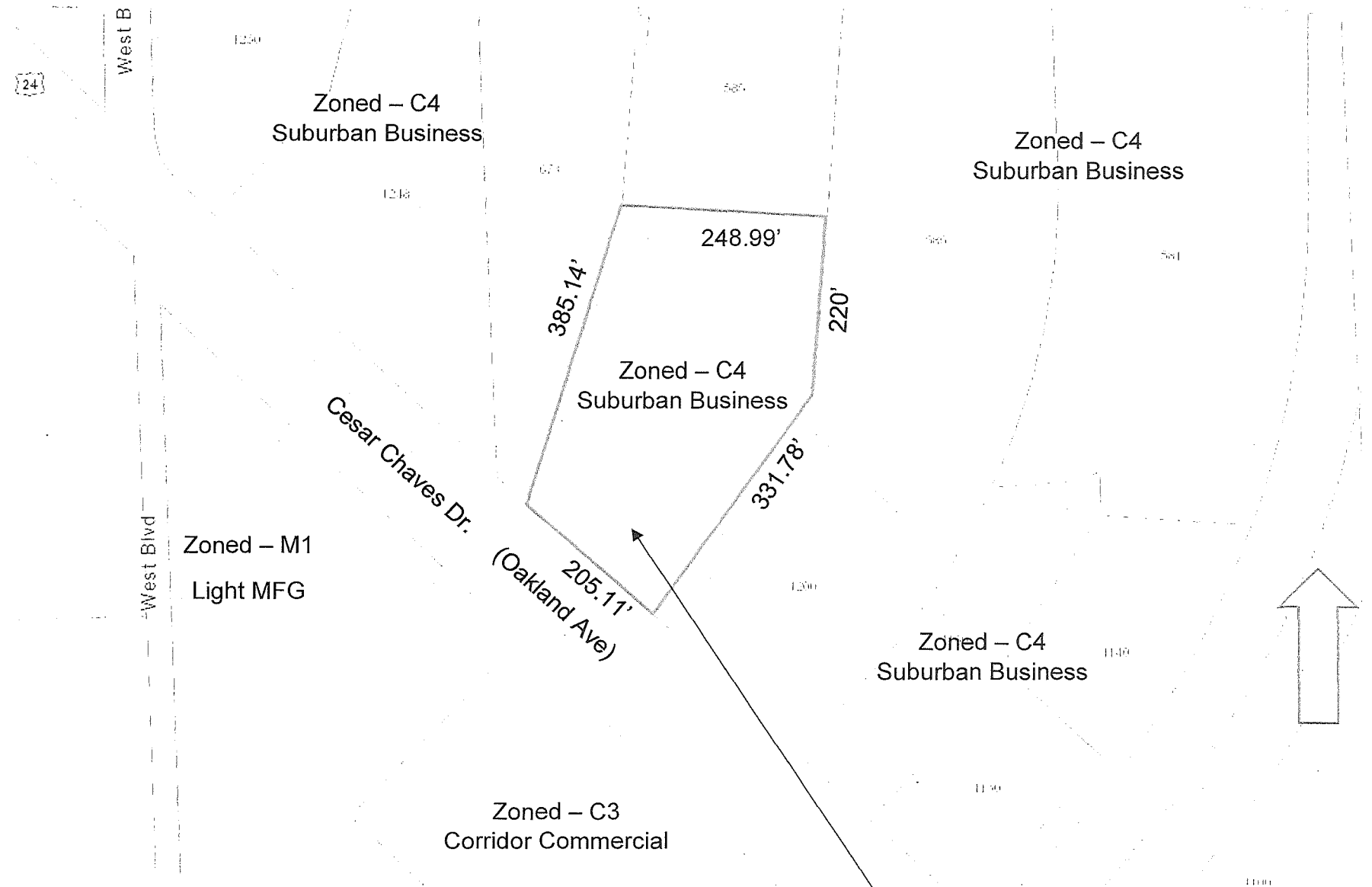
DAVID ZAVATSKY
Notary Public, State of Michigan
County of Genesee
My Commission Expires Mar. 05, 2025
Acting in the County of Genesee

David Zavatsky
Notary Public, ~~Oakland~~ Genesee County, Michigan
My Commission Expires: 3-5-25

EXHIBIT A

PARCEL 14-18-351-017

PART OF THE SW ¼ OF SECTION 18, T3N, R10E, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN. DESCRIBED AS BEGINNING AT A POINT LOCATED N 01°52'03" W 1272.24 FT & S 85°00'47" E 630.22 FT & S 04°59'13" W 300.00 FT FROM THE SW CORNER OF SAID SECTION 18, T3N, R10E; TH S 85°00'47" E 248.99 FT; TH S 04°59'13" W 220.00 FT; TH S 36°11'40" W 331.78 FT TO THE NORTHERLY RIGHT-OF-WAY LINE OF CESAR E. CHAVEZ AVENUE; TH N 46°29'40" W 205.11 FT ALONG SAID RIGHT-OF-WAY; TH N 17°29'06" E 385.14 FT TO THE POINT OF BEGINNING. CONTAINING 2.64 ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.



Parcel ID 1418351017 - 00000 Cesar Chavez Dr.
T3N, R10E, SEC 18 PART OF SW 1/4 OF SEC 18 BEG AT PT DIST N 01-52-03 W 1272.24 FT & S
85-00-47 E 630.22 FT & S 04-59-13 W 300.00 FT FROM SW COR OF SEC 18, TH S 85-00-47 E
248.99 FT, TH S 04-59-13 W 220.00 FT, TH S 36-11-40 W 331.78 FT TO NLY R/W LINE OF
OAKLAND AVE, TH N 46-29-40 W 205.11 FT ALG SD NLY LI OF OAKLAND AVE TH N 17-29-06 E
385.14 FT TO BEG 2.64 A

Owner - 00 Cesar Chavez LLC
Address - 1500 Golfside Ct.
Flushing MI 48433

Additional statement to be added to zoning application As a condition to the rezoning, the proposed parcel 64-14-18-351-017 owned by 00 Cesar Chavez LLC will revert back to the current zoning district if a properly licensed cannabis facility is not operating and not open to the public within three years from date of Pontiac City Council approval Zoning Map Amendment 2019 That was approved and passed on April 9th 2019

Lesh Shkreli
Owner 00 Cesar Chavez LLC
12/30/2019

A handwritten signature in cursive script that reads "Lesh Shkreli". The signature is written in dark ink and is positioned below the typed name and date.

#9

RESOLUTION



Department of Building Safety & Planning
PLANNING DIVISION

47450 Woodward Ave | PONTIAC, MICHIGAN 48342-5609
TELEPHONE: 248.758.2800 | FAX: 248.758.2827

Mayor Deirdre Waterman

TO: HONORABLE MAYOR COUNCIL PRESIDENT AND CITY COUNCIL

FROM: VERN GUSTAFSSON, PLANNING MANAGER
THROUGH THE OFFICE OF DEPUTY MAYOR JANE BAIS-DISESSA

SUBJECT: ZMA 19-13 ZONING MAP AMENDMENT WITH CONDITIONS
STEVEN ORI
676 CESAR CHAVEZ | PIN 64-14-19-429-013
C-1 LOCAL BUSINESS TO C-3 CORRIDOR COMMERCIAL
PROPOSED MEDICAL MARIHUANA PROVISIONING CENTER

DATE: JANUARY 9, 2020

The City of Pontiac is in receipt of application ZMA 19-13 for a Zoning Map Amendment [rezoning] with conditions per Section 6.807 of the Zoning Ordinance for parcel Number 64-14-19-429-013. The site is located on the east side of Cesar Chavez [Business Route 24], between W. Montcalm Street and Lounsbury Avenue. Steven Ori, the applicant requests a rezoning from C-1 Local Business to C-3 Corridor Commercial. The rezoning would ensure that the proposed Medical Marihuana Provisioning Center is properly zoned. At the January 8, 2020 meeting the Planning Commission recommended to City Council the approval of this Zoning Map Amendment with Conditions.

Summary

1. The applicant requests rezoning the subject site from C-1 Local Business to C-3 Corridor Commercial.
2. The Master Plan identifies the subject site as Entrepreneurial: Industrial, Commercial & Green. The proposed zoning designation is consistent with this future land use designation.
3. The subject property is compatible with C-3 zoning standards.
4. If the Zoning Map Amendment is approved, the applicant would be required to comply with Article 5, Chapter 2, and Section 6.204 Site Plan Review of the Pontiac Zoning Ordinance. In addition, ensure all requirements to the Medical Marihuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marihuana license from the City of Pontiac and the state.
5. The applicant submitted a condition to the rezoning that the rezoned parcel will revert back to the current zoning district if a properly licensed cannabis facility is not operating and not open to the public within three years from date of Pontiac City Council approval of Zoning Map Amendment with Conditions.

Master Plan

According to the City's 2014 Master Plan Update, Pontiac is staking a claim to a new destiny. It is a City with extraordinary assets and bright economic prospects on which to build a revised destiny with new retail/commercial development. It is with this spirit that is embedded in the Master Plan update.

The subject site is designated as Entrepreneurial: Industrial, Commercial & Green land use category. The primary goal of this category is to provide flexibility that encourages diverse uses in the City. Areas to the north and south are also planned as Entrepreneurial: Industrial, Commercial & Green. Area to the east is planned as Traditional Neighborhood Residential, while Industrial/Manufacturing land use category is designated to the west.

The Zoning Map Amendment request complies with the requirements found within the Master Plan's Entrepreneurial District classification, which is to provide flexibility that encourages the adaptive re-use of properties around the City and located in the Medical Marihuana Overlay District described in Ordinance 2363 – Medical Marihuana Zoning Ordinance.

Medical Marihuana Overlay District

Based on our technical review of the proposed rezoning, the subject site is located in the Cesar Chavez Medical Marihuana Overlay District. In consideration of the proposed rezoning from C-1 Local Business to C-3 Corridor Commercial zoning district, the following Medical Marihuana uses; Provisioning Center, Safety Compliance and Secure Transporter facilities can be located on this site, if all Medical Marihuana buffer distance requirements are met and obtain a Medical Marihuana license from the City of Pontiac and the state.

Existing Zoning Districts

Properties to the north and south are zoned C-3 Corridor Commercial and C-1 Local Business. East of subject site is zoned R-1 One Family Dwelling. West of the site is zoned M-1 Light Manufacturing. The proposed Zoning Map Amendment provides a balance between various commercial zoned areas.

Rezoning Criteria

The Pontiac Planning Commission must consider any of the following criteria [section 6.804, A-J] that apply to the rezoning application in making findings, recommendations, and a decision to amend the Official Zoning Map [Section 6.804]. Additionally, the section also stipulates that the Planning Commission may also consider other factors that are applicable to the application, but are not listed among the ten criteria. To assist in the evaluation of these and other criteria, we offer the following findings of fact for your consideration.

Section 6.804 provides review criteria for the Planning Commission to utilize in making its findings, recommendations, and formulating a decision. The *ten stated criteria* are listed below with our findings:

1. *Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.*

The subject site will conform to the goals and objectives included in the City's Master Plan. The Master Plan created Entrepreneurial districts to redevelop and encourage adaptive re-use of properties to allow various intensity of commercial uses located within specific areas and foster the economic development rebirth of the Cesar Chavez Corridor.

2. *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*

The site has been cleared so its geological, hydrological, and other environmental features are no longer present on the site.

3. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning.*

The existing site itself is not conducive to develop as a local business use. It is clear that the small parcel could not provide a reasonable return on investment.

4. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*

The development of a Medical Marihuana Provisioning Center is compatible with uses allowed within the C-3 zoning district and should not negatively impact density, traffic or property values.

5. *The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City.*

The City's utilities does have capacity and services will be sufficient to accommodate the proposed Medical Marihuana Provisioning Center and not compromise the City's health, safety, and welfare.

6. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*

Cesar Chavez [Business Route 24] is a Trunkline owned by the Michigan Department of Transportation. The proposed development will not impact the ability of this state Trunkline and adjoining roads to handle potential traffic.

7. *The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*

The boundaries of the rezoning are reasonable in relationship to surroundings and zoning district dimensional requirements.

8. *If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.*

With all the previous findings of fact, the boundaries of the proposed C-3 zoning district are reasonable from the City's perspective and comply with the vision found in the City's Master Plan.

9. *If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*

It would be inappropriate to amend the zoning text for C-1 Local Business zoning district with its primary goal to create settings for commercial development to allow a Medical Marihuana Provisioning Center, retail facilities within the C-1 zoning district.

10. *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*
The proposed rezoning does not create an incompatible 'spot zone' within the area and it proposes reasonable continuation of corridor Commercial zoning to the north and south.

ZMA 19-13 – Zoning Map Amendment with Conditions
Parcel: 64-14-19-429-013

Resolution

Whereas, The City has received an application for a Zoning Map Amendment with Conditions for 676 Cesar Chavez, identified as PIN 64-14-19-429-013 from Steven Ori for the rezoning of the aforementioned parcel; and

Whereas, The Planning Division has reviewed the applicant's rezoning request in regards to the City's Master Plan and the request conforms to the goals and vision contained within the plan; and

Whereas, The Planning Division has reviewed the applicant's rezoning request and the requirements set forth by Section 6.804 of the Zoning Ordinance, and the Planning Division has determined the aforementioned request and proposed intended use of the property complies with the City of Pontiac Zoning Ordinance; and

Whereas, In accordance with the procedures outlined in the Zoning Ordinance, Sections 6.802 as it relates to Zoning Map Amendments, the request has undergone the required: Technical Review, Public Hearing, and Planning Commission Recommendation; and

Whereas, On January 8, 2020, a Public Hearing was held, and in consideration of public opinion, the Planning Commission recommends City Council approve the Zoning Map Amendment with Conditions request for 676 Cesar Chavez, approving the change from the current C-1 Local Business zoning district to C-3 Corridor Commercial zoning district with Conditions; and

Now Therefore, Be It Resolved, That the City Council for the City of Pontiac approve the Planning Commission recommendation for the Zoning Map Amendment with Conditions (ZMA 19-13) request for 676 Cesar Chavez, also known as Parcel No. 64-14-19-429-013 to amend the current site zoning from C-1 Local Business to C-3 Corridor Commercial zoning district with Conditions.



Department of Building Safety & Planning
PLANNING DIVISION

47450 Woodward Ave | PONTIAC, MICHIGAN 48342-5009
TELEPHONE: 248.758.2800 | FAX: 248.758.2827

Mayor Deirdre Waterman

TO: PONTIAC PLANNING COMMISSION

FROM: VERN GUSTAFSSON, PLANNING MANAGER
PLANNING DIVISION

SUBJECT: ZMA 19-13 ZONING MAP AMENDMENT WITH CONDITIONS
STEVEN ORI
676 CESAR CHAVEZ | PIN 64-14-19-429-013
C-1 LOCAL BUSINESS TO C-3 CORRIDOR COMMERCIAL
PROPOSED MEDICAL MARIHUANA PROVISIONING CENTER

DATE: DECEMBER 26, 2019

The City of Pontiac is in receipt of application ZMA 19-13 for a Zoning Map Amendment [rezoning] with conditions per Section 6.807 of the Zoning Ordinance for parcel Number 64-14-19-429-013. The site is located on the east side of Cesar Chavez [Business Route 24], between W. Montcalm Street and Lonsbury Avenue. Steven Ori, the applicant requests a rezoning from C-1 Local Business to C-3 Corridor Commercial. The rezoning would ensure that the proposed Medical Marihuana Provisioning Center is properly zoned. In accordance with Section 6.802 of the City Zoning Ordinance, the request for Zoning Map Amendment requires a technical review, Public Hearing, recommendation by the Planning Commission, and a final decision by City Council.

Summary

1. The applicant requests rezoning the subject site from C-1 Local Business to C-3 Corridor Commercial.
2. The Master Plan identifies the subject site as Entrepreneurial: Industrial, Commercial & Green. The proposed zoning designation is consistent with this future land use designation.
3. The subject property is compatible with C-3 zoning standards.
4. If the Zoning Map Amendment is approved, the applicant would be required to comply with Article 6, Chapter 2, and Section 6.204 Site Plan Review of the Pontiac Zoning Ordinance. In addition, ensure all requirements to the Medical Marihuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marihuana license from the City of Pontiac and the state.
5. The applicant submitted a condition to the rezoning that the rezoned parcel will revert back to the current zoning district if a properly licensed cannabis facility is not operating and not open to the public within three years from date of Pontiac City Council approval of Zoning Map Amendment with Conditions.

Master Plan

According to the City's 2014 Master Plan Update, Pontiac is staking a claim to a new destiny. It is a City with extraordinary assets and bright economic prospects on which to build a revised destiny with new retail/commercial development. It is with this spirit that is embedded in the Master Plan update.

The subject site is designated as Entrepreneurial: Industrial, Commercial & Green land use category. The primary goal of this category is to provide flexibility that encourages diverse uses in the City. Areas to the north and south are also planned as Entrepreneurial: Industrial, Commercial & Green. Area to the east is planned as Traditional Neighborhood Residential, while Industrial/Manufacturing land use category is designated to the west.

The Zoning Map Amendment request complies with the requirements found within the Master Plan's Entrepreneurial District classification, which is to provide flexibility that encourages the adaptive re-use of properties around the City and located in the Medical Marihuana Overlay District described in Ordinance 2363 – Medical Marihuana Zoning Ordinance.

Medical Marihuana Overlay District

Based on our technical review of the proposed rezoning, the subject site is located in the Cesar Chavez Medical Marihuana Overlay District. In consideration of the proposed rezoning from C-1 Local Business to C-3 Corridor Commercial zoning district, the following Medical Marihuana uses; Provisioning Center, Safety Compliance and Secure Transporter facilities can be located on this site, if all Medical Marihuana buffer distance requirements are met and obtain a Medical Marihuana license from the City of Pontiac and the state.

Existing Zoning Districts

Properties to the north and south are zoned C-3 Corridor Commercial and C-1 Local Business. East of subject site is zoned R-1 One Family Dwelling. West of the site is zoned M-1 Light Manufacturing. The proposed Zoning Map Amendment provides a balance between various commercial zoned areas.

Rezoning Criteria

The Pontiac Planning Commission must consider any of the following criteria [section 6.804, A-J] that apply to the rezoning application in making findings, recommendations, and a decision to amend the Official Zoning Map [Section 6.804]. Additionally, the section also stipulates that the Planning Commission may also consider other factors that are applicable to the application, but are not listed among the ten criteria. To assist in the evaluation of these and other criteria, we offer the following findings of fact for your consideration.

Section 6.804 provides review criteria for the Planning Commission to utilize in making its findings, recommendations, and formulating a decision. The *ten stated criteria* are listed below with our findings:

1. *Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.*

The subject site will conform to the goals and objectives included in the City's Master Plan. The Master Plan created Entrepreneurial districts to redevelop and encourage adaptive re-use of properties to allow various intensity of commercial uses located within specific areas and foster the economic development rebirth of the Cesar Chavez Corridor.

2. *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*

The site has been cleared so it's geological, hydrological, and other environmental features are no longer present on the site.

3. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning.*

The existing site itself is not conducive to develop as a local business use. It is clear that the small parcel could not provide a reasonable return on investment.

4. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*

The development of a Medical Marihuana Provisioning Center is compatible with uses allowed within the C-3 zoning district and should not negatively impact density, traffic or property values.

5. *The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City.*

The City's utilities does have capacity and services will be sufficient to accommodate the proposed Medical Marihuana Provisioning Center and not compromise the City's health, safety, and welfare.

6. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*

Cesar Chavez [Business Route 24] is a Trunkline owned by the Michigan Department of Transportation. The proposed development will not impact the ability of this state Trunkline and adjoining roads to handle potential traffic.

7. *The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*

The boundaries of the rezoning are reasonable in relationship to surroundings and zoning district dimensional requirements.

8. *If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.*

With all the previous findings of fact, the boundaries of the proposed C-3 zoning district are reasonable from the City's perspective and comply with the vision found in the City's Master Plan.

9. *If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*

It would be inappropriate to amend the zoning text for C-1 Local Business zoning district with its primary goal to create settings for commercial development to allow a Medical Marijuana Provisioning Center, retail facilities within the C-1 zoning district.

10. *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*

The proposed rezoning does not create an incompatible 'spot zone' within the area and it proposes reasonable continuation of corridor Commercial zoning to the north and south.

Recommendation

Per the review requirements found in Section 6.804 of the Zoning Ordinance and our findings, we suggest that the Planning Commission consider recommending to City Council the request from Steven Ori to rezone Parcel Number 64-14-19-429-013 [application ZMA 19-13] from C-1 Local Business to C-3 Corridor Commercial with conditions.

