

PONTIAC CITY COUNCIL

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



Patrice Waterman, District 1
Don Woodward, 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

February 12, 2019

6:00 P.M.

70th Session of the 10th Council

Call to order

Roll Call

Authorization to Excuse Councilmembers

Amendments to and Approval of the Agenda

Approval of the Minutes

1. Meeting of February 5, 2019

Public Comment

Presentation

2. Finance Department Report: Financial Impact of General Motors.

Agenda Items for Consideration

Resolutions

City Council

3. Resolution for Leona Smith.
4. Resolution on Property Transfer Affidavits.

Controller

5. Resolution to Approve Mayor's Request to Amend the Youth Recreation in Accordance with the Williams International Education Funding for Fiscal Year 2018-2019.
6. Resolution to Approve the Rollover Budget Amendments from Fiscal Year 2017-2018 as requested by the Mayor and Department of Public Works as Detailed in the Attachment Labeled Exhibit A.

Planning

7. Resolution to Approve Zoning Map Amendment ZMA 18-09 for 19 Liberty Street, to Change from R-1, One Family Dwelling, to R-3 Multiple Family Dwelling.

8. Resolution to Approve Zoning Map Amendment ZMA 18-10, for 99 S. Jesse Street, to Change from R-1 One Family Dwelling, to R-2 Two Family and Terrace Family Dwelling.
9. Resolution to Approve Amending the Development Agreement for the Henry Ford Health Center Signs, Village at Bloomfield and Authorize the City Attorney to Prepare an Amendment to the Development Agreement for Mayor and City Council Signatures.
10. Resolution to Approve a Zoning Map Amendment ZMA 18-07, 600 E. Pike Street, to Change from R-1 One Family Dwelling to R-3 Multiple Family Dwelling.

Communication to the Mayor

11. Status Update of Council President Pro Tem Carter's Request that the Mayor Provide Copies to the City Council of all Medical Marihuana Working Group Sign-In Sheets. This request was made during the January 29, 2019 Council Session.

Adjournment

MINUTES

February 5, 2019

**Official Proceedings
Pontiac City Council
69th Session of the Tenth Council**

A Formal Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Tuesday, February 5, 2019 at 6:00 p.m. by Council President Kermit Williams.

Call to Order

Invocation

Pledge of Allegiance

Roll Call

Members Present: Carter, Miller, Pietila, Taylor-Burks, Waterman, Williams and Woodward.
Mayor Waterman was present.
Clerk announced a quorum.

19-28 **Amendment #1, remove item #2 (closed session) and move item #8 (resolution to revise planning commission recommendation for zoning text amendment) before item # 7 (resolution to deny Carter/Council zoning text amendment). Moved by Councilperson Taylor-Burks and second by Woodward.**

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

19-29 **Amendment #2, move public comment before agenda items and approve agenda with amendments. Moved by Councilperson Miller and second by Councilperson Taylor-Burks.**

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

Councilman Don Woodward left the meeting.

19-30 **Approve minutes of January 29, 2019. Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.**

February 5, 2019

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

Subcommittee Report – Received from Public Works- January 23, 2019

Special Presentation – Rehmann Robson – Audit for Year Ended June 30, 2018

Eighteen (18) individuals addressed the body during public comment.

19-31 **Resolution requesting the Oakland County Brownfield Redevelopment Authority to review 140 South Saginaw Street.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

WHEREAS the City of Pontiac has a Brownfield project known as 140 South Saginaw Street that it would like to have reviewed and processed by the Oakland County Brownfield Redevelopment Authority; WHEREAS the City of Pontiac has a Brownfield Authority but desires to have the Oakland County Brownfield Redevelopment Authority handle the 140 South Saginaw Street; WHEREAS the Oakland County Brownfield Redevelopment Authority was created by Oakland County pursuant to MCL 125.2651 et seq. to assist jurisdictions like the City of Pontiac; WHEREAS the Oakland County Brownfield Redevelopment Authority is prepared to assist the City of Pontiac by reviewing the proposed 140 South Saginaw Street, provided that the City of Pontiac acknowledges certain rights that the Oakland County Brownfield Redevelopment Authority has, to wit:

- OCBRA intends to collect an administrative fee of \$5,000.00 per year for the length of the Brownfield plan; and

WHEREAS the City of Pontiac will have the opportunity to provide public comment on any Brownfield plan (including the amount of the administrative fee to be collected) before it is finally adopted by the OCBRA and/or the Oakland County Board of Commissioners;

NOW BE IT THEREFORE RESOLVED that the City of Pontiac request that the OCBRA undertake review of the 140 South Saginaw.

Ayes: Waterman, Williams, Carter, Miller, Pietila, and Taylor-Burks
No: None
Resolution Passed.

19-32 **Resolution concurring with the provisions of a Brownfield Plan adopted by the Oakland County Brownfield Redevelopment Authority for 140 South Saginaw Street. Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.**

WHEREAS, the Oakland County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), have established a Brownfield Redevelopment Authority and Board (OCBRA) to facilitate the clean-up and redevelopment of Brownfields within Oakland County's communities; and

WHEREAS, the property located at 140 South Saginaw (Property), a site in the City of Pontiac is an environmental hazard, a "facility" under state statute; and

WHEREAS, a Brownfield clean-up and redevelopment plan (the "Plan") has been prepared to restore the environmental and economic viability to this parcel which the OCBRA has reviewed and approved; and

WHEREAS, pursuant to OCBRA by-laws, a local committee has been appointed, participated in discussions regarding the proposed plan and project, reviewed the plan, and recommends its approval; and

WHEREAS, the OCBRA, pursuant to and in accordance with Section 13 of the Act, shall consider recommending that the Oakland County Board of Commissioners approve the Brownfield Plan to be carried out within the City of Pontiac, relating to the redevelopment of 140 South Saginaw; and

WHEREAS, the City has reviewed the Plan, and have been provided a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Sections 13(13) of the Act; and

NOW THEREFORE BE IT RESOLVED THAT, the City of Pontiac hereby concurs with the provisions of the Plan including approval of the Plan by the Oakland County Board of Commissioners and implementation of the Plan by the Oakland County Brownfield Redevelopment Authority.