Zoning Map Amendment Site Assessment

Name of Development: Pure Life Solutions

Name of Applicant: Steven Ori

Contact at/for site (Name, Tel): 248-855-5443

Address & Zoning for Development 676 Cesar E. Chavez Ave.

Proposed Zoning Change: C-1 Local Commercial

Proposed Use: Medical Marijuana Facilities

Adjacent Property Zoning: _____

North: C-1 Local Commercial

South: C-3 Corridor Commercial

East: R-1 Residential Dwelling

West: M-2 Heavy Manufacturing

Proposal 1 Buffer Measurements

Located in or outside MM Overlay District: ☒ Overlay Area ☐ Non-Overlay Area

If located in Overlay District, what is the district?: Cesar Chavez

Nearest School Facility: Name: Walt Whitman Elementary School Distance: >1,000 ft

Nearest Park Facility: Name: Lakeside Park Distance: >500 ft

Nearest Religious Property: Name: N/A Distance: >500 ft

Nearest Child Care Facility: Name: N/A Distance: >500 ft

ZMA 19-13



Application for Zoning Map Amendment

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: 676 Cesar E Chavez Ave.

Sidwell Number: _____

Date: 08/15/2019

Office Use Only

PF Number: _____

Instructions: Completed applications with appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least **30 days** prior to the regularly scheduled Planning Commission meeting. Applications must be complete in all respects with supporting documents such as site plan, property survey etc. Planning staff will schedule the application for consideration by the Planning Commission in accordance with the attached schedule. Incomplete applications will delay the review process.

Applicant (please print or type)

Name	Steven Ori		
Address	4905 Seasons Ct.		
City	Troy		
State	Michigan		
ZIP Code	48098		
Telephone	Main: _____	Cell: <u>248-855-5443</u>	Fax: _____
E-Mail	steve@franksliquorstore.com		

Project and Property Information

Name of Proposed Development: Pure Life Solutions

The subject property is location at 676 Cesar Chavez on the N / S / E / W side of East between W. Montcalm St. and Kinney Rd.

The property is zoned: C1

Proposed Zoning District: C3

It is proposed that the property will be used as: Medical Marijuana Provisioning Center

The subject property is legally described as follows (include sidwell numbers):

T3N, R10E, Sec 19 Assessor's Plat No 5 Lot 37 Exc SWLY 27

Property Owner Information

Name	Yousef Antoo		
Address	44474 Bristol Circle		
City	Novi		
State	Michigan		
ZIP Code	48377		
Telephone	Main:	Cell: 616-729-5625	Fax:
E-Mail	Antooyousef@gmail.com		

Are you the ☒ Owner _____ Agent/rep. of the owner _____ Other _____

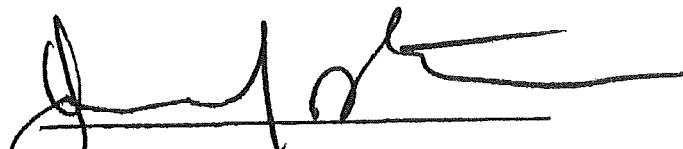
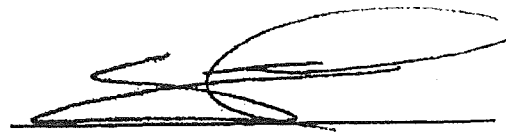
The proposed will be used for the following purpose (provide as much detail as possible with photographs, sketches, site plans, written documents, etc.).

Steven Ori is applying for a Medical Marijuana Provisioning Center license at 676 Cesar E. Chavez Ave.

The current parcel is designated as a C1 classification and needs to be a C3 designation to meet zoning compliance for Pontiac's Medical Marijuana zoning ordinance. Site plans are forthcoming including the Provisioning Center Standard Operating Plan and design markups of the proposed facility.

State the reason for the Zoning Map Amendment, particularly the manner in which the City will benefit if the amendment is approved and why such change will not be detrimental to the public welfare and/or the property rights of other persons located in the vicinity of the site.

This property is in the MMOD Cesar Chavez Overlay District, which is specifically zoned for Medical Marijuana licenses including Provisioning Centers. The C-1 zones are Local Business Mixed Use District & C-3 zones are Corridor Commercial Mixed Use District, both within the same mixed use designation. Changing the designation would be consistent with the overall MMOD overlay district application for MM facilities.


Signature of Owner
Signature of Applicant

State of Michigan
County of Oakland

On this _____ day of _____, A.D., 20____, before me personally appeared the above named person, who being duly sworn, stated he/she has read the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.

Notary Public, Oakland County, Michigan
My Commission Expires: _____

ADDENDUM FOR APPLICANT STEVEN ORI – PURE LIFE SOLUTIONS

The proposed will be used for the following purpose (provide as much detail as possible with photographs, sketches, site plans, written documents, etc.).

Steve Ori is applying for a Medical Marijuana Provisioning Center license at 676 Cesar E. Chavez Ave. The current parcel is designated as a C-1 classification and needs to be a C-3 designation to meet zoning compliance for Pontiac's Medical Marijuana zoning ordinance. Site plans are forthcoming including the Provisioning Center Standard Operating Plan and design markups of the proposed facility.

State the reason for the Zoning Map Amendment, particularly the manner in which the City will benefit if the amendment is approved and why such change will not be detrimental to the public welfare and/or the property rights of other persons located in the vicinity of the site.

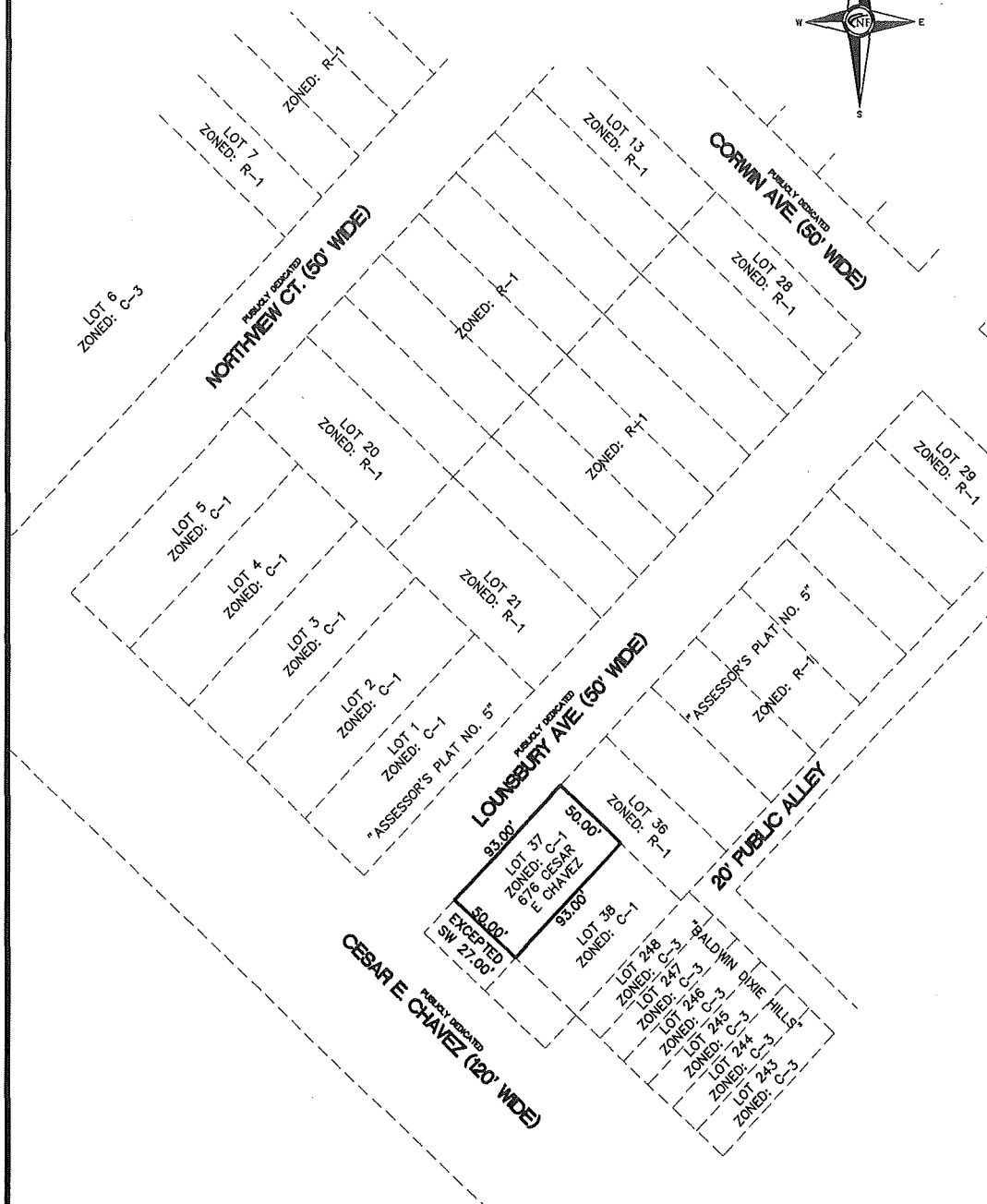
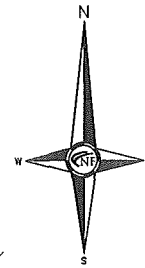
This property is in the MMOD Cesar Chavez Overlay District, which is specifically zoned for Medical Marijuana licenses including Provisioning Centers. The C-1 zones are Local Business Mixed-Use District and C-3 zones are Corridor Commercial Mixed-Use District, both within the same mixed-use designation. Changing the designation of 676 Cesar Chavez Ave. would be consistent with the overall MMOD overlay district application for Medical Marijuana facilities. It is 2 parcels away from current C-3 zoned parcels and would be consistent with the neighboring retail commercial businesses on the eastern side of Cesar Chavez Ave. We don't see any detriment to the public welfare or the infringement of neighboring property rights as only 6 parcels of the commercial strip facing Cesar Chavez are C-1 zoned and the remaining are C-3 zoned.

In addition to the direct benefit from changing the zoning designation, applicant is interested in purchasing the property next door and demolish it for additional parking. This adds value to the 676 Cesar Chavez development and repurpose a property to support a new business venture.

As a condition to the rezoning, the rezoned parcel or property will revert back to the current zoning district if a properly licensed cannabis facility is not operating and not open to the public within three years from date of Pontiac City Council approval Zoning Map Amendment.

Exhibit A

PARCEL SKETCH



LEGAL DESCRIPTION

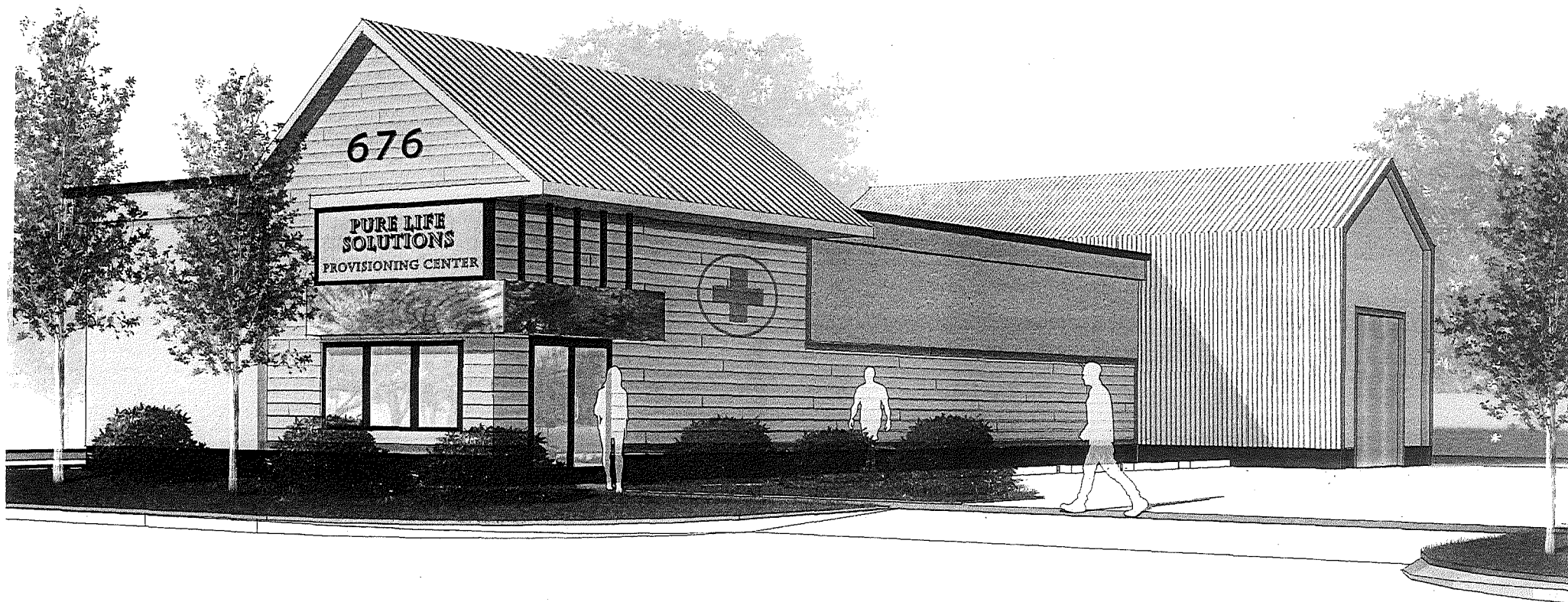
LAND BEING PART OF SECTION 19, TOWN 3 NORTH, RANGE 10 EAST, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS:

LOT 37, EXCEPT THE SOUTHWESTERLY 27 FEET OF "ASSESSOR'S PLAT NO. 5", AS RECORDED IN LIBER 1A, PAGE 5 OF PLATS, OAKLAND COUNTY RECORDS

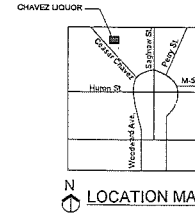


ENGINEERS
NOWAK & FRAUS ENGINEERS
 46777 WOODWARD AVE.
 PONTIAC, MI 48342-5032
 TEL. (248) 332-7931
 FAX. (248) 332-8257

SCALE	DATE	DRAWN	JOB NO.	SHEET
1" = 80'	12-30-2019	AJE	L455	1 of 1



PROPERTY REZONING SUBMITTAL FOR LOTS 36-38 FROM C1 TO C3 PURE LIFE SOLUTIONS MEDICAL MARIHUANA PROVISIONING CENTER 676 Cesar Chavez Blvd. Pontiac, MI



DRAWING INDEX:

- A1 SITE PLAN AND DATA
- A2 FLOOR PLAN
- A3 ELEVATIONS
- A4 SECURITY AND WASTE PLAN
- A5 LIFE SAFETY PLAN

LEGAL DESCRIPTION:

LOT 36 = PART OF THE 1/4 OF SECTION 18, TOWN 3 NORTH, RANGE 10 EAST, ASSESSORS PLAT NO. 5, RECORDED IN LIBER 1 OF THE CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN (VACANT RESIDENTIAL LOT)

LOT 37 = EXCEPT THE SOUTHWESTERLY 27 FEET THEREOF, ASSESSORS PLAT NO. 5 (676 CESAR CHAVEZ DR.)

LOT 38 = EXCEPT THE SOUTHWESTERLY 27 FEET THEREOF, ASSESSORS PLAT NO. 5 (676 CESAR CHAVEZ DR.)

SITE DATA:

ZONING: EXISTING C2, PROPOSED C3
LOT 36 = 4,000 SQ FT
LOT 37 = 4,450 SQ FT
LOT 38 = 4,550 SQ FT
PROPOSED TOTAL = 13,000 SQ FT

BUILDING DATA

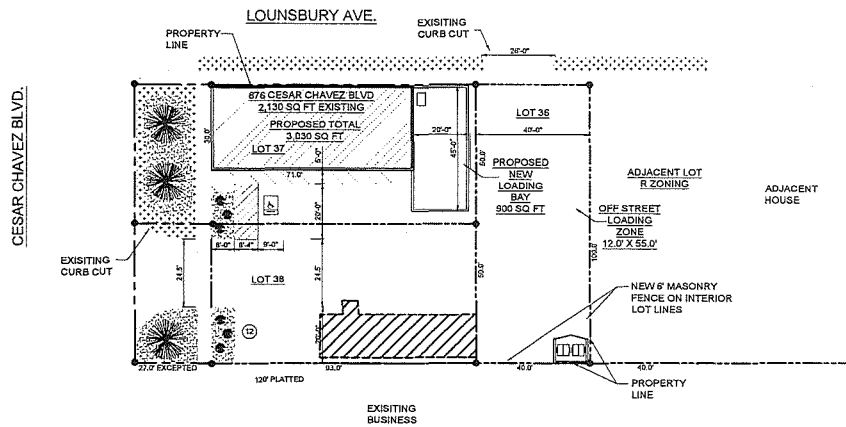
EXISTING BUILDING = 2,132 SQ FT
PROPOSED BUILDING = 3,030 SQ FT
USE GROUP B
1 PERSON / 200 sq. ft. (2,030/200 = 10)
OCCUPANT LOAD = 10 PEOPLE

PARKING REQUIRED:

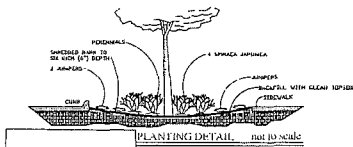
1 SPACE PER 200 sq. ft. (3,030/200)
PARKING REQUIRED = 15 SPACES
PARKING PROVIDED = 15 SPACES

CODE REFERENCES

2018 CITY OF PONTIAC LOCAL ORDINANCES
2018 MICHIGAN MEDICAL MARIJUANA
FACILITY LICENSING ACT

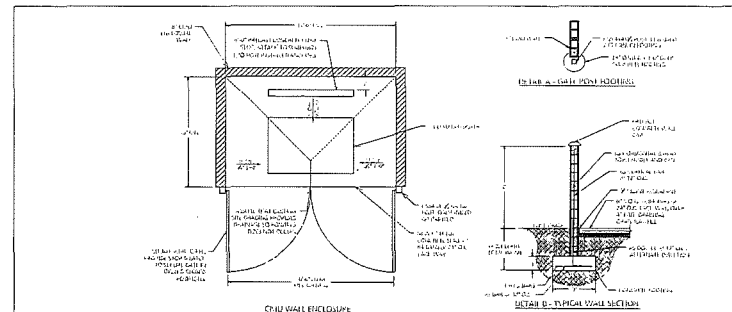


SITE PLAN
SCALE: 1" = 20'

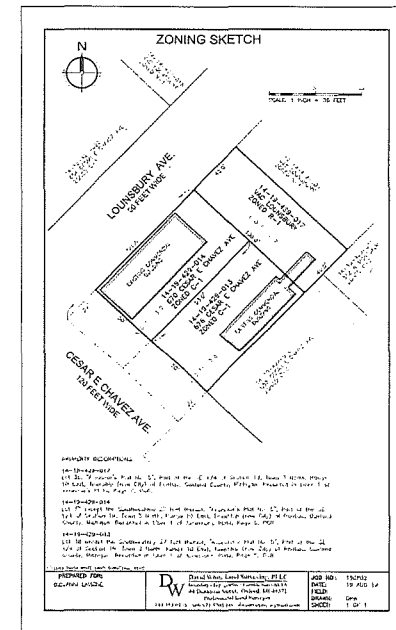


PLANTING

PLANTING	QUANTITY	NOTES
1" CALIBER WHITE BARK MULCH	1000	1" CALIBER WHITE BARK MULCH
2" CALIBER WHITE BARK MULCH	1000	2" CALIBER WHITE BARK MULCH
3" CALIBER WHITE BARK MULCH	1000	3" CALIBER WHITE BARK MULCH
4" CALIBER WHITE BARK MULCH	1000	4" CALIBER WHITE BARK MULCH
5" CALIBER WHITE BARK MULCH	1000	5" CALIBER WHITE BARK MULCH
6" CALIBER WHITE BARK MULCH	1000	6" CALIBER WHITE BARK MULCH
7" CALIBER WHITE BARK MULCH	1000	7" CALIBER WHITE BARK MULCH
8" CALIBER WHITE BARK MULCH	1000	8" CALIBER WHITE BARK MULCH
9" CALIBER WHITE BARK MULCH	1000	9" CALIBER WHITE BARK MULCH
10" CALIBER WHITE BARK MULCH	1000	10" CALIBER WHITE BARK MULCH



DUMPSTER DETAIL
1/4" = 1'



LICENSE: 40247

GIOVANNI LAVIGNE
REGISTERED ARCHITECT

VIGNE
group llc architects and planners

41000 WOODWARD AVE.
SUITE 350 EAST
BLOOMFIELD HILLS, MI 48304

586.242.1525

ISSUED FOR:
Rezoning Submittal 8-16-19

NOTES:

PROJECT:

PURE LIFE SOLUTIONS
MEDICAL MARIHUANA
PROVISIONING CENTER
676 Cesar Chavez
Pontiac, MI.