BE IT FURTHER RESOLVED THAT should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

BE IT FURTHER RESOLVED THAT all resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

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

No: None

Resolution Passed.

19-33 **Resolution to approve the revised Planning Commission's Recommendation for the Zoning Text Amendment of City of Pontiac Zoning Ordinance to include Medical Marihuana Facilities within the City of Pontiac as an Emergency Ordinance pursuant to Pontiac City Charter Provision 3.112 [e], to include uses of Medical Marihuana Facilities in Overlay Districts and to Regulate the Proliferation of Medical Marihuana Facilities within the City of Pontiac and Thereby Ensure the Health and Safety of its Residents and Shall be Given Immediate Effect. Moved by Councilperson Pietila and second by Councilperson Waterman.**

Whereas, Following Pontiac approval of Proposal 1: City of Pontiac Medical Marihuana Facilities Ordinance in August 2018, the recount certification on September 12, 2018, and a 90-day moratorium voted November 8, 2018; the City prepared a Zoning Text Amendment of the City of Pontiac Zoning Ordinance to include uses of Medical Marihuana Facilities within the City of Pontiac; and

Whereas, In accordance with the procedures outlined in the Zoning Ordinance, Section 6.802 as it relates To Zoning Text Amendment, the request has undergone the required: Technical Review, Public Hearing, and Planning Commission Recommendation; and

Whereas, On January 30, 2019 a Public Hearing was held and the Planning Commission conditionally approved the Zoning Text Amendment request to the City of Pontiac Zoning Ordinance to include uses of medical marihuana facilities within the City of Pontiac, and the Planning Commission recommends City Council approve the Zoning Text Amendment; and

Whereas, Pursuant to Pontiac City Charter Provision 3.11 [e], this is an EMERGENCY ORDINANCE to regulate the proliferation of medical marihuana facilities within the City of Pontiac and hereby ensure the health and safety of its residents, and shall be given immediate effect; and

Now, Therefore, Be It Resolved, that the City Council for the City of Pontiac approve the Planning Commission recommendation for the Zoning Text Amendment of City of Pontiac Zoning Ordinance to include medical marihuana facilities within the City of Pontiac.

Ayes: Pietila and Waterman

No: Carter, Miller, Taylor-Burks and Williams

Resolution Failed.

19-34 **Motion to amend the revised Carter/City Council Ordinance with the following changes not more than five (5) Medical Marihuana Provisioning Center Facilities are to be located in any one of the three MMOD overlay districts described in Section 3.1106**

In the event, that all fifteen (15) of the Provisioning Center licenses are awarded in the three Overlay Districts described above and in Section 3.1106 (5 in each MMOD), then the remaining five (5) licenses for Provisioning Centers shall be located in any other districts in the City of Pontiac which are zoned, C-1, C-3, C-4, M1, M2, that are not located in one of the three Overlay Districts,

determined by those applicants receiving the highest five (5) scores, in accordance with Pontiac City Ordinance No. #2357(B) and the scoring criteria contained therein.

In the Event that not all fifteen (15) of the Provisioning Center licenses are awarded in the three Overlay Districts described above and in Section 3.1106, then those provisioning center licenses which were not awarded in said Overlay Districts shall be added to the five (5) remaining licenses, as described in Sections 3.1103 (4) above, and shall also be awarded to a qualifying location in, C-1, C-3, C-4, M1, M2, that are not located in one of the three Overlay Districts, also determined by those applicants receiving the highest scores, in accordance with Pontiac City Ordinance No #2357(B), and the scoring criteria contained therein. Measurements will be from right angles and refer it back to the planning Commission to be considered at its March 6, 2019 schedule meeting at 6:30 p.m. Moved by Councilperson Taylor Burks and second by Councilperson Miller. Debate occurred. Councilperson Miller called for the vote to end the debate. Councilperson Carter, Miller, Pietila, Taylor-Burks, Waterman and Williams voted yes to end the debate. Then the vote on the motion occurred.

CITY OF PONTIAC

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF PONTIAC ZONING ORDINANCE TO INCLUDE USES OF MEDICAL MARIHUANA FACILITIES IN DESIGNATED OVERLAY DISTRICTS.

THE CITY OF PONTIAC ORDAINS:

Article 2 Chapters 1 and 2 Section 2.101 Table 1 and Section 2.203 Table 2 Zoning Districts is amended to added:

Abbreviation	General Zoning Districts	Abbreviation	Special Purpose Zoning Districts
To Remain The Same	To Remain The Same	--	--
		--	--
		MMOD	Medical Marihuana Overlay Districts

Amend Article 2 | Chapter 2 – Section 2.203 Table 2 (Uses Permitted By District)

Commercial, Office, and Service Uses												
	Residential Districts				Commercial Districts				Industrial Districts			Development Standards
	R-1	R-2	R-3	C-0	C-1	C-2	C-3	C-4	M-1	M-2	IP-1	
Medical Marihuana Grower									■	■	■	Subject to Article 3, Chapter 11, Section 3.1101 – 3.1111
Medical Marihuana Processor									■	■	■	Subject to Article 3, Chapter 11, Section 3.1101 – 3.1111
Medical Marihuana Provisioning Center				■	■	■	■	■	■	■		Subject to Article 3, Chapter 11, Section 3.1101 – 3.1111
Medical Marihuana Safety Compliance Facility				■	■	■	■	■	■	■	■	Subject to Article 3, Chapter 11, Section 3.1101 – 3.1111
Medical Marihuana Secure Transporter				■	■	■	■	■	■	■	■	Subject to Article 3, Chapter 11, Section 3.1101 – 3.1111

■ Principal Permitted Uses

Article 2 Chapter 5 – Development Standards for Specific Uses is amended to add Sections 2.544, 2.545, 2.546, 2.547, and 2.548 as follows:

Section 2.544 – Medical Marihuana Grower Facilities

Grower means a commercial entity that cultivates, dries, trims, or cures and packages marihuana for sale to a Processor or Provisioning Center. As used in this ordinance, Grower shall include Class A Growers, Class B Growers, and Class C Growers.