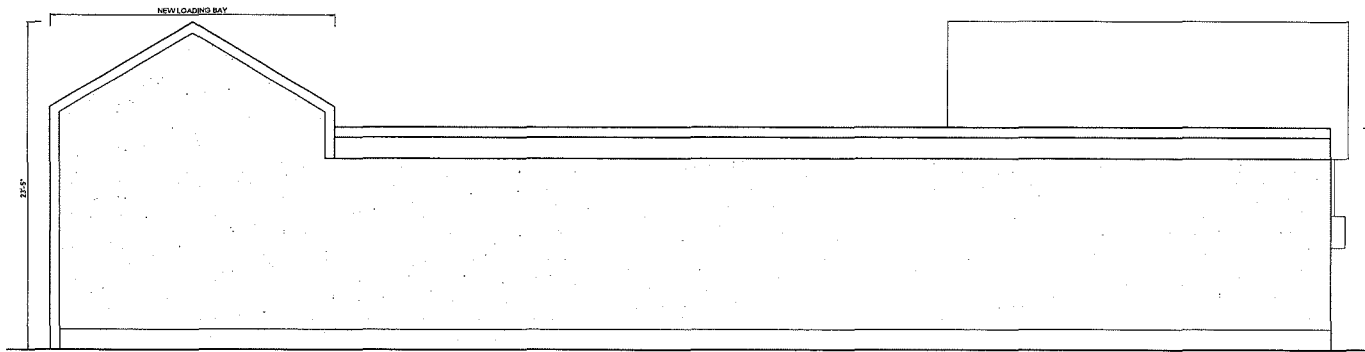
DRAWING TITLE:

SITE PLAN
& DATA

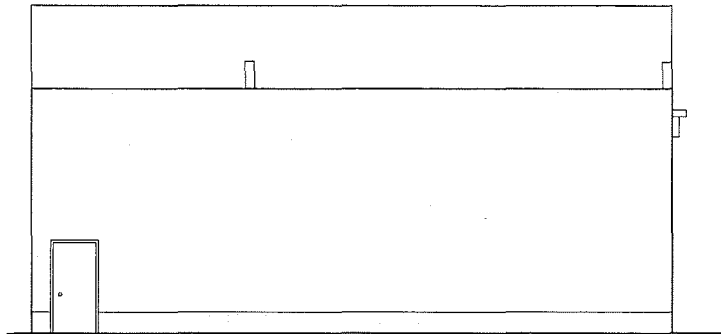
DRAWN: RR, JR
CHECKED: GL

SHEET No.

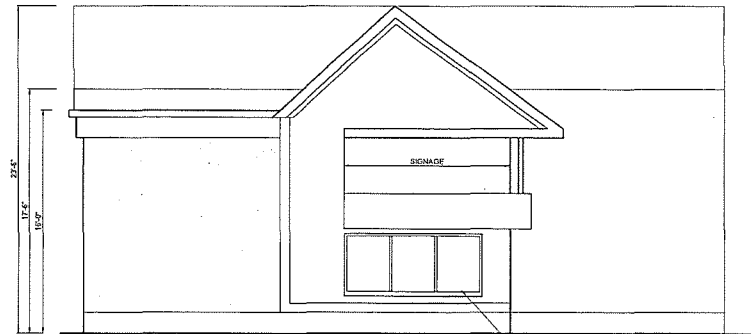
A1



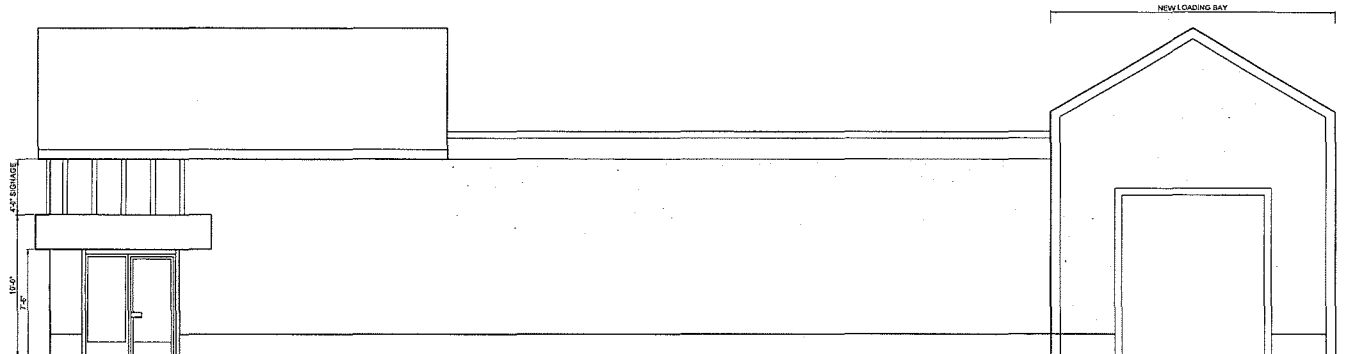
North Elevation
SCALE: 1/4" = 1'-0"



East Elevation
SCALE: 1/4" = 1'-0"



West Elevation
SCALE: 1/4" = 1'-0"



South Elevation
SCALE: 1/4" = 1'-0"

LICENSE: 402-07

GIOVANNI LAVIGNE
REGISTERED ARCHITECT
VIGNE
group llc architects and planners

41000 WOODWARD AVE.
SUITE 350 EAST
BLOOMFIELD HILLS, MI 48304
586.242.1925

ISSUED FOR:
Rezoning Submittal 6-18-19

NOTES:

PROJECT:
**PURE LIFE SOLUTIONS
MEDICAL MARIJUANA
PROVISIONING CENTER**
676 Cesar Chavez
Pontiac, MI.

DRAWING TITLE:
ELEVATIONS

DRAWN: AA, JR
CHECKED: GL

SHEET No.
A3

NOTES:

PROJECT:

PURE LIFE SOLUTIONS
MEDICAL MARIJUANA
PROVISIONING CENTER

676 Cesar Chavez
Pontiac, MI.

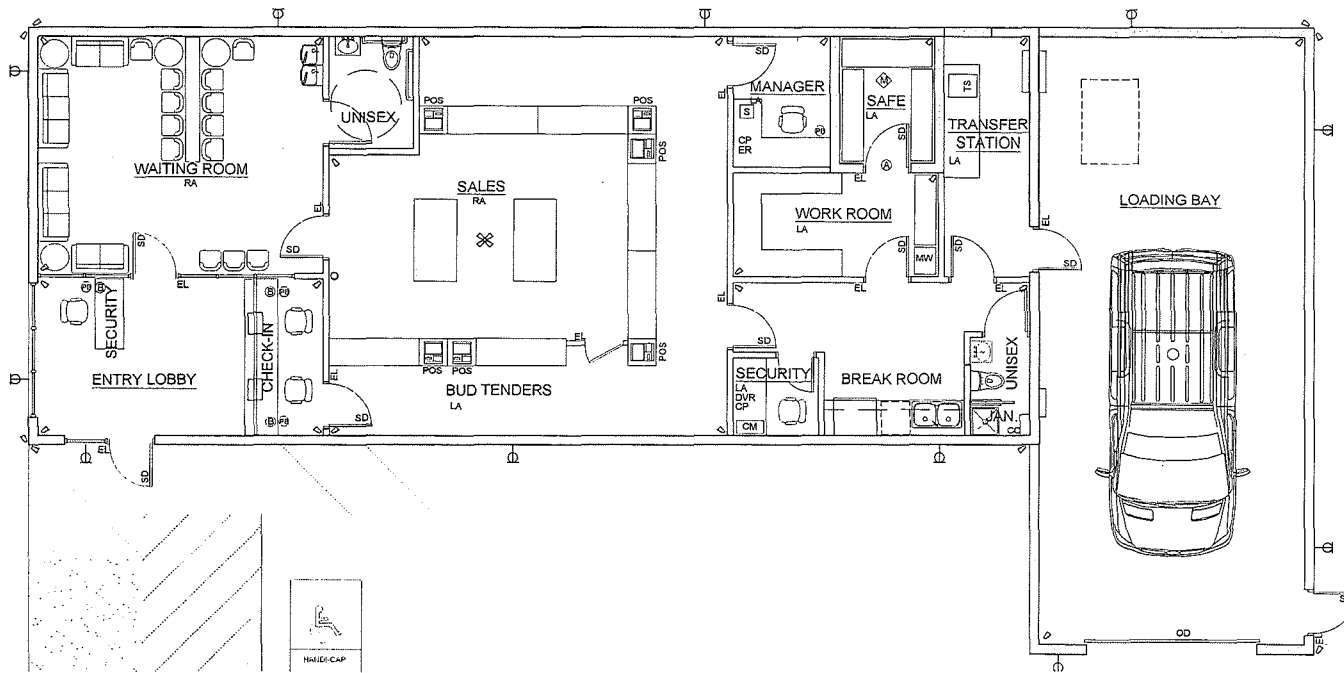
DRAWING TITLE:

SECURITY
AND WASTE
PLAN

DRAWN: AA
CHECKED: GL

SHEET No.

A4



FLOOR PLAN
SCALE: 1/4" = 1'-0"

LEGEND:

- Ⓟ PANIC BUTTON
- Ⓛ DOOR BUZZER
- 📹 CCTV CAMERA
- EXIT EXIT SIGN
- 👤 MOTION SENSOR
- 🔒 SAFE
- SD STEEL DOOR
- 🔦 EXTERIOR LIGHT
- CM CAMERA MONITOR
- DVR SURVEILLANCE DIGITAL VIDEO RECORDER
- MW SECURED MEDICAL WASTE
- CC SECURED CLEANING CHEMICALS
- CP COLOR PRINTER
- EL ELECTRIC CONTROLLED LOCK
- SG SECURITY GUARD
- ER EMPLOYEE / RECORDS
- RA RESTRICTED ACCESS
- LA LIMITED ACCESS
- OD OVERHEAD DOOR
- ⚡ ALARMED DOOR
- TS TRANSFER SCALE
- POS POINT OF SERVICE

DISPOSAL PLAN

- MARIJUANA WASTE WILL BE SECURED IN A LOCKED ROOM, CABINET OR TRASH ENCLOSURE.
- MARIJUANA WASTE TO BE SHREDDED & MIXED WITH 50% GENERAL TRASH MIN. PRIOR TO LEAVING FACILITY.
- ANY MARIJUANA THAT DOES NOT MEET QUALITY STANDARDS WILL BE DISPOSED TO PREVENT DIVERSION OF INGESTION /PROCESSING BY ANY PERSON OR ANIMAL.
- MARIJUANA WASTE WILL NOT BE BURNED OR FLUSHED INTO THE SEWAGE / STORM SYSTEM.
- LIQUID / RESIN MARIJUANA WASTE TO BE DISPOSED IN COMPLIANCE WITH APPLICABLE WATER QUALITY CONTROL STATUTES AND REGULATIONS.
- RECYCLABLE PLASTIC WASTE WILL BE COLLECTED BY A 3RD PARTY.
- ALL BUSINESS / CUSTOMER PAPER WASTE WILL BE SHREDDED PAPER WASTE CAN BE MIXED WITH MARIJUANA WASTE.

SECURITY PLAN:

- THE FACILITY WILL OPERATE AS MARIJUANA GROW/ FACILITY CLASS C LICENSE AND PROCESSING FACILITY BUSINESSES LICENSED BY THE STATE OF MICHIGAN AND SUBJECT TO LOCAL ORDINANCES.
- ALL EXTERIOR DOORS WILL HAVE CAMERA COVERAGE.
- ALL WINDOWS WILL HAVE SECURITY ALARMS.
- EXTERIOR LIGHTING WILL HAVE NIGHT LIGHT SENSORS.
- STAFF WILL RECORD ALL ACTIVITIES.
- ALL EMPLOYEE DOCUMENTS WILL BE SECURED IN A LOCKED CABINET.
- THIS PLAN IS ILLUSTRATIVE IN NATURE, COORDINATE WITH AND DEFER TO SECURITY SYSTEM VENDOR'S DRAWINGS AND SPECIFICATIONS.

GIOVANNI LAVIGNE
REGISTERED ARCHITECT

VIGNE
Group LLC architects and planners

41000 WOODWARD AVE.
SUITE 350 EAST
BLOOMFIELD HILLS, MI 48304
586.242.1525

ISSUED FOR:
Rezoning Submittal 6-15-19

NOTES:

PROJECT:
**PURE LIFE SOLUTIONS
MEDICAL MARIJUANA
PROVISIONING CENTER**
676 Cesar Chavez
Pontiac, MI.

DRAWING TITLE:

**LIFE SAFETY
PLAN**

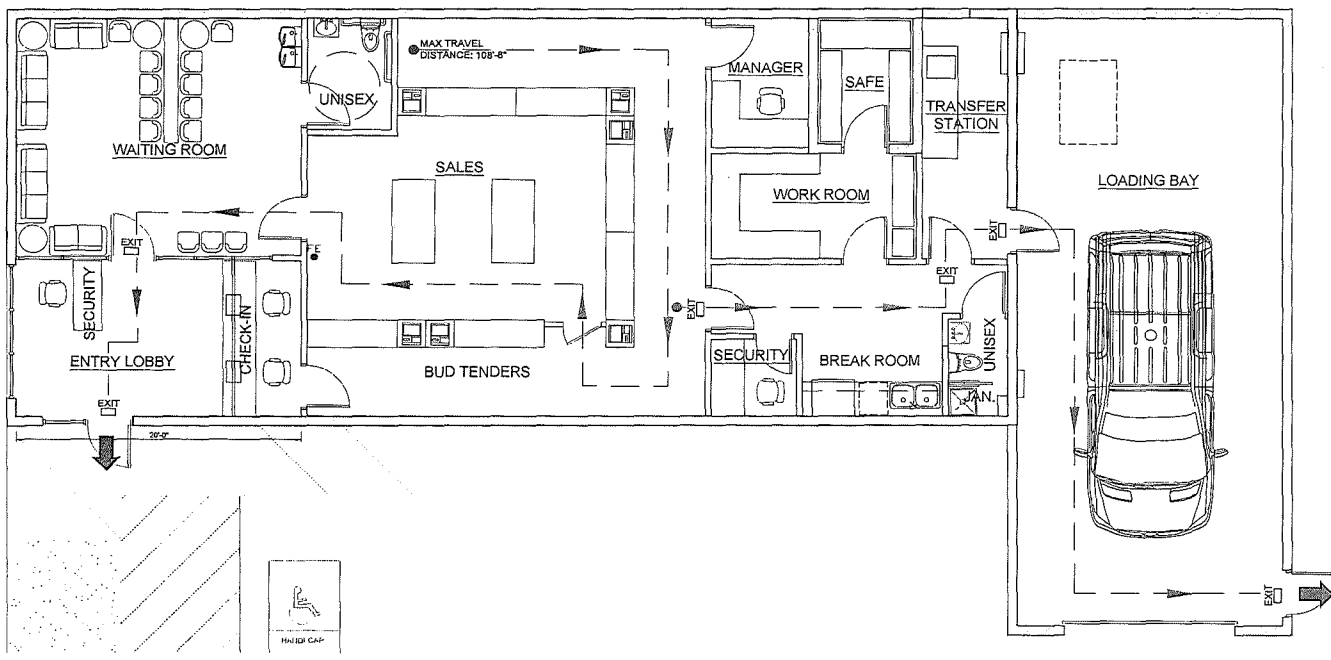
DRAWN: AA
CHECKED: GL

SHEET No.

A5

LIFE SAFETY LEGEND

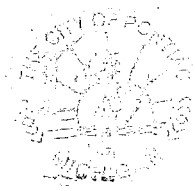
- | | |
|------|--|
| NAME | ROOM TAG |
| NO. | |
| --- | ONE (1) HOUR RATED PARTITION |
| --- | TWO (2) HOUR RATED PARTITION w/ 90 MIN FIRE DOOR |
| FE | FIRE EXTINGUISHER |
| EL | EMERGENCY LIGHTING |
| ES | EXIT SIGN w/ EMERGENCY LIGHTING |
| → | DISCHARGE EXIT |
| 25 | NET OCCUPANT TAG |
| 25 | GRIDS OCCUPANT TAG |
| | MAXIMUM TRAVEL DISTANCE |



FLOOR PLAN
SCALE: 1/4" = 1'-0"

#10

RESOLUTION



Department of Building Safety & Planning
PLANNING DIVISION
47450 Woodward Ave | PONTIAC, MICHIGAN 48342-5009
TELEPHONE: 248.758.2800 | FAX: 248.758.2827

Mayor Deirdre Waterman

TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL

FROM: VERN GUSTAFSSON, PLANNING MANAGER
THROUGH THE OFFICE OF DEPUTY MAYOR JANE BAIS-DIESSA

SUBJECT: ZMA 19-14 RESOLUTION TO APPROVE ZONING MAP AMENDMENT
WITH CONDITIONS
RAMON DENT
114 W. WALTON BLVD | PIN 64-14-08-380-027
C-1 LOCAL BUSINESS TO C-3 CORRIDOR COMMERCIAL
PROPOSED MEDICAL MARIHUANA PROVISIONING CENTER

DATE: JANUARY 9, 2020

The City of Pontiac is in receipt of application [ZMA 19-14] for a Zoning Map Amendment [rezoning] with conditions per Section 6.807 of the Pontiac Zoning Ordinance for parcel number 64-14-08-380-027. The site is located on the north side of W. Walton Blvd, between Hollywood Avenue and Carlisle Street. Ramon Dent, the applicant requests a rezoning from C-1 Local Business to C-3 Corridor Commercial. The rezoning would ensure that the proposed Medical Marihuana Provisioning Center is properly zoned. At the January 8, 2020 meeting the Planning Commission recommended to City Council the approval of this Zoning Map Amendment with Conditions.

Summary

1. The applicant requests rezoning the subject site from C-1 Local Business to C-3 Corridor Commercial.
2. The Master Plan identifies the subject site as Entrepreneurial: Residential, Commercial & Green. The proposed zoning designation is consistent with this future land use designation.
3. The subject property is compatible with C-3 zoning standards.
4. If the Zoning Map Amendment is approved, the applicant would be required to comply with Article 6, Chapter 2, and Section 6.204 Site Plan Review of the Pontiac Zoning Ordinance, In addition, ensure all requirements to the Medical Marihuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marihuana license from the City of Pontiac and the state.
5. The applicant submitted a condition to the rezoning that the rezoned parcel will revert back to the current zoning district if a properly licensed cannabis facility is not operating and not open to the public within three years from date of Pontiac City Council approval of Zoning Map Amendment with Conditions.

Master Plan

According to the City's 2014 Master Plan Update it is a City with extraordinary assets and bright, new economic prospects on which to build a revised destiny with new retail/commercial development. It is with this spirit that is embedded in the Master Plan update.

The subject site is designated as Entrepreneurial: Residential, Commercial & Green mixed-use land use category that allows flexibility in use and form to encourage the positive re-use of marginal commercial property locations around the City. These areas have been identified with the potential to be catalysts for other positive re-investment in the Walton Boulevard Corridor by entrepreneurs to start businesses and create jobs in the process.

Areas to the east and west are also planned as Entrepreneurial: Residential, Commercial & Green. Area to the north is planned as Traditional Neighborhood Residential, while Entrepreneurial: Industrial, Commercial & Green land use category is designated to the south.

The Zoning Map Amendment request complies with the requirements found within the Master Plan's Entrepreneurial District classification, which is to spur neighborhood economic development in areas to allow flexibility to attract creative and motivated entrepreneurs and located in the Medical Marihuana Overlay District described in Ordinance 2363 – Medical Marihuana Zoning Ordinance.

Medical Marihuana Overlay District

Based on our technical review of the proposed rezoning, the subject site is located in the Walton Boulevard Medical Marihuana Overlay District. In consideration of the proposed rezoning from C-1 Local Business to C-3 Corridor Commercial zoning district, the following Medical Marihuana uses; Provisioning Center, Safety Compliance and Secure Transporter facilities may be located on this site, if all requirements of the Medical Marihuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marihuana license from the City of Pontiac and the state.