1. Class A Grower means a grower licensed to grow not more than 500 marihuana plants.
2. Class B Grower means a grower licensed to grow not more than 1,000 marihuana plants.
3. Class C Grower means a grower licensed to grow not more than 1,500 marihuana plants.

A. General Provisions

1. Consumption, smoking, and inhalation of marihuana and/or alcohol shall be prohibited on the premises of Medical Marihuana Grower Facility, and a sign shall be posted on the premises of each facility indicating that consumption is prohibited on the premises.
2. The premises shall be open for inspection and/or investigation at any time by City investigators during the stated hours of operation and as such other times as anyone is present on the premises.
3. All activity related to the Medical Marihuana growing shall be done indoors.
4. Any Medical Marihuana Grower Facility shall maintain a log book and/or database identifying by date the amount of Medical Marihuana and the number of Medical Marihuana plants on the premises which shall not exceed the amount permitted under the Grower license issued by the State of Michigan. This log shall be available to law enforcement personnel to confirm that the Medical Marihuana Grower does not have more Medical Marihuana than authorized at the location and shall not be used to disclose more information than is reasonably necessary to verify the lawful amount of Medical Marihuana at the Facility.
5. The Medical Marihuana Grower Facility shall always comply and in all circumstances with the MMMA, MMFLA, and the general rules of department of licensing and regulatory affairs, as they may be amended from time to time.

B. Security

1. Medical Marihuana Grower Facility shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras that operate 24-hours a day, 7-days a week. The video recordings shall be maintained in a secure, off-site location for a period of 30 days, and must be coordinated with the O.C. Sherriff Department.
2. Any usable Medical Marihuana remaining on the premises of a Medical Marihuana Grower while the Medical Marihuana Facility is not in operation shall be secured in a safe permanently affixed to the premises.
3. All Medical Marihuana shall be contained within the building in an enclosed, locked Facility in accordance with the MMMA and MMFLA, as amended.

C. Space Separation

1. Unless permitted by the MMMA, public or non-public areas of the Medical Marihuana Grower Facility must be separated from restricted or non-public areas of the Grower Facility by a permanent barrier.
2. Unless permitted by the MMMA, no Medical Marihuana is permitted to be stored or displayed in an area accessible to the general public.

D. Nuisance Prohibited

1. Medical Marihuana Grower Facilities shall be free from infestation by insects, rodents, birds, or vermin or any kind.
2. Medical Marihuana Grower Facilities shall produce no products other than useable Medical Marihuana intended for human consumption.
3. No Medical Marihuana Grower shall be operated in a manner creating noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the Medical Marihuana Grower is operated.

E. Licensing

1. The license required by this chapter shall be prominently displayed on the premises of a Medical Marihuana Grower Facility.

F. Disposal of Waste

1. Disposal of Medical Marihuana shall be accomplished in a manner that prevent sits acquisition by any person who may not lawfully possess it and otherwise in conformance with State law.
2. Litter and waste shall be properly removed and the operating systems for waste disposal are maintained in an adequate manner as approved by the City so that they do not constitute a source of contamination in areas where Medical Marihuana is exposed.
3. That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the local Fire Department to ensure compliance with the Michigan Fire Protection Code.

G. Signage

1. It shall be prohibited to display any signs that are inconsistent with local laws of regulations or State law.
2. It shall be prohibited to use advertising material that is misleading, deceptive, or false, or that is designed to appeal to minors or in violation of LARA regulations.
3. It shall be prohibited to use the symbol or image of a marihuana leaf in any exterior building signage.
4. No licensed Medical Marihuana Grower shall place or maintain, or cause to be placed or maintained, an advertisement of medical marihuana in any form or through any medium:
 - i. Within one thousand feet of the real property comprising a public or private elementary, vocational, or secondary school; and
 - ii. Within one hundred feet of a public or private youth center, public swimming pool or a church or other structure in which religious services are conducts.

H. Co-Location

1. There shall be no other accessory uses permitted within the same facility other than those associated with a Processor and Provisioning Center.

I. Building Design

1. Floors, walls, and ceilings shall be constructed in such a manner that they may adequately cleaned and kept clean and in good repair.
2. Any buildings, fixtures, and other facilities shall be maintained in a sanitary condition.
3. All necessary building, electrical, plumbing, and mechanical permits shall be obtained for any portion of the structure in which electrical wiring, lighting and/or watering devices that support the cultivation, growing or harvesting of marihuana are located.

Section 2.545 – Medical Marihuana Processor

Processor means a commercial entity that purchases marihuana from a grower and that extracts resin from the marihuana or creates a Marihuana-infused product for sale and transfer in package form to a Provisioning Center.

A. General Provisions

1. The Processor shall comply at all times and in all circumstances with the MMMA, MMFLA, and the general rules of the department of licensing and regulatory affairs, as they may be amended from time to time.
2. Consumption, smoking, and inhalation of marihuana and/or alcohol shall be prohibited on the premises of Medical Marihuana Processor, and a sign shall be posted on the premises of each Medical Marihuana Processor indicating that consumption is prohibited on the premises.
3. The premises shall be open for inspection and/or investigation at any time by City investigators during the stated hours of operation and as such other times as anyone is present on the premises.
4. Any Processor Facility shall maintain a log book and/or database identifying by date the amount of Medical Marihuana and the number of Medical Marihuana plants on the premises which shall not exceed the amount permitted under the Processor license issued by the State of Michigan. This log shall be available to law enforcement personnel to confirm that the Processor does not have more Medical Marihuana than authorized at the location and shall not be used to disclose more information than is reasonably necessary to verify the lawful amount of Medical Marihuana at the Facility.
5. Processor Facilities shall produce no products other than useable Medical Marihuana intended for human consumption.