Existing Zoning Districts

Properties to the east and west are zoned C-3 Corridor Commercial and C-1 Local Business. North of subject site is zoned R-1 One Family Dwelling. South of the site is zoned M-1 Light Manufacturing. The proposed Zoning Map Amendment provides a mix between various commercial zoned areas.

Rezoning Criteria

The Pontiac Planning Commission must consider any of the following criteria [section 6.804, A-J] that apply to the rezoning application in making findings, recommendations, and a decision to amend the Official Zoning Map [Section 6.804]. Additionally, the section also stipulates that the Planning Commission may also consider other factors that are applicable to the application, but are not listed among the ten criteria. To assist in the evaluation of these and other criteria, we offer the following findings of fact for your consideration.

Section 6.804 provides review criteria for the Planning Commission to utilize in making its findings, recommendations, and formulating a decision. The *ten stated criteria* are listed below with our findings:

1. *Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.*

The subject site conforms to the goals and objectives included in the City's Master Plan. The Master Plan created Entrepreneurial districts to redevelop and encourage adaptive re-use of properties to allow various intensity of commercial uses located within specific areas and foster the rebirth of the Walton Blvd Corridor.

2. *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*

The site is occupied by a commercial use; so it's geological, hydrological, and other environmental features are no longer present on the site.

3. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning.*

The applicant did not demonstrate an inability to receive a reasonable return on investment with the existing zoning.

4. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*

The development of a Medical Marihuana Provisioning Center is compatible with surrounding uses and in terms of land suitability, impact on the environment, density, traffic impacts, aesthetics, and infrastructure.

5. *The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City.*

The City's utilities have capacity and services will be sufficient to accommodate the proposed Medical Marihuana Provisioning Center and not compromise the City's health, safety, and welfare.

6. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*

Walton Boulevard is a Major Road under the jurisdiction of the City of Pontiac. The proposed development will not impact the ability of this Major Road and adjoining roads to handle potential traffic.

7. *The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*

The boundaries of the rezoning are reasonable in relationship to surroundings and zoning district dimensional requirements.

8. *If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.*

With all the previous findings of fact, the boundaries of the proposed C-3 zoning district are reasonable from the City's perspective and comply with the vision found in the City's Master Plan.

9. *If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*
it would be inappropriate to amend the zoning text for C-1 Local Business zoning district to allow a Medical Marihuana Provisioning Center, retail facilities within the C-1 zoning district.
10. *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*
The proposed rezoning does not create an incompatible 'spot zone' within the area and it proposes reasonable continuation of Corridor Commercial zoning to the east and west.

ZMA 19-14 – Zoning Map Amendment with Conditions
Parcel: 64-14-08-380-027

Resolution

Whereas, The City has received an application for a Zoning Map Amendment with Conditions for vacant property, identified as PIN 64-14-08-380-027 from Ramon Dent for the rezoning of the aforementioned parcel; and

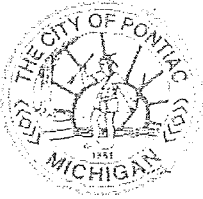
Whereas, The Planning Division has reviewed the applicant's rezoning request in regards to the City's Master Plan and the request conforms to the goals and vision contained within the plan; and

Whereas, The Planning Division has reviewed the applicant's rezoning request and the requirements set forth by Section 6.804 of the Zoning Ordinance, and the Planning Division has determined the aforementioned request and proposed intended use of the property complies with the City of Pontiac Zoning Ordinance; and

Whereas, In accordance with the procedures outlined in the Zoning Ordinance, Sections 6.802 as it relates to Zoning Map Amendments, the request has undergone the required: Technical Review, Public Hearing, and Planning Commission Recommendation; and

Whereas, On January 8, 2020, a Public Hearing was held, and in consideration of public opinion, the Planning Commission recommends City Council approve the Zoning Map Amendment with Conditions request for 114 W. Walton Blvd, approving the change from the current C-1 Local Business zoning district to C-3 Corridor Commercial zoning district with Conditions; and

Now Therefore, Be It Resolved, That the City Council for the City of Pontiac approve the Planning Commission recommendation for the Zoning Map Amendment with Conditions (ZMA 19-14) request for 114 W. Walton Blvd, also known as Parcel No. 64-14-08-380-027 to amend the current site zoning from C-1 Local Business to C-3 Corridor Commercial zoning district with Conditions.



Department of Building Safety & Planning
PLANNING DIVISION

47450 Woodward Ave | PONTIAC, MICHIGAN 48342-5009
TELEPHONE: 248.758.2800 | FAX: 248.758.2827

Mayor Deirdre Waterman

TO: PONTIAC PLANNING COMMISSION

FROM: VERN GUSTAFSSON, PLANNING MANAGER
PLANNING DIVISION

SUBJECT: ZMA 19-14 ZONING MAP AMENDMENT WITH CONDITIONS
RAMON DENT
114 W. WALTON BLVD | PIN 64-14-08-380-027
C-1 LOCAL BUSINESS TO C-3 CORRIDOR COMMERCIAL
PROPOSED MEDICAL MARIHUANA PROVISIONING CENTER

DATE: DECEMBER 26, 2019

The City of Pontiac is in receipt of application [ZMA 19-14] for a Zoning Map Amendment [rezoning] with conditions per Section 6.807 of the Pontiac Zoning Ordinance for parcel number 64-14-08-380-027. The site is located on the north side of W. Walton Blvd, between Hollywood Avenue and Carlisle Street. Ramon Dent, the applicant requests a rezoning from C-1 Local Business to C-3 Corridor Commercial. The rezoning would ensure that the proposed Medical Marihuana Provisioning Center is properly zoned. In accordance with Section 6.802 of the City Zoning Ordinance, the request for Zoning Map Amendment requires a technical review, Public Hearing, recommendation by the Planning Commission, and a final decision by City Council.

Summary

1. The applicant requests rezoning the subject site from C-1 Local Business to C-3 Corridor Commercial.
2. The Master Plan identifies the subject site as Entrepreneurial: Residential, Commercial & Green. The proposed zoning designation is consistent with this future land use designation.
3. The subject property is compatible with C-3 zoning standards.
4. If the Zoning Map Amendment is approved, the applicant would be required to comply with Article 6, Chapter 2, and Section 6.204 Site Plan Review of the Pontiac Zoning Ordinance, In addition, ensure all requirements to the Medical Marihuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marihuana license from the City of Pontiac and the state.
5. The applicant submitted a condition to the rezoning that the rezoned parcel will revert back to the current zoning district if a properly licensed cannabis facility is not operating and not open to the public within three years from date of Pontiac City Council approval of Zoning Map Amendment with Conditions.

Master Plan

According to the City's 2014 Master Plan Update it is a City with extraordinary assets and bright, new economic prospects on which to build a revised destiny with new retail/commercial development. It is with this spirit that is embedded in the Master Plan update.

The subject site is designated as Entrepreneurial: Residential, Commercial & Green mixed-use land use category that allows flexibility in use and form to encourage the positive re-use of marginal commercial property locations around the City. These areas have been identified with the potential to be catalysts for other positive re-investment in the Walton Boulevard Corridor by entrepreneurs to start businesses and create jobs in the process.

Areas to the east and west are also planned as Entrepreneurial: Residential, Commercial & Green. Area to the north is planned as Traditional Neighborhood Residential, while Entrepreneurial: Industrial, Commercial & Green land use category is designated to the south.

The Zoning Map Amendment request complies with the requirements found within the Master Plan's Entrepreneurial District classification, which is to spur neighborhood economic development in areas to allow flexibility to attract creative and motivated entrepreneurs and located in the Medical Marihuana Overlay District described in Ordinance 2363 – Medical Marihuana Zoning Ordinance.

Medical Marihuana Overlay District

Based on our technical review of the proposed rezoning, the subject site is located in the Walton Boulevard Medical Marihuana Overlay District. In consideration of the proposed rezoning from C-1 Local Business to C-3 Corridor Commercial zoning district, the following Medical Marihuana uses; Provisioning Center, Safety Compliance and Secure Transporter facilities may be located on this site, if all requirements of the Medical Marihuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marihuana license from the City of Pontiac and the state.

Existing Zoning Districts

Properties to the east and west are zoned C-3 Corridor Commercial and C-1 Local Business. North of subject site is zoned R-1 One Family Dwelling. South of the site is zoned M-1 Light Manufacturing. The proposed Zoning Map Amendment provides a mix between various commercial zoned areas.

Rezoning Criteria

The Pontiac Planning Commission must consider any of the following criteria [section 6.804, A-J] that apply to the rezoning application in making findings, recommendations, and a decision to amend the Official Zoning Map [Section 6.804]. Additionally, the section also stipulates that the Planning Commission may also consider other factors that are applicable to the application, but are not listed among the ten criteria. To assist in the evaluation of these and other criteria, we offer the following findings of fact for your consideration.

Section 6.804 provides review criteria for the Planning Commission to utilize in making its findings, recommendations, and formulating a decision. The *ten stated criteria* are listed below with our findings:

1. *Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.*

The subject site conforms to the goals and objectives included in the City's Master Plan. The Master Plan created Entrepreneurial districts to redevelop and encourage adaptive re-use of properties to allow various intensity of commercial uses located within specific areas and foster the rebirth of the Walton Blvd Corridor.

2. *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*

The site is occupied by a commercial use; so its geological, hydrological, and other environmental features are no longer present on the site.

3. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning.*

The applicant did not demonstrate an inability to receive a reasonable return on investment with the existing zoning.

4. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*

The development of a Medical Marihuana Provisioning Center is compatible with surrounding uses and in terms of land suitability, impact on the environment, density, traffic impacts, aesthetics, and infrastructure.

5. *The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City.*

The City's utilities have capacity and services will be sufficient to accommodate the proposed Medical Marihuana Provisioning Center and not compromise the City's health, safety, and welfare.

6. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*

Walton Boulevard is a Major Road under the jurisdiction of the City of Pontiac. The proposed development will not impact the ability of this Major Road and adjoining roads to handle potential traffic.

7. *The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*

The boundaries of the rezoning are reasonable in relationship to surroundings and zoning district dimensional requirements.

8. *If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.*

With all the previous findings of fact, the boundaries of the proposed C-3 zoning district are reasonable from the City's perspective and comply with the vision found in the City's Master Plan.

9. *If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*
It would be inappropriate to amend the zoning text for C-1 Local Business zoning district to allow a Medical Marihuana Provisioning Center, retail facilities within the C-1 zoning district.

10. *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*
The proposed rezoning does not create an incompatible 'spot zone' within the area and it proposes reasonable continuation of Corridor Commercial zoning to the east and west.

Recommendation

Per the review requirements found in Section 6.804 of the Zoning Ordinance and our findings, we suggest that the Planning Commission consider recommending to City Council the request from Ramon Dent to rezone Parcel Number 64-14-08-380-027 [application ZMA 19-14] from C-1 Local Business to C-3 Corridor Commercial with conditions.

Zoning Map Amendment Site Assessment

Name of Development: Lucid Pontiac

Name of Applicant: Ramon Dent

Contact at/for site (Name, Tel): 310-926-2089

Address & Zoning for Development 114 W. Walton Blvd.

Proposed Zoning Change: C-3 Corridor Commercial

Proposed Use: Medical Marijuana Facilities

Adjacent Property Zoning: _____

North: R-1 Residential Dwelling

South: M-1 Light Manufacturing

East: C-1 Local Commercial

West: C-1 Local Commercial

Proposal 1 Buffer Measurements

Located in or outside MM Overlay District: ☒ Overlay Area ☐ Non-Overlay Area

If located in Overlay District, what is the district?: Walton Blvd.

Nearest School Facility: Name: Owen Elementary/ Kennedy Center Distance: >1,000 ft

Nearest Park Facility: Name: Jaycee Park Distance: >500 ft

Nearest Religious Property: Name: Berea Family Tabernacle of Faith Distance: >500 ft

Nearest Child Care Facility: Name: N/A Distance: >500 ft

ZMA 19-14



Application for Zoning Map Amendment

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: 114 W Walton Blvd

Sidwell Number: 14-08-380-027

Date: 8-15-19

Office Use Only

PF Number: ZMA 19-14

Instructions: Completed applications with appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least **30 days** prior to the regularly scheduled Planning Commission meeting. Applications must be complete in all respects with supporting documents such as site plan, property survey etc. Planning staff will schedule the application for consideration by the Planning Commission in accordance with the attached schedule. Incomplete applications will delay the review process.

Applicant (please print or type)

Name	Ramon Dent		
Address	615 Griswold Suite 1300		
City	Detroit		
State	Michigan		
ZIP Code	48226		
Telephone	Main: 310-926-2089	Cell: 310-926-2089	Fax:
E-Mail	rdent@usafetyconcepts.com		

Project and Property Information

Name of Proposed Development: Lucid Pontiac

The subject property is location at 114 W. Walton Blvd on the N / S / E / W side of Walton
between Carlisle St. and Hollywood Ave.

The property is zoned: C1

Proposed Zoning District: C3 - Conditional Use

It is proposed that the property will be used as: retail space/ provisioning center

The subject property is legally described as follows (include sidwell numbers):

114 W Walton Blvd. 14-08-380-027

Property Owner Information

Name	Stanley Johnson		
Address	3632 Sandview Dr. W		
City	University Place		
State	Washington		
ZIP Code	98466		
Telephone	Main: 253-973-2476	Cell: 253-973-2476	Fax:
E-Mail	stan32j@gmail.com		

Are you the X Owner X Agent/rep. of the owner Other


The proposed will be used for the following purpose (provide as much detail as possible with photographs, sketches, site plans, written documents, etc.).

The proposed will be used as a retail space, occupying a medical marijuana provisioning center.


See attached documents

Sate the reason for the Zoning Map Amendment, particularly the manner in which the City will benefit if the amendment is approved and why such change will not be detrimental to the public welfare and/or the property rights of other persons located in the vicinity of the site.

The zoning amendment would change from a C1 to a C3 to accomodate a retail space. The zone amendment will allow for new business use. It will create new jobs and increase tax revenue for the city. In addition, the new retail space will be a beutification to the neighborhood; removing the abandoned gas station/eye sore - and preventing further enviromental damage. This change will not be detrimental to the public because it's already a commerical establishment with high traffic. We'll obey all building and zoning requirments to ensure compliance.



Signature of Owner

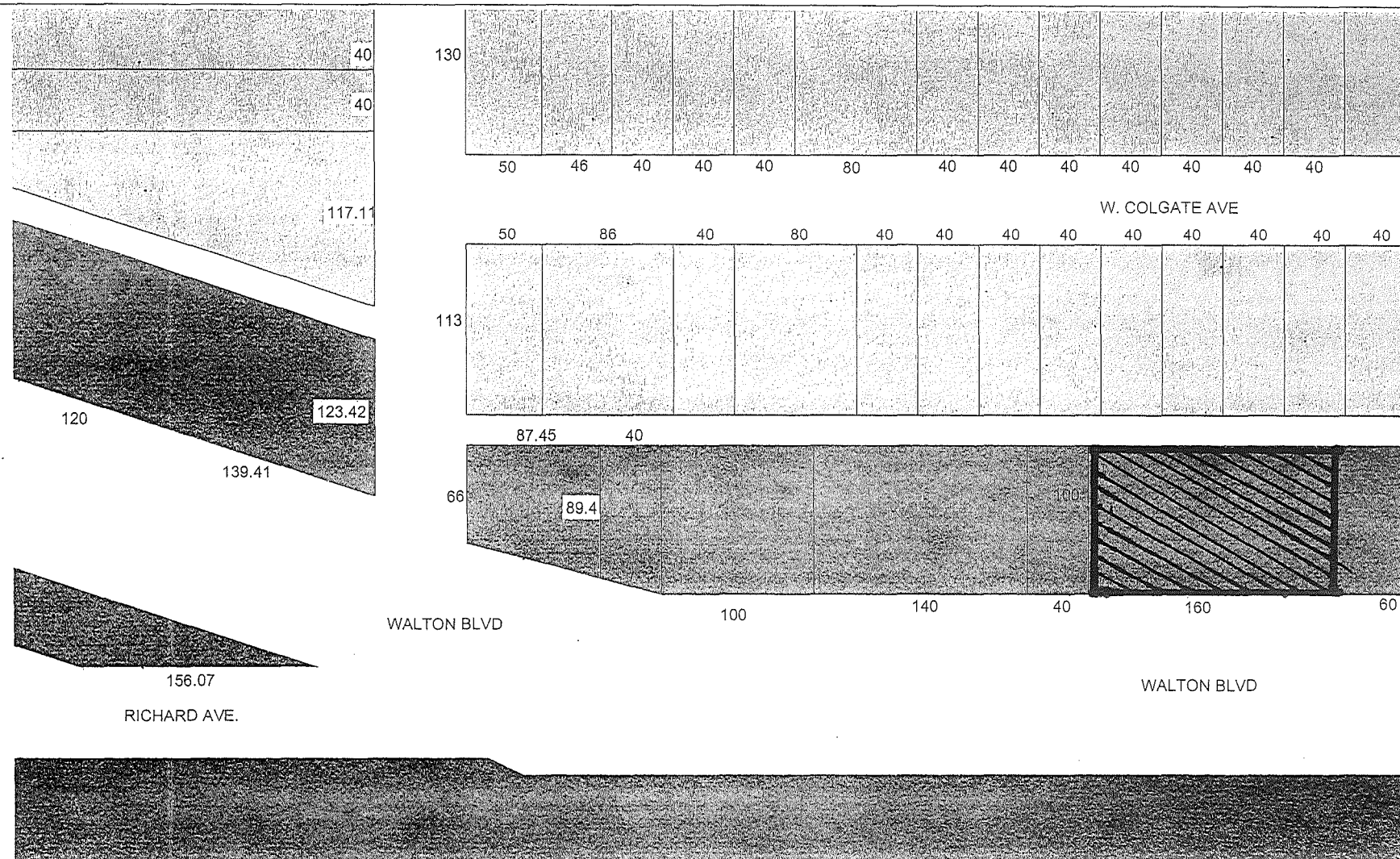


Signature of Applicant

State of Michigan
County of Oakland

On this _____ day of _____, A.D., 20____, before me personally appeared the above named person, who being duly sworn, stated he/she has read the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.

Notary Public, Oakland County, Michigan
My Commission Expires: _____



 M-1 LIGHT MANUFACTURING
  C-3 CORRIDOR COMMERCIAL

 C-1 LOCAL BUSINESS
  R-1 ONE FAMILY DWELLING

AS A CONDITION TO THE REZONING, THE REZONED PARCEL OR PROPERTY WILL REVERT BACK TO THE CURRENT ZONING DISTRICT OF A PROPERTY LICENSED CANNABIS FACILITY IS NOT OPERATING AND NOT OPEN TO THE PUBLIC WITHIN THREE YEARS FROM THE DATE OF PONTIAC CITY COUNCIL APPROVAL ZONING MAP AMENDMENT

REVIEWER	

William Edward Summers,
FOR: easybuildingplans.com
Sole copyright William Edward Summers, 2016.
all rights reserved.

PROJECT
100 SQUARE FOOT COMMERCIAL BUILDING
FOR UNIVERSAL BUSINESS CONCEPTS, INC.
14 W. WALTON BLVD.

Date	12/09/2010
Scale	1/32" = 1'-0"
Drawn	AJJ
Job	
Sheet	A13

#11

RESOLUTION



Department of Building Safety & Planning
PLANNING DIVISION

47450 Woodward Ave | PONTIAC, MICHIGAN 48342-5009
TELEPHONE: 248.758.2800 | FAX: 248.758.2827

Mayor Deirdre Waterman

TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND COUNCIL PRESIDENT

FROM: VERN GUSTAFSSON, PLANNING MANAGER
THROUGH THE OFFICE OF DEPUTY MAYOR JANE BAIS DISESSA

SUBJECT: ZMA 19-15 ZONING MAP AMENDMENT WITH CONDITIONS
JOSE GRANDADOS
108 W. WALTON BLVD | PIN 64-14-08-380-028
C-1 LOCAL BUSINESS TO C-3 CORRIDOR COMMERCIAL
PROPOSED MEDICAL MARIHUANA PROVISIONING CENTER

DATE: JANUARY 9, 2019

The City of Pontiac is in receipt of application [ZMA 19-15] for a Zoning Map Amendment [rezoning] with conditions per Section 6.807 of the Pontiac Zoning Ordinance for parcel number 64-14-08-380-028. The site is located on the north side of W. Walton Blvd, between Hollywood Avenue and Carlisle Street. Jose Grandados, the applicant requests a rezoning from C-1 Local Business to C-3 Corridor Commercial. The rezoning would ensure that the proposed Medical Marihuana Provisioning Center is properly zoned. At the January 8, 2020 meeting the Planning Commission recommended to City Council the approval of this Zoning Map Amendment with Conditions.

Summary

1. The applicant requests rezoning the subject site from C-1 Local Business to C-3 Corridor Commercial.
2. The Master Plan identifies the subject site as Entrepreneurial: Residential, Commercial & Green. The proposed zoning designation is consistent with this future land use designation.
3. The subject property is compatible with C-3 zoning standards.
4. If the Zoning Map Amendment is approved, the applicant would be required to comply with Article 6, Chapter 2, and Section 6.204 Site Plan Review of the Pontiac Zoning Ordinance, In addition, ensure all requirements to the Medical Marihuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marihuana license from the City of Pontiac and the state.
5. The applicant submitted a condition to the rezoning that the rezoned parcel will revert back to the current zoning district if a properly licensed cannabis facility is not operating and not open to the public within three years from date of Pontiac City Council approval of Zoning Map Amendment with Conditions.

Master Plan

According to the City's 2014 Master Plan Update it is a City with extraordinary assets and bright, new economic prospects on which to build a revised destiny with new retail/commercial development. It is with this spirit that is embedded in the Master Plan update.

The subject site is designated as Entrepreneurial: Residential, Commercial & Green mixed-use land use category that allows flexibility in use and form to encourage the positive re-use of under-utilized property locations around the City. These areas have been identified with the potential to be catalysts for other positive re-investment in the Walton Boulevard Corridor by entrepreneurs to start businesses and create jobs in the process.

Areas to the east and west are also planned as Entrepreneurial: Residential, Commercial & Green. Area to the north is planned as Traditional Neighborhood Residential, while Entrepreneurial: Industrial, Commercial & Green land use category is designated to the south.

The Zoning Map Amendment request complies with the requirements found within the Master Plan's Entrepreneurial District classification, which is to spur neighborhood economic development in areas to allow flexibility to attract creative and motivated entrepreneurs.

Medical Marijuana Overlay District

Based on our technical review of the proposed rezoning, the subject site is located in the Walton Boulevard Medical Marijuana Overlay District. In consideration of the proposed rezoning from C-1 Local Business to C-3 Corridor Commercial zoning district, the following Medical Marijuana uses; Provisioning Center, Safety Compliance and Secure Transporter facilities may be located on this site, if all requirements of the Medical Marijuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marijuana license from the City of Pontiac and the state.

Existing Zoning Districts

Properties to the east and west are zoned C-3 Corridor Commercial and C-1 Local Business. North of subject site is zoned R-1 One Family Dwelling. South of the site is zoned M-1 Light Manufacturing. The proposed Zoning Map Amendment provides a mix between various intensity of commercial zoned areas, which implements the Master Plan's Future Land Use category; Entrepreneurial: Residential, Commercial & Green.

Rezoning Criteria

The Pontiac Planning Commission must consider any of the following criteria [section 6.804, A-J] that apply to the rezoning application in making findings, recommendations, and a decision to amend the Official Zoning Map [Section 6.804]. Additionally, the section also stipulates that the Planning Commission may also consider other factors that are applicable to the application, but are not listed among the ten criteria. To assist in the evaluation of these and other criteria, we offer the following findings of fact for your consideration.

Section 6.804 provides review criteria for the Planning Commission to utilize in making its findings, recommendations, and formulating a decision. The *ten stated criteria* are listed below with our findings:

1. *Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.*

The subject site conforms to the goals and objectives included in the City's Master Plan. The Master Plan created Entrepreneurial districts to redevelop and encourage adaptive re-use of properties to allow various intensity of commercial uses located within specific areas and foster the economic development rebirth of the Walton Blvd Corridor.

2. *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*

The site is occupied by a commercial use; so its geological, hydrological, and other environmental features are no longer present on the site.

3. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning.*

The applicant did not demonstrate an inability to receive a reasonable return on investment with the existing zoning.

4. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*

The development of a Medical Marijuana Provisioning Center is compatible with surrounding uses and in terms of land suitability, impact on the environment, density, traffic impacts aesthetics, and infrastructure.

5. *The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City.*

The City's utilities have capacity and services will be sufficient to accommodate the proposed Medical Marijuana Provisioning Center and not compromise the City's health, safety, and welfare.

6. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*

Walton Boulevard is a Major Road under the jurisdiction of the City of Pontiac. The proposed development will not impact the ability of this Major Road and adjoining roads to handle potential traffic.

7. *The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*

The boundaries of the rezoning are reasonable in relationship to surroundings and zoning district dimensional requirements.

8. *If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.*

With all the previous findings of fact, the boundaries of the proposed C-3 zoning district are reasonable from the City's perspective and comply with the vision found in the City's Master Plan.

9. *If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*
It would be inappropriate to amend the zoning text for C-1 Local Business zoning district to allow a Medical Marihuana Provisioning Center, retail facilities within the C-1 zoning district.
10. *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*
The proposed rezoning does not create an incompatible 'spot zone' within the area and it proposes reasonable continuation of Corridor Commercial zoning to the east and west.

ZMA 19-15 – Zoning Map Amendment with Conditions
Parcel: 64-14-08-380-028

Resolution

Whereas, The City has received an application for a Zoning Map Amendment with Conditions for 108 W. Walton Blvd, identified as PIN 64-14-08-380-028 from Jose Grandados for the rezoning of the aforementioned parcel; and

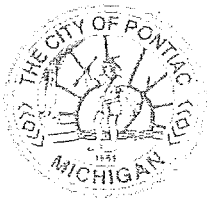
Whereas, The Planning Division has reviewed the applicant's rezoning request in regards to the City's Master Plan and the request conforms to the goals and vision contained within the plan; and

Whereas, The Planning Division has reviewed the applicant's rezoning request and the requirements set forth by Section 6.804 of the Zoning Ordinance, and the Planning Division has determined the aforementioned request and proposed intended use of the property complies with the City of Pontiac Zoning Ordinance; and

Whereas, In accordance with the procedures outlined in the Zoning Ordinance, Sections 6.802 as it relates to Zoning Map Amendments, the request has undergone the required: Technical Review, Public Hearing, and Planning Commission Recommendation; and

Whereas, On January 8, 2020, a Public Hearing was held, and in consideration of public opinion, the Planning Commission recommends City Council approve the Zoning Map Amendment with Conditions request for 108 W. Walton Blvd, approving the change from the current C-1 Local Business zoning district to C-3 Corridor Commercial zoning district with Conditions; and

Now Therefore, Be It Resolved, That the City Council for the City of Pontiac approve the Planning Commission recommendation for the Zoning Map Amendment with Conditions (ZMA 19-15) request for 108 W. Walton Blvd, also known as Parcel No. 64-14-08-380-028 to amend the current site zoning from C-1 Local Business to C-3 Corridor Commercial zoning district with Conditions.



Department of Building Safety & Planning
PLANNING DIVISION

47450 Woodward Ave | PONTIAC, MICHIGAN 48342-5009
TELEPHONE: 248.758.2800 | FAX: 248.758.2827

Mayor Deirdre Waterman

TO: PONTIAC PLANNING COMMISSION

FROM: VERN GUSTAFSSON, PLANNING MANAGER
PLANNING DIVISION

SUBJECT: ZMA 19-15 ZONING MAP AMENDMENT WITH CONDITIONS
JOSE GRNADADOS
108 W. WALTON BLVD | PIN 64-14-08-380-028
C-1 LOCAL BUSINESS TO C-3 CORRIDOR COMMERCIAL
PROPOSED MEDICAL MARIHUANA PROVISIONING CENTER

DATE: DECEMBER 26, 2019

The City of Pontiac is in receipt of application [ZMA 19-15] for a Zoning Map Amendment [rezoning] with conditions per Section 6.807 of the Pontiac Zoning Ordinance for parcel number 64-14-08-380-028. The site is located on the north side of W. Walton Blvd, between Hollywood Avenue and Carlisle Street. Jose Grandados, the applicant requests a rezoning from C-1 Local Business to C-3 Corridor Commercial. The rezoning would ensure that the proposed Medical Marihuana Provisioning Center is properly zoned. In accordance with Section 6.802 of the City Zoning Ordinance, the request for Zoning Map Amendment requires a technical review, Public Hearing, recommendation by the Planning Commission, and a final decision by City Council.

Summary

1. The applicant requests rezoning the subject site from C-1 Local Business to C-3 Corridor Commercial.
2. The Master Plan identifies the subject site as Entrepreneurial: Residential, Commercial & Green. The proposed zoning designation is consistent with this future land use designation.
3. The subject property is compatible with C-3 zoning standards.
4. If the Zoning Map Amendment is approved, the applicant would be required to comply with Article 6, Chapter 2, and Section 6.204 Site Plan Review of the Pontiac Zoning Ordinance, In addition, ensure all requirements to the Medical Marihuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marihuana license from the City of Pontiac and the state.
5. The applicant submitted a condition to the rezoning that the rezoned parcel will revert back to the current zoning district if a properly licensed cannabis facility is not operating and not open to the public within three years from date of Pontiac City Council approval of Zoning Map Amendment with Conditions.

Master Plan

According to the City's 2014 Master Plan Update it is a City with extraordinary assets and bright, new economic prospects on which to build a revised destiny with new retail/commercial development. It is with this spirit that is embedded in the Master Plan update.

The subject site is designated as Entrepreneurial: Residential, Commercial & Green mixed-use land use category that allows flexibility in use and form to encourage the positive re-use of under-utilized property locations around the City. These areas have been identified with the potential to be catalysts for other positive re-investment in the Walton Boulevard Corridor by entrepreneurs to start businesses and create jobs in the process.

Areas to the east and west are also planned as Entrepreneurial: Residential, Commercial & Green. Area to the north is planned as Traditional Neighborhood Residential, while Entrepreneurial: industrial, Commercial & Green land use category is designated to the south.

The Zoning Map Amendment request complies with the requirements found within the Master Plan's Entrepreneurial District classification, which is to spur neighborhood economic development in areas to allow flexibility to attract creative and motivated entrepreneurs.

Medical Marihuana Overlay District

Based on our technical review of the proposed rezoning, the subject site is located in the Walton Boulevard Medical Marihuana Overlay District. In consideration of the proposed rezoning from C-1 Local Business to C-3 Corridor Commercial zoning district, the following Medical Marihuana uses; Provisioning Center, Safety Compliance and Secure Transporter facilities may be located on this site, if all requirement of the Medical Marihuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marihuana license from the City of Pontiac and the state.

Existing Zoning Districts

Properties to the east and west are zoned C-3 Corridor Commercial and C-1 Local Business. North of subject site is zoned R-1 One Family Dwelling. South of the site is zoned M-1 Light Manufacturing. The proposed Zoning Map Amendment provides a mix between various intensity of commercial zoned areas, which implements the Master Plan's Future Land Use category; Entrepreneurial: Residential, Commercial & Green.

Rezoning Criteria

The Pontiac Planning Commission must consider any of the following criteria [section 6.804, A-J] that apply to the rezoning application in making findings, recommendations, and a decision to amend the Official Zoning Map [Section 6.804]. Additionally, the section also stipulates that the Planning Commission may also consider other factors that are applicable to the application, but are not listed among the ten criteria. To assist in the evaluation of these and other criteria, we offer the following findings of fact for your consideration.

Section 6.804 provides review criteria for the Planning Commission to utilize in making its findings, recommendations, and formulating a decision. The *ten stated criteria* are listed below with our findings:

1. *Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.*

The subject site conforms to the goals and objectives included in the City's Master Plan. The Master Plan created Entrepreneurial districts to redevelop and encourage adaptive re-use of properties to allow various intensity of commercial uses located within specific areas and foster the economic development rebirth of the Walton Blvd Corridor.

2. *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*

The site is occupied by a commercial use; so it's geological, hydrological, and other environmental features are no longer present on the site.

3. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning.*

The applicant did not demonstrate an inability to receive a reasonable return on investment with the existing zoning.

4. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*

The development of a Medical Marihuana Provisioning Center is compatible with surrounding uses and in terms of land suitability, impact on the environment, density, traffic impacts aesthetics, and infrastructure.

5. *The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City.*

The City's utilities have capacity and services will be sufficient to accommodate the proposed Medical Marihuana Provisioning Center and not compromise the City's health, safety, and welfare.

6. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*

Walton Boulevard is a Major Road under the jurisdiction of the City of Pontiac. The proposed development will not impact the ability of this Major Road and adjoining roads to handle potential traffic.

7. *The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*

The boundaries of the rezoning are reasonable in relationship to surroundings and zoning district dimensional requirements.

8. *If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.*

With all the previous findings of fact, the boundaries of the proposed C-3 zoning district are reasonable from the City's perspective and comply with the vision found in the City's Master Plan.

9. *If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*

It would be inappropriate to amend the zoning text for C-1 Local Business zoning district to allow a Medical Marihuana Provisioning Center, retail facilities within the C-1 zoning district.

10. *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*

The proposed rezoning does not create an incompatible 'spot zone' within the area and it proposes reasonable continuation of Corridor Commercial zoning to the east and west.

Recommendation

Per the review requirements found in Section 6.804 of the Zoning Ordinance and our findings, we suggest that the Planning Commission consider recommending to City Council the request from Jose Grandados to rezone Parcel Number 64-14-08-380-028 [application ZMA 19-15] from C-1 Local Business to C-3 Corridor Commercial with conditions.

Zoning Map Amendment Site Assessment

Name of Development: TBD

Name of Applicant: Joe Granados

Contact at/for site (Name, Tel): 248-495-0984

Address & Zoning for Development 108 W. Walton

Proposed Zoning Change: C-3 Corridor Commercial

Proposed Use: Medical Marijuana Facilities

Adjacent Property Zoning: _____

North: R-1 Residential Dwelling

South: M-1 Light Manufacturing

East: C-1 Local Commercial

West: C-1 Local Commercial

Proposal 1 Buffer Measurements

Located in or outside MM Overlay District: ☒ Overlay Area ☐ Non-Overlay Area

If located in Overlay District, what is the district?: Walton Blvd.

Nearest School Facility: Name: Owen Elementary/ Kennedy Center Distance: >1,000 ft

Nearest Park Facility: Name: Jaycee Park Distance: >500 ft

Nearest Religious Property: COPD: Berea Family Tabernacle of Faith Distance: >431 ft

Nearest Child Care Facility: Name: N/A Distance: >500 ft

Nearest Religious Property: CCRC: Berea Family Tabernacle of Faith Distance: >538 ft

ZMA-19-15



Application for Zoning Map Amendment

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: 108 W Walton

Sidwell Number: 64-14-08-380-028

Date: 11/11/2019

Office Use Only

PF Number: 2MA 19-15

Instructions: Completed applications with appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least 30 days prior to the regularly scheduled Planning Commission meeting. Applications must be complete in all respects with supporting documents such as site plan, property survey etc. Planning staff will schedule the application for consideration by the Planning Commission in accordance with the attached schedule. Incomplete applications will delay the review process.

Applicant (please print or type)

Name	Jose Granados		
Address	108 W Walton		
City	Pontiac		
State	Michigan		
ZIP Code	48340		
Telephone	Main:	Cell: 248-495-0984	Fax:
E-Mail	imprede24@hotmail.com		

Project and Property Information

Name of Proposed Development: _____

The subject property is location at 108 W Walton Blvd on the N / S / E / W side of Walton Blvd between Hollywood Ave and Carlisle St.

The property is zoned: C1

Proposed Zoning District: C3

It is proposed that the property will be used as: medical office building

The subject property is legally described as follows (include sidwell numbers):

T3N,R10E,SEC B MARIMONT SUB LOTS 142,143 &144 Parcel ID 64-14-08-380-028

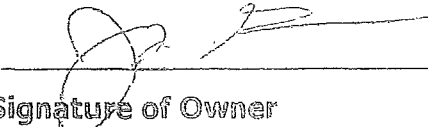
Property Owner Information

Name	Granados Properties LLC		
Address	6337 Cambourne		
City	Dearborn hts		
State	Michigan		
ZIP Code	48127		
Telephone	Main:	Cell: 248-495-0984	Fax:
E-Mail	imprede24@hotmail.com		


Are you the ☒ Owner _____ Agent/rep. of the owner _____ Other _____

The proposed will be used for the following purpose (provide as much detail as possible with photographs, sketches, site plans, written documents, etc.).

State the reason for the Zoning Map Amendment, particularly the manner in which the City will benefit if the amendment is approved and why such change will not be detrimental to the public welfare and/or the property rights of other persons located in the vicinity of the site.



Signature of Owner

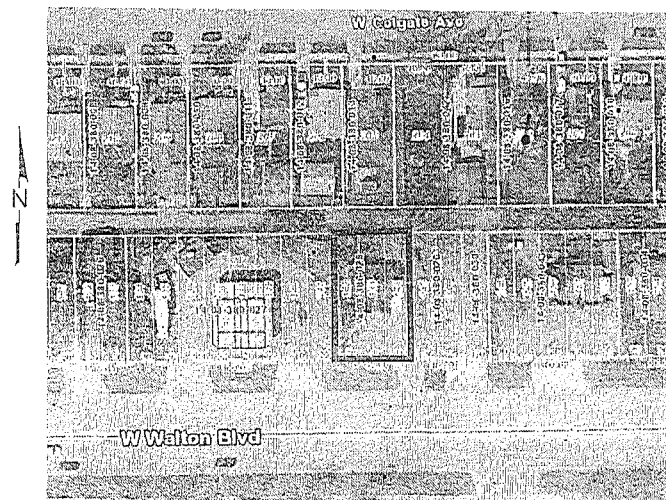


Signature of Applicant

State of Michigan
County of Oakland

On this ____ day of _____, A.D., 20____, before me personally appeared the above named person, who being duly sworn, stated he/she has read the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.

Notary Public, Oakland County, Michigan
My Commission Expires: _____



811
Know what's below.
Call before you dig.

0' 10' 20' 30'

SCALE 1" = 10'



108 W. WALTON
PONTIAC, OAKLAND CO, MI
SCALE DIAGRAM SEC.8(C)(19)

[illegible][illegible]

RZ-1

AIELLO & ASSOCIATES, P.L.L.C.

Attorneys and Counselors at Law
32411 Mound Road
Warren, Michigan 48092

CHRISTOPHER P. AIELLO
AARON D. GEYER
Aaron@ChrisAiello.com

TELEPHONE
(586) 303-2211
FACSIMILE
(586) 303-1259

January 2, 2020

City of Pontiac
Planning Division
Attn: Vern Gustafsson, Planning Manager
47450 Woodward Avenue
Pontiac, Michigan 48342
Sent by Email (vgustafsson@pontiac.mi.us) and by First Class Mail

Re: Rezoning of 108 W Walton Blvd

Dear Mr. Gustafsson:

The applicant has applied to the ZBA to have the real property located at 108 W. Walton Blvd. rezoned to support an application for licensing of a medical marihuana provisioning center in the Walton Blvd Overlay District.

As a condition to the rezoning, the rezoned parcel or property will revert back to the current zoning district if a properly licensed cannabis facility is not operating and not open to the public within three years from date of Pontiac City Council approval Zoning Map Amendment"

Thank you for your cooperation in this matter.

Very truly yours,
AIELLO & ASSOCIATES, PLLC

Aaron D. Geyer

Aaron D. Geyer
Attorney at Law

ADG/

#12

RESOLUTION



Department of Building Safety & Planning
PLANNING DIVISION

47450 Woodward Ave | PONTIAC, MICHIGAN 48342-5009
TELEPHONE: 248.758.2800 | FAX: 248.758.2827

Mayor Deirdre Waterman

TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL

FROM: VERN GUSTAFSSON, PLANNING MANAGER
THROUGH THE OFFICE OF DEPUTY MAYOR JANE BAIS-DISESSA

SUBJECT: ZMA 19-16 ZONING MAP AMENDMENT WITH CONDITIONS
WILLIAM MOESTA
228 W. WALTON BLVD | PIN 64-14-08-354-010
C-1 LOCAL BUSINESS TO C-3 CORRIDOR COMMERCIAL
PROPOSED MEDICAL MARIHUANA PROVISIONING CENTER

DATE: JANUARY 9, 2019

The City of Pontiac is in receipt of application [ZMA 19-16] for a Zoning Map Amendment [rezoning] with conditions per Section 6.807 of the Pontiac Zoning Ordinance for parcel number 64-14-08-354-010. The .33 acre site is located on the north side of W. Walton Blvd, between W. New York Avenue and Carlisle Street. William Moesta, the applicant requests a rezoning from C-1 Local Business to C-3 Corridor Commercial. The rezoning would ensure that the proposed Medical Marihuana Provisioning Center is properly zoned. At the January 8, 2020 meeting the Planning Commission recommended to City Council the approval of this Zoning Map Amendment with Conditions.