B. Security

1. Medical Marihuana Processor Facility shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras that operate 24-hours a day, 7-days a week. The video recordings shall be maintained in a secure, off-site location for a period of 30 days, and must be coordinated with the O.C. Sherriff Department.

2. Any usable Medical Marihuana remaining on the premises of a Medical Marihuana Processor while the Medical Marihuana Facility is not in operation shall be secured in a safe permanently affixed to the premises.
3. All Medical Marihuana shall be contained within the building in an enclosed, locked Facility in accordance with the MMMA and MMFLA, as amended.

C. Space Separation

1. Unless permitted by the MMMA, public or non-public areas of the Medical Marihuana Processor Facility must be separated from restricted or non-public areas of the Processor Facility by a permanent barrier.
2. Unless permitted by the MMMA, no Medical Marihuana is permitted to be stored or displayed in an area accessible to the general public.

D. Nuisance Prohibited

1. Processor Facilities shall be free from infestation by insects, rodents, birds, or vermin or any kind.
2. No Medical Marihuana Processor shall be operated in a manner creating noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the Medical Marihuana Processor is operated.

E. Licensing

1. The license required by this chapter shall be prominently displayed on the premises of a Medical Marihuana Processor Facility.

F. Disposal of Waste

1. Disposal of Medical Marihuana shall be accomplished in a manner that prevents its acquisition by any person who may not lawfully possess it and otherwise in conformance with State law.
2. Litter and waste shall be properly removed and the operating systems for waste disposal are maintained in an adequate manner as approved by the City so that they do not constitute a source of contamination in areas where Medical Marihuana is exposed.

G. Signage

1. It shall be prohibited to display any signs that are inconsistent with local laws of regulations or State law.
2. It shall be prohibited to use advertising material that is misleading, deceptive, or false, or that is designed to appeal to minors or in violation of LARA regulations.
3. It shall be prohibited to use the symbol or image of a marihuana leaf in any exterior building signage.
4. No licensed Medical Marihuana Processor shall place or maintain, or cause to be placed or maintained, an advertisement of medical marihuana in any form or through any medium:
 - i. Within one thousand feet of the real property comprising a public or private elementary, vocational, or secondary school; and
 - ii. Within one hundred feet of a public or private youth center, public swimming pool or a church or other structure in which religious services are conducted.

H. Co-Location

1. There shall be no other accessory uses permitted within the same facility other than those associated with a Grower and Provisioning Center.
2. The dispensing of Medical Marihuana of Medical Marihuana at the Processor Facility shall be prohibited.

I. Building Design

1. Floors, walls, and ceilings shall be constructed in such a manner that they may adequately cleaned and kept clean and in good repair.
2. Any buildings, fixtures, and other facilities shall be maintained in a sanitary condition.

Section 2.546 – Medical Marihuana Provisioning Center

Provisioning Center means a commercial entity that purchases marihuana from a Grower or Processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning Centers includes any commercial property where marihuana is sold at retail to registered, qualifying patients, or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the MMMA is not a Provisioning Center for purposes of this ordinance.

A. General Provisions

1. Medical Marihuana Provisioning Centers shall be closed for business, and no sale or other distribution of marihuana in any form shall occur upon the premises between the hours of 10:00 p.m. and 7:00 a.m.
2. Consumption, smoking, and inhalation of marihuana and/or alcohol shall be prohibited on the premises of a Medical Marihuana Provisioning Center, and a sign shall be posted on the premises of each Medical Marihuana Provisioning Center indicating that consumption is prohibited on the premises.
3. The premises shall be open for inspection and/or investigation at any time by City investigators during the stated hours of operation and as such other times as anyone is present on the premises.

B. Security

1. Medical Marihuana Provisioning Centers shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras that operate 24-hours a day, 7-days a week. The video recordings shall be maintained in a secure, off-site location for a period of 30 days, and must be coordinated with the O.C. Sherriff Department.
2. Any usable Medical Marihuana remaining on the premises of a Medical Marihuana Provisioning Center while the Medical Marihuana Provisioning Center is not in operation shall be secured in a safe permanently affixed to the premises.

C. Space Separation

1. Unless permitted by the MMMA, public or non-public areas of the Medical Marihuana Provisioning Center must be separated from restricted or non-public areas of the Provisioning Center by a permanent barrier.

2. Unless permitted by the MMMA, no Medical Marihuana is permitted to be stored or displayed in an area accessible to the general public.
3. Medical Marihuana may be displayed in a sales area only if permitted by the MMMA.

D. Nuisance Prohibited

1. No Medical Marihuana Provisioning Center shall be operated in a manner creating noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the Medical Marihuana Provisioning Center is operated.

E. Licensing

1. The license required by this chapter shall be prominently displayed on the premises of a Medical Marihuana Provisioning Centers.
2. All registered patients must present both their Michigan Medical Marihuana patient/caregiver ID card and Michigan state ID prior to entering restricted/limited areas or non-public areas of the Medical Marihuana Provisioning Center.

F. Disposal of Waste

1. Disposal of Medical Marihuana shall be accomplished in a manner that prevents its acquisition by any person who may not lawfully possess it and otherwise in conformance with State law.

G. Signage

1. It shall be prohibited to display any signs that are inconsistent with local laws of regulations or State law.
2. It shall be prohibited to use advertising material that is misleading, deceptive, or false, or that is designed to appeal to minors or in violation of LARA regulations.
3. It shall be prohibited to use the symbol or image of a marihuana leaf in any exterior building signage.
4. No licensed Medical Marihuana Provisioning Center shall place or maintain, or cause to be placed or maintained, an advertisement of medical marihuana in any form or through any medium:
 - i. Within one thousand feet of the real property comprising a public or private elementary, vocational, or secondary school; and
 - ii. Within one hundred feet of a public or private youth center, public swimming pool or a church or other structure in which religious services are conducted.