Summary

1. The applicant requests rezoning the subject site from C-1 Local Business to C-3 Corridor Commercial.
2. The Master Plan identifies the subject site as Entrepreneurial: Residential, Commercial & Green. The proposed zoning designation is consistent with this future land use designation.
3. The subject property is compatible with C-3 zoning standards.
4. If the Zoning Map Amendment is approved, the applicant would be required to comply with Article 6, Chapter 2, and Section 6.204 Site Plan Review of the Pontiac Zoning Ordinance. In addition, ensure all requirements to the Medical Marihuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marihuana license from the City of Pontiac and the state.
5. The applicant submitted a condition to the rezoning that the rezoned parcel will revert back to the current zoning district if a properly licensed cannabis facility is not operating and not open to the public within three years from date of Pontiac City Council approval of Zoning Map Amendment with Conditions.

Master Plan

According to the City's 2014 Master Plan Update it is with extraordinary assets and bright, new economic prospects on which to build a revised destiny with new retail/commercial development. It is with this spirit that is embedded in the Master Plan update.

The subject site is designated as Entrepreneurial: Residential, Commercial & Green mixed-use land use category that allows flexibility in use and form to encourage the positive re-use of under-utilized property or redevelop locations around the City. These areas have been identified with the potential to be catalysts for other positive re-investment in these neighborhoods and/or corridors by entrepreneurs to start businesses and create jobs in the process.

Areas to the east and west are also planned as Entrepreneurial: Residential, Commercial & Green. Area to the north is planned as Traditional Neighborhood Residential, while Entrepreneurial: Industrial, Commercial & Green, a mixed-use land use category is designated to the south.

The Zoning Map Amendment request complies with the requirements found within the Master Plan's Entrepreneurial District classification, which is to spur neighborhood/corridor economic development in areas to allow flexibility to attract creative and motivated entrepreneurs located in the Medical Marijuana Overlay District described in Ordinance 2363 – Medical Marijuana Zoning Ordinance.

Medical Marijuana Overlay District

Based on our technical review of the proposed rezoning, the subject site is located in the Walton Boulevard Medical Marijuana Overlay District. In consideration of the proposed rezoning from C-1 Local Business to C-3 Corridor Commercial zoning district, the following Medical Marijuana uses; Provisioning Center, Safety Compliance and Secure Transporter facilities may be located on this site, if all requirements of the Medical Marijuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marijuana license from the City of Pontiac and the state.

Existing Zoning Districts

Properties to the east and west are zoned C-3 Corridor Commercial and C-1 Local Business. North of subject site is zoned R-1 One Family Dwelling. South of the site is zoned C-3 and C-1. The proposed Zoning Map Amendment provides a mix between various commercial zoned areas.

Rezoning Criteria

The Pontiac Planning Commission must consider any of the following criteria [section 6.804, A-J] that apply to the rezoning application in making findings, recommendations, and a decision to amend the Official Zoning Map [Section 6.804]. Additionally, the section also stipulates that the Planning Commission may also consider other factors that are applicable to the application, but are not listed among the ten criteria. To assist in the evaluation of these and other criteria, we offer the following findings of fact for your consideration.

Section 6.804 provides review criteria for the Planning Commission to utilize in making its findings, recommendations, and formulating a decision. The *ten stated criteria* are listed below with our findings:

1. *Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.*

The subject site conforms to the goals and objectives included in the City's Master Plan. The Master Plan created Entrepreneurial districts to redevelop and encourage adaptive re-use of properties to allow various intensity of commercial uses located within specific areas and foster the rebirth of the Walton Blvd Corridor.

2. *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*

The site is currently developed as a restaurant use; so it's geological, hydrological, and other environmental features are no longer present on the site.

3. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning.*

The applicant did not demonstrate an inability to receive a reasonable return on investment with the existing zoning.

4. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*

The development of a Medical Marijuana Provisioning Center is compatible with surrounding uses and in terms of land suitability, impact on the environment, density, traffic impacts, aesthetics, and infrastructure.

5. *The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City.*

The City's utilities have capacity and services will be sufficient to accommodate the proposed Medical Marijuana Provisioning Center and not compromise the City's health, safety, and welfare.

6. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*

Walton Boulevard is a Major Road under the jurisdiction of the City of Pontiac. The proposed development will not impact the ability of this Major Road and adjoining roads to handle potential traffic.

7. *The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*

The boundaries of the rezoning are reasonable in relationship to surroundings and zoning district dimensional requirements.

8. *If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.*

With all the previous findings of fact, the boundaries of the proposed C-3 zoning district are reasonable from the City's perspective and comply with the vision found in the City's Master Plan.

9. *If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*
It would be inappropriate to amend the zoning text for C-1 Local Business zoning district to allow a Medical Marihuana Provisioning Center, retail facilities within the C-1 zoning district.
10. *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*
The proposed rezoning does not create an incompatible 'spot zone' within the area and it proposes reasonable continuation of Corridor Commercial zoning to the east and west.

ZMA 19-16 – Zoning Map Amendment with Conditions
Parcel: 64-14-08-354-010

Resolution

Whereas, The City has received an application for a Zoning Map Amendment with Conditions for 228 W. Walton Blvd, identified as PIN 64-14-08-354-010 from William Moesta for the rezoning of the aforementioned parcel; and

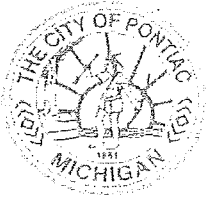
Whereas, The Planning Division has reviewed the applicant's rezoning request in regards to the City's Master Plan and the request conforms to the goals and vision contained within the plan; and

Whereas, The Planning Division has reviewed the applicant's rezoning request and the requirements set forth by Section 6.804 of the Zoning Ordinance, and the Planning Division has determined the aforementioned request and proposed intended use of the property complies with the City of Pontiac Zoning Ordinance; and

Whereas, In accordance with the procedures outlined in the Zoning Ordinance, Sections 6.802 as it relates to Zoning Map Amendments, the request has undergone the required: Technical Review, Public Hearing, and Planning Commission Recommendation; and

Whereas, On January 8, 2020, a Public Hearing was held, and in consideration of public opinion, the Planning Commission recommends City Council approve the Zoning Map Amendment with Conditions request for 228 W. Walton Blvd, approving the change from the current C-1 Local Business zoning district to C-3 Corridor Commercial zoning district with Conditions; and

Now Therefore, Be It Resolved, That the City Council for the City of Pontiac approve the Planning Commission recommendation for the Zoning Map Amendment with Conditions (ZMA 19-16) request for 228 W. Walton Blvd, also known as Parcel No. 64-14-08-354-010 to amend the current site zoning from C-1 Local Business to C-3 Corridor Commercial zoning district with Conditions.



Department of Building Safety & Planning
PLANNING DIVISION

47450 Woodward Ave | PONTIAC, MICHIGAN 48342-5009
TELEPHONE: 248.758.2800 | FAX: 248.758.2827

Mayor Deirdre Waterman

TO: PONTIAC PLANNING COMMISSION

FROM: VERN GUSTAFSSON, PLANNING MANAGER
PLANNING DIVISION

SUBJECT: ZMA 19-16 ZONING MAP AMENDMENT WITH CONIDTIONS
WILLIAM MOESTA
228 W. WALTON BLVD | PIN 64-14-08-354-010
C-1 LOCAL BUSINESS TO C-3 CORRIDOR COMMERCIAL
PROPOSED MEDICAL MARIHUANA PROVISIONING CENTER

DATE: DECEMBER 30, 2019

The City of Pontiac is in receipt of application [ZMA 19-16] for a Zoning Map Amendment [rezoning] with conditions per Section 6.807 of the Pontiac Zoning Ordinance for parcel number 64-14-08-354-010. The .33 acre site is located on the north side of W. Walton Blvd, between W. New York Avenue and Carlisle Street. William Moesta, the applicant requests a rezoning from C-1 Local Business to C-3 Corridor Commercial. The rezoning would ensure that the proposed Medical Marihuana Provisioning Center is properly zoned. In accordance with Section 6.802 of the City Zoning Ordinance, the request for Zoning Map Amendment requires a technical review, Public Hearing, recommendation by the Planning Commission, and a final decision by City Council.

Summary

1. The applicant requests rezoning the subject site from C-1 Local Business to C-3 Corridor Commercial.
2. The Master Plan identifies the subject site as Entrepreneurial: Residential, Commercial & Green. The proposed zoning designation is consistent with this future land use designation.
3. The subject property is compatible with C-3 zoning standards.
4. If the Zoning Map Amendment is approved, the applicant would be required to comply with Article 6, Chapter 2, and Section 6.204 Site Plan Review of the Pontiac Zoning Ordinance, In addition, ensure all requirements to the Medical Marihuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marihuana license from the City of Pontiac and the state.
5. The applicant submitted a condition to the rezoning that the rezoned parcel will revert back to the current zoning district if a properly licensed cannabis facility is not operating and not open to the public within three years from date of Pontiac City Council approval of Zoning Map Amendment with Conditions.

Master Plan

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Areas to the east and west are also planned as Entrepreneurial: Residential, Commercial & Green. Area to the north is planned as Traditional Neighborhood Residential, while Entrepreneurial: industrial, Commercial & Green, a mixed-use land use category is designated to the south.

The Zoning Map Amendment request complies with the requirements found within the Master Plan's Entrepreneurial District classification, which is to spur neighborhood/corridor economic development in areas to allow flexibility to attract creative and motivated entrepreneurs located in the Medical Marihuana Overlay District described in Ordinance 2363 – Medical Marihuana Zoning Ordinance.

Medical Marihuana Overlay District

Based on our technical review of the proposed rezoning, the subject site is located in the Walton Boulevard Medical Marihuana Overlay District. In consideration of the proposed rezoning from C-1 Local Business to C-3 Corridor Commercial zoning district, the following Medical Marihuana uses; Provisioning Center, Safety Compliance and Secure Transporter facilities may be located on this site, if all requirement of the Medical Marihuana Zoning Ordinance [Ordinance 2363] are met and obtain a Medical Marihuana license from the City of Pontiac and the state.

Existing Zoning Districts

Properties to the east and west are zoned C-3 Corridor Commercial and C-1 Local Business. North of subject site is zoned R-1 One Family Dwelling. South of the site is zoned C-3 and C-1. The proposed Zoning Map Amendment provides a mix between various commercial zoned areas.

Rezoning Criteria

The Pontiac Planning Commission must consider any of the following criteria [section 6.804, A-J] that apply to the rezoning application in making findings, recommendations, and a decision to amend the Official Zoning Map [Section 6.804]. Additionally, the section also stipulates that the Planning Commission may also consider other factors that are applicable to the application, but are not listed among the ten criteria. To assist in the evaluation of these and other criteria, we offer the following findings of fact for your consideration.

Section 6.804 provides review criteria for the Planning Commission to utilize in making its findings, recommendations, and formulating a decision. The *ten stated criteria* are listed below with our findings:

1. *Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.*

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2. *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*

The site is currently developed as a restaurant use; so it's geological, hydrological, and other environmental features are no longer present on the site.

3. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning.*

The applicant did not demonstrate an inability to receive a reasonable return on investment with the existing zoning.

4. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*

The development of a Medical Marihuana Provisioning Center is compatible with surrounding uses and in terms of land suitability, impact on the environment, density, traffic impacts, aesthetics, and infrastructure.

5. *The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City.*

The City's utilities have capacity and services will be sufficient to accommodate the proposed Medical Marihuana Provisioning Center and not compromise the City's health, safety, and welfare.

6. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*

Walton Boulevard is a Major Road under the jurisdiction of the City of Pontiac. The proposed development will not impact the ability of this Major Road and adjoining roads to handle potential traffic.

7. *The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*

The boundaries of the rezoning are reasonable in relationship to surroundings and zoning district dimensional requirements.

8. *If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.*

With all the previous findings of fact, the boundaries of the proposed C-3 zoning district are reasonable from the City's perspective and comply with the vision found in the City's Master Plan.

9. *If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land-uses in the current zoning district to allow the use.*
It would be inappropriate to amend the zoning text for C-1 Local Business zoning district to allow a Medical Marihuana Provisioning Center, retail facilities within the C-1 zoning district.
10. *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*
The proposed rezoning does not create an incompatible 'spot zone' within the area and it proposes reasonable continuation of Corridor Commercial zoning to the east and west.

Recommendation

Per the review requirements found in Section 6.804 of the Zoning Ordinance and our findings, we suggest that the Planning Commission consider recommending to City Council the request from William Moesta to rezone Parcel Number 64-14-08-354-010 [application ZMA 19-16] from C-1 Local Business to C-3 Corridor Commercial.

Zoning Map Amendment Site Assessment

Name of Development: Coney Cozy Cafe

Name of Applicant: William Moesta

Contact at/for site (Name, Tel): 248-425-2780

Address & Zoning for Development 228 W. Walton

Proposed Zoning Change: C-3 Corridor Commercial

Proposed Use: Medical Marijuana Facilities

Adjacent Property Zoning: _____

North: R-1 Residential Dwelling

South: C-3 Corridor Commercial

East: C-1 Local Commercial

West: C-3 Corridor Commercial

Proposal 1 Buffer Measurements

Located in or outside MM Overlay District: ☒ Overlay Area ☐ Non-Overlay Area

If located in Overlay District, what is the district?: Walton Blvd.

Nearest School Facility: Name: Owen Elementary/ Kennedy Center Distance: >1,000 ft

Nearest Park Facility: Name: Hawthorne Park Distance: >500 ft

Nearest Religious Property: Name: Berea Family Tabernacle of Faith Distance: >500 ft

Nearest Child Care Facility: Name: N/A Distance: >500 ft

ZMA 19-16



Application for Zoning Map Amendment

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800 F: 248.758.2827

Property/Project Address: 228 West Walton

Sidwell Number: _____

Date: 12-6-19

Office Use Only

PF Number: 228-19-16

Instructions: Completed applications with appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least 30 days prior to the regularly scheduled Planning Commission meeting. Applications must be complete in all respects with supporting documents such as site plan, property survey etc. Planning staff will schedule the application for consideration by the Planning Commission in accordance with the attached schedule. Incomplete applications will delay the review process.

Applicant (please print or type)

Name	<u>William Moesta</u>		
Address	<u>228 W. Walton Blvd</u>		
City	<u>Pontiac, MI 48340</u>		
State	<u>Michigan</u>		
ZIP Code	<u>48340</u>		
Telephone	Main: _____	Cell: <u>248 425 2780</u>	Fax: _____
E-Mail	<u>WJMoesta@aol.com</u>		

Project and Property Information

Name of Proposed Development: Conny Cafe Inc

The subject property is location at 228 W Walton, on the N / S / E / W side of Walton between Telegraph and Baldwin.

The property is zoned: C-1

Proposed Zoning District: 6-2

It is proposed that the property will be used as: Restaurant

The subject property is legally described as follows (include sidwell numbers):

?

Property Owner Information

Name	William Maesta		
Address	2379 Woodbourn Dr		
City	Waterford		
State	Michigan		
ZIP Code	48329		
Telephone	Main:	Cell: 248 425 2780	Fax:
E-Mail	WMAESTA@aol.com		

Are you the ☒ Owner ☐ Agent/rep. of the owner ☐ Other ☐

The proposed will be used for the following purpose (provide as much detail as possible with photographs, sketches, site plans, written documents, etc.).

Restaurant - been there since 1941

State the reason for the Zoning Map Amendment, particularly the manner in which the City will benefit if the amendment is approved and why such change will not be detrimental to the public welfare and/or the property rights of other persons located in the vicinity of the site.

City should have had it zoned C-3 all a long

Signature of Owner

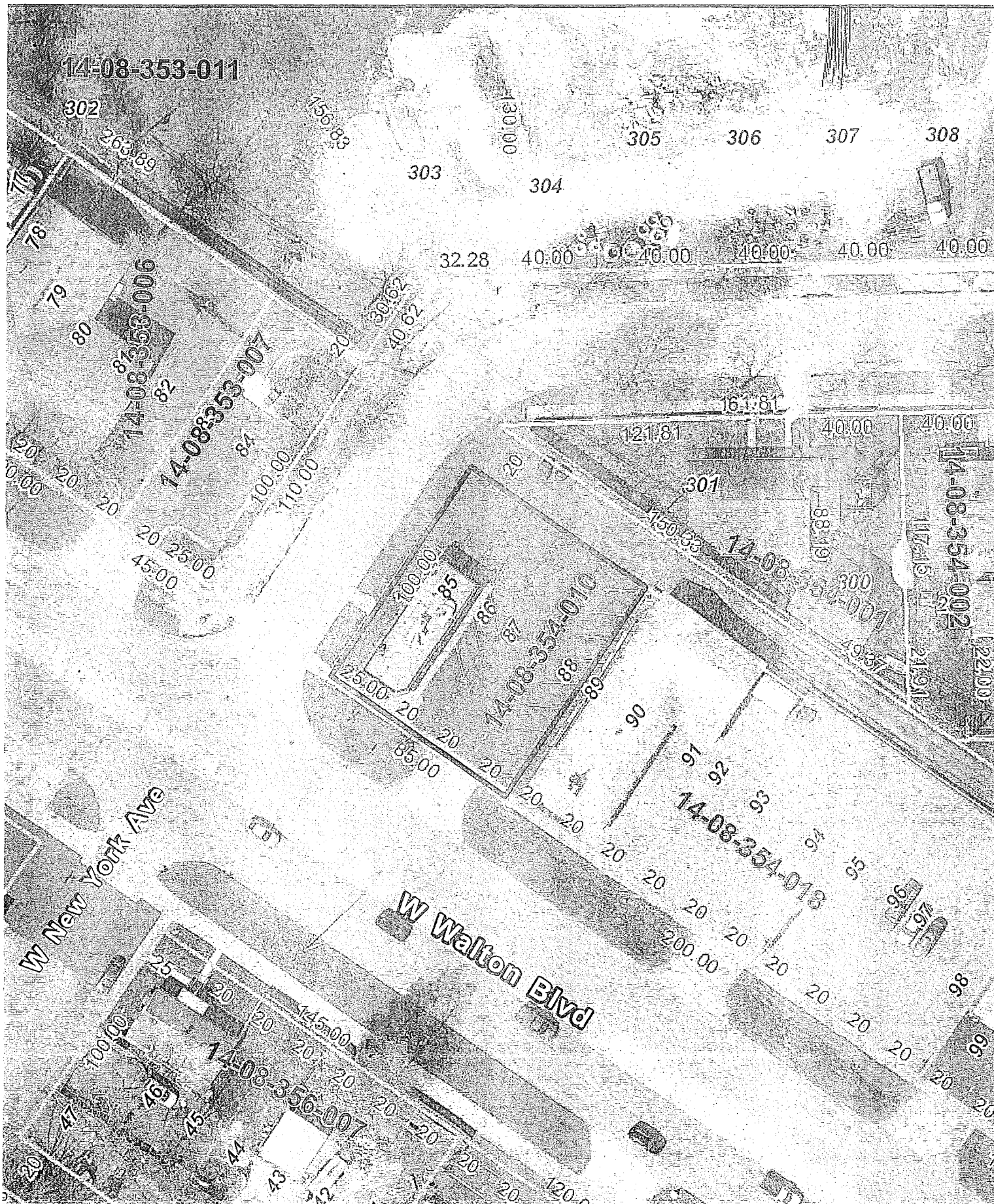
Signature of Applicant

State of Michigan
County of Oakland

On this _____ day of _____, A.D., 20____, before me personally appeared the above named person, who being duly sworn, stated he/she has read the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.

Notary Public, Oakland County, Michigan
My Commission Expires: _____

228 W WALTON BLVD



- 2 Foot Contours
- 5 Foot Contours
- FEMA Base Flood Elevations
- FEMA Cross Sections
- 100 yr - FEMA Floodplain
- 100 yr (detailed) - FEMA Floodplain
- 500 yr - FEMA Floodplain
- FLOODWAY - FEMA Floodplain

Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.