H. Co-Location

1. There shall be no other accessory uses permitted within the same Facility other than those associated with a Grower and Processor.

Section 2.547 – Medical Marihuana Safety Compliance Facility

Safety Compliance Facility means a commercial entity that receives marihuana from a medical marihuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to a Medical Marihuana Facility.

A. General Provisions

1. Consumption, smoking, and inhalation of marihuana and/or alcohol shall be prohibited on the premises of a Medical Marihuana Safety Compliance Facility, and a sign shall be posted on the premises of each Medical Marihuana Safety Compliance Facility indicating that consumption is prohibited on the premises.
2. The premises shall be open for inspection and/or investigation at any time by City investigators during the stated hours of operation and as such other times as anyone is present on the premises.
3. Any Medical Marihuana Safety Compliance Facility shall maintain a log book and/or a database identifying by date the amount of Medical Marihuana on the premises and from which particular source. The Facility shall maintain the confidentiality of qualifying patients in compliance with the MMMA, as amended.

B. Security

1. Medical Marihuana Safety Compliance Facility shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras that operate 24-hours a day, 7-days a week. The video recordings shall be maintained in a secure, off-site location for a period of 30 days, and must be coordinated with the O.C. Sheriff Department.
2. Any usable Medical Marihuana remaining on the premises of a Medical Marihuana Safety Compliance Facility while the Medical Marihuana Safety Compliance Facility is not in operation shall be secured in a safe permanently affixed to the premises.
3. All Medical Marihuana shall be contained within the building in an enclosed, locked Facility in accordance with the MMMA and MMFLA, as amended.

C. Space Separation

1. Unless permitted by the MMMA, public or non-public areas of the Medical Marihuana Safety Compliance Facility must be separated from restricted or non-public areas of the Safety Compliance Facility by a permanent barrier.
2. Unless permitted by the MMMA, no Medical Marihuana is permitted to be stored or displayed in an area accessible to the general public.

D. Nuisance Prohibited

1. No Medical Marihuana Safety Compliance Facility shall be operated in a manner creating noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the Medical Marihuana Safety Compliance Facility is operated.

E. Licensing

1. The license required by this chapter shall be prominently displayed on the premises of a Medical Marihuana Safety Compliance Facility.
2. All registered patients must present both their Michigan Medical Marihuana patient/caregiver ID card and Michigan state ID prior to entering restricted/limited areas or non-public areas of the Medical Marihuana Safety Compliance Facility.

F. Disposal of Waste

1. Disposal of Medical Marihuana shall be accomplished in a manner that prevents its acquisition by any person who may not lawfully possess it and otherwise in conformance with State law.
2. Litter and waste shall be properly removed and the operating systems for waste disposal are maintained in an adequate manner as approved by the city so that they do not constitute a source of contamination in areas where Medical Marihuana is exposed.

G. Signage

1. It shall be prohibited to display any signs that are inconsistent with local laws of regulations or State law.
2. It shall be prohibited to use advertising material that is misleading, deceptive, or false, or that is designed to appeal to minors or in violation of LARA regulations.
3. It shall be prohibited to use the symbol or image of a marihuana leaf in any exterior building signage.
4. No licensed Medical Marihuana Safety Compliance Facility shall place or maintain, or cause to be placed or maintained, an advertisement of medical marihuana in any form or through any medium:
 - i. Within one thousand feet of the real property comprising a public or private elementary, vocational, or secondary school; and
 - ii. Within one hundred feet of a public or private youth center, public swimming pool or a church or other structure in which religious services are conducted.

H. Building Design

1. Floors, walls and ceilings shall be constructed in such a manner that they may adequately cleaned and kept clean and in good repair.
2. Any buildings, fixtures and other facilities shall be maintained in a sanitary condition.

Section 2.548 – Medical Marihuana Secure Transporter

Secure Transporter means a commercial entity located in this state stores marihuana and transports marihuana between medical marihuana facilities for a fee. A Secure Transporter shall comply at all times with the MMMA, MMFLA, MTA, and the general rules of the Department of Licensing and Regulatory Affairs.

A. General Provisions

1. Consumption and/or use of marihuana shall be prohibited at a facility of a Secure Transporter.
2. A vehicle used by a Secure Transporter is subject to administrative inspection by a law enforcement officer at any point during the transportation of medical marihuana to determine compliance with all state and local laws, rules, regulations and ordinances.
3. A Secure Transporter licensee and each stakeholder shall not have an interest in a Grower, Processor, Provisioning Center, or Safety Compliance Facility, and shall not be registered qualifying patient or a registered primary caregiver.
4. A Secure Transporter shall enter all transactions, current inventory, and other information as required by the state into the statewide monitoring system as required by law.

B. Secure Storage

1. Storage of medical marihuana by a Secure Transporter shall comply with the following:
 - i. The storage facility shall not be used for any other commercial purpose.
 - ii. The store facility shall not be open or accessible in the general public.
 - iii. The storage facility shall be maintained and operated so as to comply with all state and local rules, regulations and ordinances.
2. All marihuana stored within the facility shall be stored within enclosed, locked facilities in accordance with the MMMA, as amended.

C. Sanitation

1. All persons working in direct contact with marihuana being stored by a Secure Transporter shall conform to hygienic practices while on duty, including but not limited to:
 - i. Maintaining adequate personal cleanliness.
 - ii. Washing hands thoroughly in adequate hand washing areas before starting work and at any other time when the hands may have become soiled or contaminated.
 - iii. Refrain from having direct contact with marihuana if the person has or may have an illness, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination, until the condition is corrected.

D. Disposal of Waste

1. Disposal of medical marihuana shall be accomplished in a manner that prevents its acquisition by a person who may not lawfully possess it and otherwise in conformance with State law.
2. Litter and waste shall be properly removed and the operating systems for waste disposal are maintained in an adequate manner as approved by the City so that they do not constitute a source of contamination in areas where medical marihuana is exposed.

E. Transport Driver

1. A Secure Transporter shall comply with all of the following:
 - i. Each driver transporting marihuana must have a chauffeur's license issued by the state.
 - ii. Each employee who has custody of marihuana or money that is related to a marihuana transaction shall not have been convicted of or released from incarceration for a felony under the laws of this state, any other state, or the United States within the past five (5) years.
 - iii. Each vehicle shall always be operated with a two-person crew with at least one individual remaining with the vehicle during the transportation of marihuana.
2. A route plan and manifest shall be entered into the statewide monitoring system, and a copy shall be carried in the transporting vehicle and presented to a law enforcement office upon request.
3. The medical marihuana shall be transported by one or more sealed containers and not be accessible while in transit.
4. A secure transporter vehicle shall not bear markings or other indication that it is carrying medical marihuana or a marihuana infused product.

F. Signage

1. It shall be prohibited to display any signs that are inconsistent with local laws of regulations or State law.
2. It shall be prohibited to use advertising material that is misleading, deceptive, or false, or that is designed to appeal to minors or in violation of LARA regulations.
3. It shall be prohibited to use the symbol or image of a marihuana leaf in any exterior building signage.
4. No licensed Medical Marihuana Secure Transporter shall place or maintain, or cause to be placed or maintained, an advertisement of medical marihuana in any form or through any medium:
 - i. Within one thousand feet of the real property comprising a public or private elementary, vocational, or secondary school; and
 - ii. Within one hundred feet of a public or private youth center, public swimming pool or a church or other structure in which religious services are conducted.

Article 3 – Special Purposes – Zoning District is amended to add Chapter 11 as follows:

Chapter 11 – Medical Marihuana Districts

Section 3.1101 – Intent

The purpose of the Medical Marihuana Overlay District (MMOD) is to provide for the placement of Medical Marihuana related uses as authorized pursuant to State regulations with a goal of minimizing potential adverse impacts on adjacent property owners, neighborhoods, and the City.

Section 3.1102 – Medical Marihuana Overlay District Principal Permitted Uses

The following are principal permitted uses in the Medical Marihuana Overlay District, provided the development also meets the Design & Building Standards set forth in Section 3.1109 and Article 2 Chapter 5 Development Standards for Specific Uses:

1. Provisioning Center;
2. Safety Compliance Facility;
3. Secure Transporter;
4. Grower; and
5. Processor.

Section 3.1103 – Medical Marihuana Overlay District Permitted Accessory Uses

1. Off-Street Parking, Loading and Unloading as required per Section 4.307; and
2. Any use that is not incidental to the permitted principal use.

Section 3.1104 – Medical Marihuana Overlay District Principal Permitted Uses Requiring Site Plan Review

All principal permitted uses of the MMOD are subject to Site Plan Review set forth in Article 6, Chapter 2, Section 6.202.

Section 3.1105 – Licensing

All operators of medical marihuana facilities must a State of Michigan & City of Pontiac License.

Section 3.1106 – MMOD Location Description

The Medical Marihuana uses permitted in the MMOD must meet the following requirements:

- A. All properties along Walton Blvd and streets north of Walton Blvd between the west side of Telegraph Road to Joslyn Avenue including those contained within Overlay Map 1 for this MMOD.
- B. Maintain frontage along Cesar Chavez, starting from the west side of West Blvd in the City of Pontiac to northern side of W. Montcalm St., also including:
 1. Pershing Ave;
 2. Durant Ave;
 3. Inglewood Ave; and
 4. Ojista Ave.

See Overlay 2 for this MMOD.

- C. All properties within C-2 Downtown zoned district.
- D. All M-1 Light Manufacturing zoned properties north of Collier Road. All medical marihuana uses permitted in this MMOD excluding Medical Marihuana Provisioning Center.

Section 3.1107 – Permitted Uses in Commercial Districts (Non-Overlay)

In addition to MMOD Locations as described in Section 3.1106, all medical marihuana uses, excluding Medical Marihuana Grower and Processor, are permitted in C-0, C-1, C-3, and C-4 districts subject to all requirements under this Chapter 11, including but not limited to Section 3.1108 – Buffer Distance Restrictions. There shall be no more than five (5) Medical Marihuana Provisioning Centers allowed in all of C-0, C-1, C-3, and C-4 districts combined.

Section 3.1108 – Buffer Distance Restrictions

- A. The proximity of the proposed medical marihuana facility shall not be less than:
 - 1. 1,000 feet from an operational public or private school;
 - 2. 500 feet from an operational commercial childcare organization (non-home occupation) that is licensed or registered with the State of Michigan Department of Health and Human Services or its successor agency; a public park with playground equipment;
 - 3. 500 feet from a religious institution that is defined as tax exempted by the Oakland County Assessor; and
 - 4. Applicable only for properties located in a C-0, C-1, C-3, and C-4 Commercial zoned districts:
 - i. 200 feet from a residentially-zoned property. Notwithstanding anything contained within Section 3.1107.B to the contrary, such distance between a residentially-zoned property and the contemplated location shall be measured from property line to property line.
- B. Such distance between the school, childcare center, public park, or religious institution, and the contemplated location shall be measured along the centerline of the street or streets of address between two fixed points on the centerline determined by projecting straight lines at right angles to the centerline from the primary point of ingress to the school, childcare center, or religious institution, or from the playground equipment in a public park, and from the primary point of ingress to the medical marihuana facility along the centerline to the primary site entrance driveway.