David Coulter
Oakland County Executive

Date Created: 1/3/2020



1 inch = 50 feet



14-08-354-070

100.00

25.00

W New York A

Handwritten signature

To Whom It May Concern,

As a condition to the rezoning,

The rezoned Parcel or Property

Will revert back to the Current

zoning district of a Property licensed

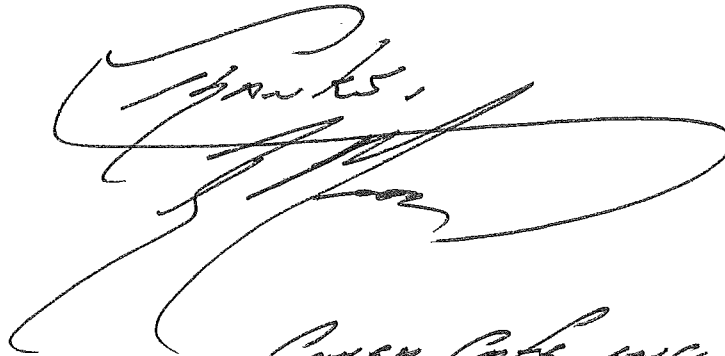
Cannabis Facility is not operating

and not open to the public

Within three years from date of

Pontiac City Council Approval Zoning

Map amendment.

Yours,
 1/2/20

Corey Cole Inc.
226 W. Wacker Blvd.
Pontiac, MI 48340

#13

RESOLUTION



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable Council President and City Council Members

FROM: Dr. Deirdre Waterman, Mayor

DATE: November 14, 2019

Cc: Jane Bais DiSessa, Deputy Mayor; Anthony Chubb, City Attorney; and Garland Doyle, Interim City Clerk

RE: **Resolution to Re-Appoint the following individuals to the City's Planning Commission: Mona Parlove for a term ending June 30, 2021 and Dayne Thomas to the Planning for a term ending June 30, 2022.**

As you are aware, the Planning Commission has several members with expired terms, in order to address this matter, for your consideration, the following resolution is recommended:

Whereas, Article V. Section 2-372 of the Municipal Code, the Planning Commission is comprised of six non-elected officials and the Mayor or his/her designee; and

Whereas, there are currently several appointments with expired terms on the Planning Commission; and

Whereas, according to State Law and City Ordinance, the Mayor shall appoint the commissioners subject to the approval by a majority of the City Council.

Now therefore, be it resolved that based upon the recommendation of the Mayor, that the City Council reappoint Mona Parlove to serve on the City's Planning Commission for a term ending June 30, 2021 and to reappoint Dayne Thomas to serve on the City's Planning Commission for a term ending June 30, 2022.

Attachments

jbd

Subject: Follow up to the interview of my Planning Commission appointment

Good afternoon, City Council Members -

Thank you for the opportunity to talk with you yesterday. I know how busy everyone is, so I appreciated the time you each had to share with me.

After we parted company, I had a few thoughts I wanted to share. The initial interview I had with the Council Members last year was much shorter. This year, we certainly did not have enough time to discuss all the topics mentioned, nor did I have the ability to answer all the questions which were asked of me, due to the limited time of our meeting.

Please be aware that I've had over 45 agenda items I was asked to consider while having the honor of being a Planning Commissioner, thus far. While one item of the 45 seemed to be the primary focus of our meeting yesterday -- the drag racing event on the Silverdome grounds -- the other 44 items which were considered over the course of this year were important items to the appropriate petitioners, as well. If there were any outstanding concerns from those approximately 44 items, I think someone would have mentioned something yesterday...so, from that perspective, I am happy that most everything else seems to be satisfactory..

In regard to my showing empathy and compassion toward my fellow residents who have come out to express their feelings about the various petitioner's requests for variances or special exceptions from the Planning Commission, a few moments from my "tenure" come to mind. The first was when a petitioner wanted to build a Dollar Store within an extremely close proximity to our City Hall. Though the parcel was zoned to accept that proposed business, neighbors came to share their opposition to having an adjoining parcel modified to allow the business to move forward. After much consideration of the residents' comments and overall positions, I voted to deny that petitioner's request for the variance that was sought.

In November, a petitioner wanted to repurpose a former General Motors plant site, and needed a special exception permit to move forward with his intended plan. Several residents came out, and shared their views. When it was discovered the petitioner was potentially creating a nuisance at the site for the neighbors (with noise & dust), we worked collectively to address the solution to the request. Per always, I was extremely mindful of the residents that evening. The decision made by my fellow Commissioners and myself was one that reached a middle ground, which seemingly worked for pretty much everyone in the room that evening.

In some cases, while I do listen to all residents who publicly share their feelings, I may not feel it is best for the City to "go along with" the residents who have spoken their views at a Planning Commission meeting. For example, a couple of months ago, a long-time business owner in Pontiac wanted to add packaged beer and wine sales to his existing Dollar Store business. Many neighbors came out in full support of that business owner, and shared their reasons of support of the request. However, my personal feeling was that we already have far too many opportunities to purchase alcohol in the city. Even though neighbors came out to let the Commissioners know their feelings, I voted to deny the requested variance. I was evaluating the long term ramifications, while being mindful of what I think is best for our City. The requested way of "enhancing" an existing business by that business owner did not make sense to me, even though the majority of the neighbors who spoke that night were in support of the business owner's request.

Dr Taylor Burks brought up extra vehicle parking at the Silverdome, which had been approved for car storage. That vote had taken place prior to my being a Planning Commissioner. She also mentioned a former Planning Commissioner who had chosen to take herself off the Commission. No one has stepped away from the Planning Commission while I have been a part of it, so I don't know what Dr Taylor Burkes was referencing.

As a follow up to the drag strip event in August on the Silverdome grounds....I did subsequently learn the event was a huge success for those who put it on. So much so, the event creators are hoping to repeat the event in 2016, ideally somewhere in Pontiac. I understand there were over 10,000 people who attended. To have more than 10,000 people for one event

Mona Parlove 1

in our great city for only a few hours is pretty impressive, I think. I spoke to several people who visited, and they all had a fun time, they loved seeing the tremendous turn out, and I did not hear one negative comment. I still think the vote to approve the permit was the right vote for Pontiac, overall. If the request were to put a permanent drag strip at that site, my vote would not have been the same.

As for the Silverdome, itself, I am beyond disappointed in what I see has happened to that structure. However, the Planning Commission does not have the authority to enforce code violations. I mentioned that fact the night we approved the permit for the drag strip event. Please do keep that one fact in mind, Council Members, especially as we move forward -- the Planning Commission must consider what is put in front of us as a commission, and we can't make building owners and business owners comply with code requirements. My suggestion for Pontiac to deal with the Silverdome owner would be to find a way to place liens on the title to the property, for outstanding fees and fines which he most certainly must owe the city, by now. Hopefully, that will be the impetus for him to start to comply with what is required of him as a property owner. When he sells the property, he would have to pay off the liens that have been placed against the title, or he cannot transfer the ownership to the new buyer.

When Mayor Waterman asked me to be a Planning Commissioner, I was extremely humbled and incredibly honored. I still feel that way, and I shall for as long as my commission lasts. My mind is open when I attend every Planning Commission meeting. I listen closely to all information presented by those who speak and share what they have to share. I am not capricious in my decisions. I do not know where the term "executive branch" comes from, when asked yesterday if that is what I consider when I render a decision for a petitioner. Rather, I try to look ahead at what is best for the City, as a whole.

I have had several people tell me that they like to watch our current Planning Commission meetings when we are in session, or, when the meetings rerun on the cable channel. They appreciate how we have respectful dialogue with each other, as well as the whole approach we take in being courteous to those who come into the Planning Commission meetings. I appreciate those comments, and I think our group of Commissioners are very gracious in how we treat each other and our guests in the audience -- which would include our fellow residents. As Commissioners, accepted our appointments without any provisions for monetary compensation. We do our best, with the overall concern we have for a better Pontiac.

It is critical for all of us to collectively move Pontiac forward. Every single day, I do what I can to improve the undeserved reputation our City has, that our community is perceived as 'undesirable'. That the City has 'nothing to offer', and why would anyone want to live or work where all of us have chosen to live and work.

I believe I can be more effective in helping Pontiac succeed by being a Planning Commissioner. I am extremely proud of what I have contributed to the City, thus far. I have done so by conducting myself in a very fair and respectful way, while in the Planning Commission chambers, as well as in all aspects of my life. I believe we all lead by example, and I think it is critical to treat every single person with dignity.

I very much look forward to continuing my work as a Planning Commissioner. Additionally, I hope we can all find a time to sit together, as a collective group -- the Mayor, City Council Members, Zoning Board Members, the Planning Commissioners, and anyone else within our City Hall who wants to see the City of Pontiac succeed -- so we can not only learn a bit more about each other, but all work together in moving Pontiac forward with the same cohesive plan and positive outcome in mind.

Thank you -

Mona Parlove
Associate Broker
Hall & Hunter, Realtors
248.514.0685 cell

Mona Parlove 2

Interests/Reasons/Qualifications:

I am extremely passionate about being a part of the positive momentum that is underway in Pontiac. My belief is the level of integrity in our City needs to be simultaneously raised and embraced as a realistic expectation for our community. As a long-time resident, I feel I have a responsibility to help make a difference. It is a fallacy to think that "someone else" is going to suddenly show up and "fix" everything. Rather, those who are going to make the needed corrections and improvements are people just like myself...the ones who are trying to be good neighbors, while going through their day. Understanding that we are all responsible for where we live, and how we are each the face and the fabric of our community is a core belief of mine, and an important attribute which I would bring to the Planning Commission.

Boards/Commissions/Committees on which I have served:

Pontiac Master Plan Steering Committee, from March 2014 to present

District 2 Advisory Group, co-chair, from January 2014 to present

Elective offices I have held:

None

Other organizations, Pertinent Education, Hobbies/Interests

I have been a licensed real estate agent since 1987 (27 years, and a broker for 10 years), practicing my profession on a full time basis the entire time. I have acquired an expansive (mental) database of information, as it pertains to construction and materials used in residential, and sometimes, commercial applications. While serving on the Planning Commission, I will be able to readily access this acquired information while making the important decisions presented to the City by various petitioners.

Also, I have been in virtually every community in Oakland County, as well as scores in Wayne, Macomb, Livingston & Washtenaw Counties. The "real time" experiences of transacting real estate in these communities affords me the opportunity to see how the various neighboring municipalities function on a daily basis, as well as with an overall longer view.

I am a member of the Pontiac Women's Round Table, focusing on positive interaction and change in the City of Pontiac.

Interests are expansive - food (cooking & enjoying), running, biking, interacting with people, art, reading, writing, music of all types, travel, volunteering, photography, independent films, baseball, trying to learn something about everything, being a good person that makes a small difference every day if possible.

To be asked to be a Planning Commissioner is an honor beyond my greatest dreams. If confirmed, I will do all I can to help move Pontiac forward and in a direction the residents can all be proud of.



CITY OF PONTIAC

Click here to print the completed form for mailing to the City Clerk.

pg 180

EMAIL

CANDIDATE QUESTIONNAIRE
BOARDS & COMMISSIONS

COUNCIL DISTRICT _____

DATE September 30, 2014

NAME Mona Parlove

ADDRESS _____ ZIP 48341

PHONE (home) _____ PHONE (business or cell) _____

EMAIL _____

The City of Pontiac wishes to thank you for your interest in serving as a Citizen Representative on a Board or Commission. Your Candidate Questionnaire will be kept on file and entered for consideration for posted openings on any Board or Commission that you expressed an interest in for a period of two years. Please feel free to submit an updated Candidate Questionnaire at any time.

Please be advised that the information contained in this Questionnaire is not confidential, and will be reviewed by the Mayor, City Council and other appropriate personnel as vacancies or openings occur on the various Boards or Commissions. Page 2 of this Candidate Questionnaire may also be included in any City Council Meeting Agenda Packet which is published and made available for public inspection in print and on the Internet. Your address, phone numbers and e-mail, contained here on Page 1 will not be published in an Agenda Packet.

Information relative to the below boards or commissions can be found on the City's Webpage at www.pontiac.mi.us.

BOARDS/COMMISSIONS ON WHICH YOU WANT TO SERVE:

Appointed by City Council

- ☐ Board of Appeals
- ☐ Income Tax Board of Review
- ☐ Zoning Board of Appeals
- ☐ Board of Review
- ☐ General Employee Retirement System

Appointed by Mayor,
Confirmed by City Council

- ☐ Tax Incremental Financing Authority/Brownfield Redevelopment Authority
- ☐ Historic District Commission, No Council Confirmation
- ☐ Local Officers Compensation Commission
- ☐ Arts Commission
- ☐ Construction Code Board of Appeals, No Council Confirmation
- ☒ Planning Commission
- ☐ Housing Commission, No Council Confirmation

pg 2 of 3

PONTIAC RESIDENT FOR: over 24 years, 23 of them since 1991 years

OCCUPATION Residential Real Estate Sales

INTERESTS/REASONS/QUALIFICATIONS SEE ATTACHED

BOARDS/COMMISSIONS/COMMITTEES ON WHICH YOU HAVE SERVED (LIST MUNICIPALITIES AND DATES) None

ELECTIVE OFFICES THAT YOU HAVE HELD
None

OTHER ORGANIZATIONS PERTINENT EDUCATION HOBBIES/INTERESTS None

ADDITIONAL INFORMATION

Please return completed form to: City of Pontiac, Clerk's Office, 47450 Woodward Avenue, Pontiac, MI 48342 or fax to 248.758.3160 or click the e-mail tab on the first page to send form by e-mail.

DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST

In order to avoid any potential conflict of interest, I, the undersigned, agree not to be involved in any recommendations or decision making regarding any agency(ies) or entity(ies) for which I serve in the following capacity(ies) which may contract or subcontract with the City of Pontiac.

Agency: Does not apply
Capacity in Which I Serve: None
Signature: [Signature]
Date: 10/2/14

July 31, 2018

Dear Honorable Mayor Waterman,

Thank you for the opportunity to serve the Pontiac Planning Commission.

As you know, I have served on the Planning Commission since 2011, and during my tenure as Chairman, I have presided over more than 400 planning proposals and in turn, the Planning Commission have approved some of the biggest developments in Pontiac history, including but not limited to:

- M-1 Concourse
- Ultimate Soccer
- Wessen Lawn Tennis Club
- Challenger Stamping
- Williams Aerospace
- GM Global Propulsion Systems (multiple expansions)
- Washington Junior High School repurposed as Senior Living

Indeed, during my tenure as Chair, the Pontiac Planning Commission have recommended for approval a glut of vacant industrial sites that were repurposed into viable, tax revenue producing enterprises for which the City of Pontiac can be proud.

Moreover, during my tenure the Planning Commission have approved hundreds of smaller commercial enterprises as well which are the lifeblood of any community, and altogether, large and small, it has resulted in hundreds of thousands of dollars of new tax revenue for the City of Pontiac.

I am especially proud of the fact that a multitude of business owners, large and small, have thanked me for the respect and dignity for which they were treated by our commissioners during their presentations to Planning Commission. I am proud of that, because as Chair I seek proper decorum and for the most part, my wishes have been fulfilled.

In closing, my professional background earned over 40 years in Marketing, Product Planning and Product Development with some of the largest corporations in the world has uniquely prepared me to Chair the Pontiac Planning Commission, so I think I am well suited to bring professional guidance and expertise to the Planning Commission for another term.

Thank you for the opportunity to serve you and the City of Pontiac.

Respectfully,

Dayne Thomas

Chair, Pontiac Planning Commission

Chair, GM Modern Housing Board of Directors

Personal Bio
Dayne Thomas
Chairman, Pontiac Planning Commission
[REDACTED]
Pontiac, MI 48342
dayne@daynethomas.net
[REDACTED]

Dayne Thomas was born and raised in Pontiac, Michigan but a business odyssey took him across the US and Asia Pacific...and then back!

He worked for companies as diverse as GM, BMW, AIG, Aon and Gulf States Financial Services and lived and worked in cities as diverse as Pontiac, Denver, Houston, LA, NY, Hong Kong, Tokyo and Melbourne (Australia).

Dayne Thomas was born and raised on Pontiac's near north side in the modest, Historic neighborhood known as GM Modern Housing...a planned housing development conceived by Pierre DuPont, GM Chairman and largest shareholder of GM (at the time), as well as patriarch of DuPont Companies. It was Pierre DuPont who visualized and developed the 61 acre site circa 1919 to 1926.

Dayne Thomas family moved to Pontiac in the mid 1930's...his father worked at Baldwin Rubber Company (a major automotive supplier of the day), where he was responsible for Chemical Department and Salvage...while his mother worked at Pontiac Motor in Salary Payroll.

The family moved into their home on Oliver Street, (GM Modern Housing) in September 1945 and Dayne Thomas was born in November 1945.

The tragic death of Dayne's father in 1956 meant the family would not move from Oliver Street, so the modest house on Oliver Street, in GM Modern Housing is the only family home Dayne Thomas has known.

Dayne Thomas matriculated Pontiac Schools: McCarroll Elementary, Lincoln Jr. High School and Pontiac Northern High School where he played Football, Basketball and Tennis (as Captain) and graduated in 1963. Prior to his senior year, he was nominated by VFW to attend prestigious, Wolverine Boy State.

Dayne Thomas went on to study Communication Arts at Michigan State University where he graduated with a BA Degree in Advertising in 1972 after proudly serving 2nd Infantry Division in the Republic of Korea during the Viet Nam era. He earned the rank of Sergeant/SP5 and was awarded an Army Commendation Medal as well as an Expedition Medal awarded by Republic of Korea.

Next page...

Dayne Thomas commenced his professional career with GMC Truck & Coach in Pontiac, Michigan as a Sales Engineer in 1972.

In 1980, as the domestic auto industry was suffering thru major economic turmoil, Dayne Thomas accepted a post with BMW of North America as a District Sales Manager living in Denver and overseeing the Rocky Mountain Region.

Then in 1984, Dayne Thomas moved to Southern California (Orange County) and accepted a post with General Group of Companies as Sales Manager in the Automotive Financial Services sector, overseeing the contiguous US.

In 1996, Dayne Thomas accepted a post with AIG as Regional Director in Southeast Asia, based in Hong Kong, overseeing consumer financial service operations in Singapore, Malaysia, Indonesia, Thailand, Philippine's and Guam.

In 1998, after overseeing the successful launch of consumer financial service programs with AIG in Southeast Asia, Dayne Thomas accepted a post with Aon Corp as Regional VP based in Tokyo, successfully overseeing a consumer financial service program developed specifically for Best Denki, Japan's largest electronic retailer.

In 1999, Dayne Thomas took a post with Aon in Melbourne (Australia) as Regional VP overseeing consumer financial service program developed exclusively for Fisher-Paykel, New Zealand's premier Consumer Appliance Manufacturer.

In 2002, Dayne Thomas repatriated to the US and accepted a post with Gulf States Financial Services (an affiliate of Toyota Financial Services) as Sr. Manager, Product Development based in Houston, TX.

In the fall of 2009, Dayne Thomas came full circle and moved back into the modest boyhood home where he was raised in Pontiac. The neighborhood is listed upon the National Register of Historic Places, and he has set about to restore the home true to its historical character.

Dayne Thomas says: "So many people have helped me, so I came back...to give back. While others moved out...I moved back...to give back to the city that gave me a start".

Dayne Thomas is single (divorced, no children) and proudly serves as Chairman, Pontiac Planning Commission; serves as Chair, GM Modern Housing Board of Directors (an association he founded), and served upon Master Plan Advisory Committee

Dayne is also owner/proprietor of "Oliver Street Farms and Vineyards", a personal revitalization project founded to clean up Urban blight and repurpose abandon parcels and convert dust and blight into Community Gardens...Orchards...Vineyards...and Open Air Farmers Market!

Dayne Thomas is a proud son of Pontiac...and a proud Alumnus of Michigan State University!

Personal Resume

Dayne Thomas

Pontiac, Michigan 48342
dayne@daynethomas.net

Professional Overview:

More than 40 years of experience in Marketing, Product Planning and Product Development domestically and internationally.

Professional Skills:

Planning, development and execution

Professional Experience:

GMC Truck & Coach (HQ, Pontiac, Michigan):

- Sales Engineer
- Market Research Analyst
- Government Sales
- Municipal Fleet Sales
- Government Sales
- District Mgr

BMW North America (HQ, Montvale, NJ):

- Sales Manager serving Rocky Mountain Region

General Group International (HQ, Harbor City, California-Automotive Financial Services):

- Sales Manager serving contiguous 48 states

American International Group (HQ, New York-Insurance & Financial Services):

- Regional VP (Southeast Asia Regional Office-Hong Kong, serving Singapore, Malaysia, Indonesia, Philippines' and Guam)

Aon Corp (HQ, Chicago, Illinois-Insurance & Financial Services):

- Regional Director (Tokyo, serving Japan and Korea)
- Regional Director (Melbourne, Australia, serving Australia and New Zealand)

Gulf States Financial Services (HQ, Houston, Texas-Automotive Financial Services):

- Senior Manager/Product Planning, serving US Gulf States)

Civic Engagement:

- Chair, Pontiac Planning Commission (2011 to 2018)
- Chair (and founder), GM Modern Housing Board of Directors (2016 to 2018)
- Owner/Proprietor: Oliver Street Orchard/Vineyards/Community Gardens

#14

RESOLUTION



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable Council President and City Council Members

FROM: Dr. Deirdre Waterman, Mayor

DATE: November 27, 2019

Cc: Jane Bais DiSessa, Deputy Mayor; Anthony Chubb, City Attorney; and Garland Doyle, Interim City Clerk

RE: **Resolution to Re-Appoint the following individuals to the City's Planning Commission: Lucy Payne for a term ending June 30, 2023 and Ashley Fegley to the Planning for a term ending June 30, 2022.**

As you are aware, the Planning Commission has several members with expired terms, in order to address this matter, for your consideration, the following resolution is recommended:

Whereas, Article V. Section 2-372 of the Municipal Code, the Planning Commission is comprised of six non-elected officials and the Mayor or his/her designee; and

Whereas, there are currently several appointments with expired terms on the Planning Commission; and

Whereas, according to State Law and City Ordinance, the Mayor shall appoint the commissioners subject to the approval by a majority of the City Council.

Now therefore, be it resolved that based upon the recommendation of the Mayor, that the City Council reappoint Lucy Payne to serve on the City's Planning Commission for a term ending June 30, 2023 and to reappoint Ashley Fegley to serve on the City's Planning Commission for a term ending June 30, 2022.

Attachments

jbd

Lucy Payne

February 5, 2014

City of Pontiac Community Planning Commissioners
47450 Woodward Ave.
Pontiac, MI 48342

RE: City of Pontiac Planning Commissioners

To: The City of Pontiac Mayor and Planning Commissioners.

The attached resume will provide details of my previous and present qualifications and experience.

For the past 26 years, I have served as a Patient Relations Representative and Customer Service Trainer at Saint Joseph Mercy Oakland (SJMO). During that time, I have worked diligently to foster mutually beneficial relationships with not only the associates, administrative team, medical staff, nursing and ancillary personnel and the City of Pontiac community. In my past role, I engaged the hospital personnel, physicians in resolving/mediating challenging issues that often involved risk cases with multiple departments and services in meeting customers expectations and satisfaction. The scope of my work provided me with a unique perspective on the wants and needs of patients, their families, and the community needs as well.

I am proud to have been involved in a number of SJMO committees that were charged with orchestrating some of SJMO most successful quality improvement activities such as Customer Service Training, Emergency Department process improvement Task Force, Emergency Wait Time and Dress-Code initiatives. I was also very instrumental in collaborating with SJMO Buildings and Ground Department, SMART Transportation Services and the City of Pontiac Building Department in implementing and the building of a bus shelter for the comfort of patients and the community that use the public transportation system.

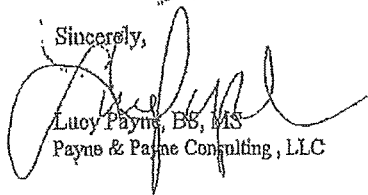
My area of experience include organizational management, problem solving, investigation, mediation, behavioral management, grief consulting, interaction with diverse groups and addressing concerns of the community. I have also gained experience through my work as a consultant of a broad spectrum of business exposures to case studies and best practices in a variety of industries as an independent business owner Payne & Payne Consulting, LLC.

My educational credentials include a Associate Degree in Liberal Arts from Oakland Community College, Bachelor of Science degree in Human Resource Development from Oakland University, Master of Arts degree in Organizational Management and a Certificate of Mediator Training from Oakland Mediation Center.

It has been my experience that committees and boards are most effective with individuals that are diverse in areas of knowledge, skills and expertise. As a visionary, I am very interested in utilizing my skills in the revitalization of the City of Pontiac's future plans that promotes a healthy and safe environment for our city residents, while generating revenue for the city.

It has been my absolute pleasure and an honor to serve with the City of Pontiac Mayor and Planning Commissioners. I look forward to utilizing my experience in building and bridging gaps in communication, strategic planning, creative thinking, collaboration, negotiation, and customer service. I look forward to my continual servicing the community and collaborating with you in designing the future City of Pontiac.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Lucy Payne', is written over the typed name and company information.

Lucy Payne, BS, MS
Payne & Payne Consulting, LLC

LUCY PAYNE

CAREER SUMMARY

An accomplished senior-level patient relations representative with 27+ years of experience managing customer grievances at St. Joseph Mercy-Oakland in Pontiac, Michigan, a 457-bed health system serving a diverse patient population in an urban setting. Collaborated with the CEO and C-level leadership team, physicians, risk management, nursing and others in resolving issues. Expertise in investigating and analyzing grievance data to proactively formulate strategies for preventing grievances and improving systems and processes. Grievance mitigation supported by achievement of a Master of Arts in Organizational Management, a Bachelor of Science in Human Resource Development, a certificate in Civil Mediator Training, and completion of a pre-licensing course in Life and Health Insurance.

PROFESSIONAL EXPERIENCE

P & P Consulting, LLC, Bingham Farms, Michigan 2003 – present
Consultant - Organizational Management / 2003 – present
Problem Resolution / Mediation

- Consulted on management and customer relations for a wide variety of businesses as a principal with P & P Consulting, LLC
- Analyzed business process flow for medical group practices, automobile dealerships, and financial services firms; recommended process improvements
- Trained staffs in customer service improvement techniques

Saint Joseph Mercy-Oakland, Pontiac, Michigan 1984 – 8/2012
Patient Relations Representative 1984 – 8/2012

Patient Relations Management

- Managed customer complaints within St. Joseph Mercy-Oakland health system; complaints involve a wide-range of issues/disciplines (e.g., staff, billing, food service, housekeeping, safety, parking, pharmacy services, physical plant, etc.)
- Interviewed customers to determine nature of complaint; employed customer relationship management and mediation techniques to negotiate win-win resolutions to issues identified
- Collaborated with physicians and nursing and ancillary department heads and staff to improve customer service as well as investigate and resolve customer service issues
- Identified incidents with the potential for legal / risk management involvement; advised risk management department heads of complaint; collaborated with risk management on incident investigation; served as liaison between patient/family and risk management department
- Documented all customer complaints on computer database; tracked resolution of issues
- Analyzed billing issues and made determination regarding billing adjustments / reimbursement
- Reviewed patient medical charts to determine validity of patient care issues / complaints; met with department heads, medical staff, nursing and ancillary staff to discuss issue resolution and future process improvement strategies
- Served as a liaison between customers/families and the Gift of Life and Michigan

- Eye Bank organizations, encouraging organ donation, providing grief counseling services, and educating patients and families on organ, tissue and eye transplants
- Responded to code calls and served as liaison between family members and physicians; provided grief/crisis counseling to patients and families
- Testified in court proceedings and assisted attorneys in lawsuit preparations
- Interviewed new hires for Patient Services Department; facilitated one-on-one and group interviews as well as candidate hiring discussions

Teaching

- Trained medical residents and all new employees in customer/patient service
- Managed Oakland University Internship Program for Patient Representatives

Process Improvement

- Analyzed all customer complaints to determine trends; met with department heads on an individual basis when trends were evident; followed-up to ensure problem resolution
- Reengineered the patient death process and fetal demise protocols
- Championed the installation of a bus shelter near the hospital grounds; managed project coordination between the hospital's Administration and Buildings and Grounds Dept., the City of Pontiac and SMART Transit
- Compiled and analyzed patient satisfaction data on Emergency Services; drafted report / presented findings to Process Improvement Team; worked with physicians and staff to improve response time and customer relations
- Resolved employee identification by customers challenge by instituting a color-coded uniform (by staff classification) policy
- Collaborated with security and risk management personnel to reengineer process for securing patient belongings; instituted policy debiting departmental budgets for patient reimbursement for lost items

<u>Waterford School District, Waterford, Michigan</u>	<u>1974-82 / 1988-97</u>
Substitute Teacher (Grades K-12)	1988 - 1997
Instructional Technician (Grades K-12),	1974 - 1982
Montgomery Developmental Training Center	

<u>Detroit College of Business, Ferndale, Michigan</u>	<u>1975 - 1980</u>
Dean of Students / Proctor (part-time position)	1976 - 1980
Pontiac Schools/Seniors Fitness Program (part-time)	1982-1982

EDUCATION

Master of Arts in Organizational Management	February 2004
University of Phoenix, Troy, Michigan Campus	

Bachelor of Science in Human Resource Development June 1985
Oakland University, Rochester, Michigan

Civil Mediator Training, 40-Hour Course	November 2012
Oakland Mediation Center, Bloomfield Hills, MI	

Additional Professional Development:

- Certificate, Pre-Licensing Course in Life & Health Insurance, Financial Services Institute, Novi, MI, November 2013

APPOINTMENTS

- Planning Commissioner, City of Pontiac, MI, 11/2012 - present
- Board Member, Baldwin Center, Pontiac, MI, 2005 - 2013
- Committee Appointments at Saint Joseph Mercy-Oakland, Pontiac, MI
 - Member, Chief Executive Officer Advisory Committee, 2002
 - Member, Speaker's Bureau, 1991 - 8/2012
 - Founder and Chair, Hospital Grievance Committee, 2003 - 8/2012

HONORS/AWARDS

- Honored as one of the top donor facilitators, Michigan Eye Bank, 2000

E. Ashley Fegley

Pontiac, Michigan 48341

Objective Contribute to my community by volunteering for the Pontiac Planning Commission

Education

- | | | |
|-----------|--|--------------------|
| 2009-2012 | Lawrence Technological University
Master of Architecture Professional Degree Program
• Concentration in Sustainability Studies
• GPA: 3.5 | Southfield, MI |
| 2007 | New Horizons Computer Learning Center
Certificate of Completion for Macromedia Classes
• Web design with Dreamweaver and Flash | Troy, MI |
| 2001-2005 | Lawrence Technological University
Bachelor of Science in Architecture
• GPA: 3.5
• Computer programs: AutoCAD 2005, 3dsmax, Adobe Illustrator and Photoshop
• Building Systems: commercial and residential
• Structural Engineering
• Landscape Design | Southfield, MI |
| 1997-2001 | Oakland Community College
Associate in Applied Science: Computer Information Systems
• GPA: 3.7
• Networking
• Web design | Oakland County, MI |

Work Experience

- | | | |
|--------------|--|----------------------|
| 2005-current | Alexander Bogaerts + Associates, P.C.
• Construction documentation
• SPA, PDD, PUD documentation
• Website design and implementation, www.bogaerts.us & www.newtonrifles.com
• Head of the ITT department
• Code Research
• Presentation work: rendering elevations and site plans
• Specifications and materials research | Bloomfield Hills, MI |
| 2001-2006 | Oakland Hills Equestrian Center | Oakland Township, MI |
| 1999-2001 | Riding Instructor (Self-employed) | Macomb Township, MI |
| 1997-1999 | Springbrook Stables
• Taught all aspects of equine care
• Evaluated and trained horses for sale or purchase
• Job required extensive knowledge and communication skills
• Taught classes containing 1-4 students ranging in ages from 6-60 years.
• Competed and trained students in Hunter/Jumper shows within Midwest | Sterling Heights, MI |
| 2000-2001 | Health Improvement Network
• Performed office and clerical tasks: typed dictations and filed paperwork | Southfield, MI |
| 1999-2000 | Goldner-Walsh Nursery
• Provided friendly customer service
• Helped propagate new plants and cared for existing | Pontiac, MI |
| 1996-1997 | Racetrack Veterinary Services
• Performed office and clerical tasks: helped with billing and handled collections
• Assisted veterinarians
• Developed x-rays and sterilized equipment | Livonia, MI |

E. Ashley Fegley

Pontiac, MI 48341

August 3, 2018

Building, Safety and Planning Division
City Hall
47450 Woodward Avenue
Pontiac, MI 48342
248.758.2816

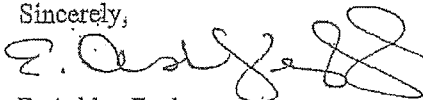
RE: City of Pontiac Planning Commissioner Appointment

Dear Mayor Waterman,

For the past fifteen years, I have called Pontiac home. I love the area, my neighbors and the community. I am invested in the City of Pontiac and would like to continue to serve the City as a member of the Pontiac Planning Commission.

I have been working in the building industry as a Project Manager at Alexander V. Bogaerts + Associates for over 13 years. The firm has a vast experience with a wide variety of building typologies for over 39 years. It has specializes in residential housing such as custom single family, production single family, condominiums, apartments, and senior housing but also takes on projects that are commercial, office and renovations. Being a small firm, I have been able to work on many of these types of projects. Currently, I have begun taking the ARE 5.0 NCARB tests to earn my Architectural License and hope to have it next year. I thoroughly enjoy my occupation and believe my experience is an asset to the commission and the City of Pontiac.

Sincerely,



E. Ashley Fegley



CITY OF PONTIAC

CANDIDATE QUESTIONNAIRE
BOARDS & COMMISSIONS

PRINT

E-MAIL

COUNCIL DISTRICT _____

DATE August 3, 2018

NAME E. Ashley Fegley

ADDRESS [REDACTED] ZIP 48341

PHONE (home) [REDACTED] PHONE (business or cell) 248.334.5000

EMAIL [REDACTED]

The City of Pontiac wishes to thank you for your interest in serving as a Citizen Representative on a Board or Commission. Your Candidate Questionnaire will be kept on file and entered for consideration for posted openings on any Board or Commission that you expressed an interest in for a period of two years. Please feel free to submit an updated Candidate Questionnaire at any time.

Please be advised that the information contained in this Questionnaire is not confidential, and will be reviewed by the Mayor, City Council and other appropriate personnel as vacancies or openings occur on the various Boards or Commissions. Page 2 of this Candidate Questionnaire may also be included in any City Council Meeting Agenda Packet which is published and made available for public inspection in print and on the Internet. Your address, phone numbers and e-mail, contained here on Page 1 will not be published in an Agenda Packet.

Information relative to the below boards or commissions can be found on the City's webpage at www.pontiac.mi.us.

BOARDS/COMMISSIONS ON WHICH YOU WANT TO SERVE:

Appointed by City Council

- ☐ Board of Appeals
- ☐ Income Tax Board of Review
- ☐ Zoning Board of Appeals
- ☐ Board of Review
- ☐ General Employee Retirement System

Appointed by Mayor,

Confirmed by City Council

- ☐ Tax Increment Financing Authority/Brownfield Redevelopment Authority
- ☐ Historic District Commission, No Council Confirmation
- ☐ Local Officers Compensation Commission
- ☐ Arts Commission
- ☐ Construction Code Board of Appeals, No Council Confirmation
- ☒ Planning Commission
- ☐ Housing Commission, No Council Confirmation

PONTIAC RESIDENT FOR: +/- 15 years

OCCUPATION Project Manager at an Architectural Firm

INTERESTS/REASONS/QUALIFICATIONS

I have enjoyed applying my professional experience to serving on the Pontiac Planning Commission and would like to continue doing so.

BOARDS/COMMISSIONS/COMMITTEES ON WHICH YOU HAVE SERVED (LIST MUNICIPALITIES AND DATES)

Pontiac Planning Commission 2011 - current

ELECTIVE OFFICES THAT YOU HAVE HELD

None

OTHER ORGANIZATIONS PERTINENT EDUCATION HOBBIES/INTERESTS

2012-2016 - Pontiac Youth Assistance website design and implementation

2014-2017 - Destination Imagination team coach at Martell Elementary in Troy, MI

ADDITIONAL INFORMATION

Please return completed form to: City of Pontiac, Clerk's Office, 47450 Woodward Avenue, Pontiac, MI 48342 or fax to 248.758.4744 or click the e-mail tab on the first page to send form by e-mail.

DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST

In order to avoid any potential conflict of interest, I, the undersigned, agree not to be involved in any recommendations or decision making regarding any agency(ies) or entity(ies) for which I serve in the following capacity(ies) which may contract or subcontract with the City of Pontiac.

Agency: Alexander V. Bogaerts + Associates, P.C.

Capacity in Which I Serve: Project Manager

Signature: 

Date: 8-3-2018

#15

RESOLUTION



CITY OF PONTIAC
Department of Building Safety & Planning
Planning Division

47450 Woodward Ave • Pontiac, Michigan 48342
Telephone: (248) 758-2800

Mayor Deirdre Waterman

TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL

FROM: VERN GUSTAFSSON – PLANNING MANAGER
DONOVAN SMITH – CITY PLANNER
THROUGH THE OFFICE OF DEPUTY MAYOR, JANE BAIS-DISESSA

SUBJECT: RESOLUTION TO SCHEDULE PUBLIC HEARING
2020-2024 CITY OF PONTIAC PARKS & RECREATION MASTER PLAN

DATE: JANUARY 8, 2020

The City of Pontiac is in the final stages of completing the 2020-2024 Parks & Recreation Master Plan. To ensure the 2020-2024 Parks & Recreation Master Plan is completed, adopted, and the city remains eligible for DNR Trust Fund Grants for the year 2020 through 2024, the Planning Division has provided a schedule to accomplish this by February 1, 2020 Department of Natural Resources deadline.

In compliance with the Department of Natural Resources (DNR) requirements for Parks & Recreation Masterplan adoption, the Planning Division is requesting the Pontiac City Council to hold a Public Hearing on January 21, 2020. This process allows the city to take advantage of the potential funding and grant benefits as well as adopting a sound Parks & Recreation Master Plan that is designed as a guide for improving our community health and wellness programs and our city park systems.

The Planning Division request the following action of City Council at the regular schedule meeting January 14, 2020:

1. Request to schedule Public Hearing for January 21st
2. Public Hearing and Resolution for adoption on January 21st



CITY OF PONTIAC
Department of Building Safety & Planning
Planning Division

47450 Woodward Ave • Pontiac, Michigan 48342
Telephone: (248) 758-2800

Mayor Deirdre Waterman

City of Pontiac Parks and Recreation Master Plan 2020-2024
For the City of Pontiac, Oakland County, Michigan

Resolution to Schedule Public Hearing

WHEREAS, that the Pontiac City Council will hold a PUBLIC HEARING at its Regular Meeting on January 14, 2020 beginning at 6:30 p.m. at the Pontic City Hall, 47450 Woodward Avenue Pontiac, Michigan 48342 in the upper level Council Chambers to receive comments on the proposed 2020-2024 City of Pontiac Parks and Recreation Master Plan.

WHEREAS, the 2020-2024 Parks & Recreation Master Plan can be viewed on the City of Pontiac Website: http://www.pontiac.mi.us/departments/community_development/planning_and_zoning/parks_and_recreation_masterplan.php

WHEREAS, NOTICE IS FURTHER GIVEN that the text of the proposed Parks and Recreation Master Plan may be examined at the Pontiac Public Library, 60 East Pike Street, Pontiac, Michigan 48342 and Pontiac City Hall 47450 Woodward Avenue Pontiac, Michigan 48342 during normal business hours.

NOW, THEREFORE BE IT RESOLVED, that a Public Hearing for the City of Pontiac 2020-2024 Parks & Recreation Master Plan be held on January 14, 2020 beginning at 6:30 p.m. at the Council Chambers in Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan 48342.



CITY OF PONTIAC
Department of Building Safety & Planning
Planning Division

47450 Woodward Ave • Pontiac, Michigan 48342
Telephone: (248) 758-2800

Mayor Deirdre Waterman

City of Pontiac Parks and Recreation Master Plan 2020-2024
For the City of Pontiac, Oakland County, Michigan

Resolution for 2020-2024 Parks and Recreation Master Plan Adoption

WHEREAS, the City of Pontiac has undertaken a planning process to determine the recreation and natural resource conservation needs and desires of its residents covering a five-year period for the years 2020 through 2024, and

WHEREAS, the City of Pontiac began the process of developing a citywide recreation plan in accordance with the most recent guidelines developed by the Department of Natural Resources that were made available to local communities, and

WHEREAS, residents of the City of Pontiac were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the parks and recreation plan, and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least 30 days, and

WHEREAS, a public hearing was held on January 14, 2020 at Pontiac City Hall to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the City of Pontiac Parks and Recreation Master Plan 2020-2024, and

WHEREAS, the City of Pontiac has developed the plan as a guideline for improving recreation and enhancing natural resource conservation for the City of Pontiac, and

WHEREAS, after the public hearing, the Pontiac City Council voted to adopt the City of Pontiac Parks and Recreation Master Plan 2020-2024.

NOW, THEREFORE BE IT RESOLVED the Pontiac City Council hereby adopts the City of Pontiac Parks and Recreation Master Plan 2020-2024.