Section 3.1109 – Co-Location

- A. Consistent with the MMFLA and rules promulgated by the department, any combination of Growers, Provisioning Centers, and Processors may operate as separate medical marihuana facilities at the same physical location;
- B. A maximum of two medical marihuana facilities with state operating licenses may co-locate on a single parcel;
- C. No two medical marihuana facilities of the same type may be located on the same parcel;

- D. Medical Marihuana Provisioning Center, consistent with the MMFLA, any combination of Grower, Processor, and Provisioning Centers may operate as separate medical marihuana facilities in the physical location. Provided that the Provisioning Center is incidental to the principal use and that the total amount of internal floor areas of the structure locate to the Provisioning Center does not exceed 10% of the floor area of the total establishment.

Section 3.1110 – Building Design, Area, Height, Bulk, and Placement

- A. Building and design improvements must comply with the underlying zoning requirements and the Specific Uses Development Standards outlined in Article 2, Chapter 5 of this Zoning Ordinance.
- B. If the provisions of the MMOD are silent on building and design requirements, the requirements of the underlying district shall apply.
- C. If the building and design requirements of the MMOD conflict with the requirements of the underlying district, then the building and design requirements of the MMOD shall supersede the underlying district regulations.

Section 3.1111 – Review Authority and Establishment

- A. The Planning Commission shall be the Special Exception and Site Plan Review Authority for the permitted medical marihuana uses in the MMOD;
- B. A Special Exception Permit for medical marihuana uses require Public Notice of 500 feet from the proposed medical marihuana facility;
- C. All permitted medical marihuana uses must be in accordance with the Uses Development Standards outlined in Chapter 2 of the Zoning Ordinance;
- D. Within the MMOD all requirements of the underlying districts remain in effect, except where these regulations provide an alternative to such requirements.

Article 7 – Definitions is amended to add Chapter 2, and Chapter 3 as follows:

Article 7 – Definitions | Chapter 2

Section 7.202 Commercial, Office, and Service Uses

- A. *Provisioning Center* means a commercial entity that purchases marihuana from a Grower or Processor, and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning Centers includes any commercial property where marihuana is sold at retail to registered, qualifying patients or registered primary caregivers.
 - a. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the MMMA is not a provisioning center for purposes of this ordinance.
- B. *Safety Compliance Facility* means a commercial entity that receives marihuana from a medical marihuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the medical marihuana facility.
- C. *Secure Transporter* means a commercial entity located in this state that stores marihuana and transports marihuana between medical marihuana facilities for a fee.

Section 7.203 – Industrial Uses

- A. *Grower* means a commercial entity that cultivates, dries, trims, or cures, and packages marihuana for sale to a Processor or Provisioning Center. As used in this ordinance, Grower shall include Class A Growers, Class B Growers, and Class C Growers.
 - a. *Class A Grower* means a grower license to grow not more than 500 marihuana plants.
 - b. *Class B Grower* means a grower license to grow not more than 1,000 marihuana plants.
 - c. *Class C Grower* means a grower license to grow not more than 1,500 marihuana plants.
- B. *Processor* means commercial entity that purchases marihuana from a grower and that extracts resin from the marihuana or creates a Marihuana-infused product for sale and transfer in package form to a Provisioning Center.
- C. *Provisioning Center* means a commercial entity that purchases marihuana from a Grower or Processor, and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning Centers includes any commercial property where marihuana is sold at retail to registered, qualifying patients or registered primary caregivers.
 - a. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the MMMA is not a provisioning center for purposes of this ordinance.
- D. *Safety Compliance Facility* means a commercial entity that receives marihuana from a medical marihuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the medical marihuana facility.

- E. *Secure Transporter* means a commercial entity located in this state that stores marihuana and transports marihuana between medical marihuana facilities for a fee.

Article 7 – Definitions | Chapter 3

Section 7.301 – General Definitions

- A. *Medical Marihuana Facility* means a location at which a Grower, Processor, Provisioning Center, Secure Transporter, or Safety Compliance Facility is licensed to operate under the MMFLA.
- B. *MMFLA* means the Medical Marihuana Facilities Licensing Act, Act No. 281 of the Public Acts of 2016, being Sections 333.27101 to 333.27801 of the Michigan Compiled Laws.
- C. *MMMA* means the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, being Sections 333.26421 to 333.26430 of the Michigan Compiled Laws.

Pursuant to Pontiac City Charter Provision 3.112(e), this is an EMERGENCY ORDINANCE to regulate the proliferation of medical marihuana facilities within the City of Pontiac and thereby ensure the health and safety of its residents, and shall be given immediate effect.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Pontiac this _____ day of _____, 2018.

Deirdre Waterman, Mayor

Garland Doyle, Interim City Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council on the _____ day of _____, 2018.

Garland Doyle, Interim City Clerk

I further certify that the foregoing was published in a newspaper of general circulation in the City of Pontiac in a manner consistent with the Charter of the City of Pontiac.

Garland Doyle, Interim City Clerk

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

No: None

Motion Carried.

19-35 **Suspend the Rules to vote to extend the Moratorium.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

Ayes: Taylor-Burks, Waterman, Williams, Carter and Miller

No: None

Motion Carried.

Councilwoman Mary Pietila was absent during the vote.

19-36 **Resolution to Extend Moratorium on Acceptance of Applications for Medical Marihuana Facilities.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

Whereas, the City of Pontiac (the "City") desires to maintain its long tradition of protecting the City and the environment within its borders, and promoting compatible land uses; and

Whereas, the City has not completed amendments to its zoning ordinances to provide for the location and requirements for medical marihuana facilities; and

Whereas, the City has not previously been faced with the prospect of medical marihuana facilities, and the City zoning ordinances do not currently provide for satisfactory control and regulation of such activities; and

Whereas, certain aspects of medical marihuana facilities are subject to City regulation under its zoning ordinances; and

Whereas, in order to allow the City an opportunity to develop appropriate regulations upon those aspects of medical marihuana facilities operations which the City is authorized to regulate, it is in the public interest to extend the moratorium on the acceptance of applications by the City for medical marihuana facilities;

Now, Therefore, Be It Resolved as follows:

1. That effective upon adoption of this Resolution the moratorium will continue for an additional one (1) month, ending on March 8, 2019, on the acceptance, review or action by the City Clerk or any other City employee of application for any medical marihuana facilities.
2. The moratorium is not intended to infringe upon the jurisdiction reserved to State or federal agencies, which have jurisdiction over such subjects.

3. The City shall proceed promptly to investigate and consider appropriate regulations and amendments to the City zoning ordinance.

Ayes: Taylor-Burks, Waterman, Williams, Carter and Miller

No: Pietila

Resolution Passed.

19-37 **Resolution to establish the Medical Marihuana Facility Permit Application Fee at Five Thousand Dollars (\$5,000).** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

Whereas, pursuant to the authority of Medical Marihuana Licensing Act, Act No. 281 of the Public Acts of 2016, the City of Pontiac shall set forth an annual license fee; and

Whereas, the City of Pontiac is responsible for the health, safety, and welfare of its residents, and;

Whereas, the City of Pontiac is committed to ensuring that all facilities stay in compliance with State Law and Local Ordinance, and;

Now, therefore, Be It Resolved that, the City of Pontiac hereby establishes a medical marihuana application fee in the amount of \$5,000, or each authorized medical marihuana facility within the City, to help defray administrative costs associated therewith. This fee shall be payable at the time of application for the City authorization to operate a medical marihuana facility.

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

No: None

Resolution Passed.

19-38 **Resolution for Mayor to provide Monthly Check register to City Council.** Move by Councilperson Waterman and second by Councilperson Taylor-Burks.

Whereas, Revenue and Expenditure reports are provided to the finance subcommittee monthly; and,

Whereas, it is in the best interest of the Pontiac City Council body as a whole, to have an opportunity to address any issues or concerns that may arise as it relates to expenditures; and,

Now, therefore, Be It Resolved, that the Mayor will provide the monthly check register for the prior month, to the City Clerk, to be included in the Pontiac City Council Agenda, the first meeting of each month, commencing with the March 5, 2019 Agenda.

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

No: None

Resolution Passed.

February 5, 2019

Councilwoman Patrice Waterman left the meeting.

Mayor Deirdre Waterman, Interim City Clerk Garland Doyle, Councilwoman Mary Pietila, Councilwoman Doris Tylor-Burks, Councilwoman Gloria Miller, President Pro-Tem Randy Carter and President Kermit Williams made closing comments.

Council President Kermit Williams adjourned the meeting at 8:35 p.m.

GARLAND S. DOYLE
INTERIM CITY CLERK

PRESENTATION

#2

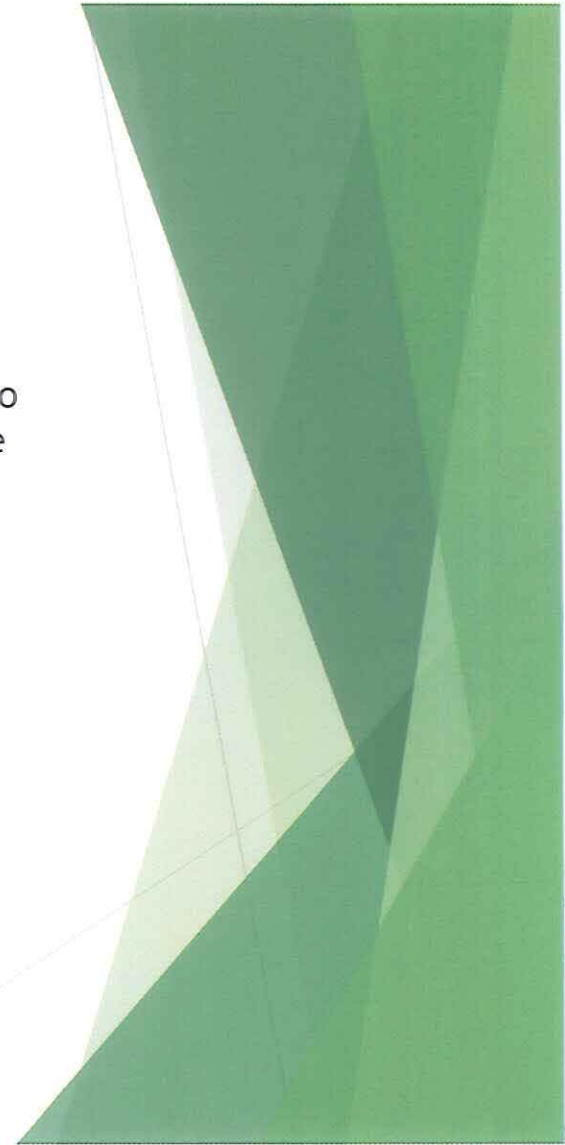
Financial Analysis and Impact of General Motors



Prepared by : Danielle Kelley
as of January 23, 2019

General Motors Announcement

- ▶ In November 2018, General Motors announced that it would be moving up to 3,000 engineers from its Global Propulsion Systems facility in Pontiac to the technical center in Warren.



Financial Impact on the City of Pontiac

- City is estimating an income tax loss between \$1.1 and \$1.3 million

B - GM layoff scenario		2,748,351.90	2017 payments
		6,000.00	estimated employees
	# of Employees	Average Salary	Estimated Taxes
Assume half pay 1%	3,000.00	61,000.00	1,830,000.00
Assume half pay 0.5%	3,000.00	61,000.00	915,000.000
			<u>2,745,000.00</u>
Assume half of employees are moved/laid off			
Worse Case - all 1% leave	\$	1,830,000.00	income lost
50/50 leave	\$	1,372,500.00	income lost
Best Case - all 0.5% leave	\$	915,000.00	income lost

Financial Impact on the City of Pontiac

- ▶ Due to recent economic development in the City, some of the expected income tax loss will be offset.

Expected income tax loss from General Motors	\$	1,300,000
Estimated United Shore income tax increase over HP	\$	(158,719)
Estimated Williams International income tax	\$	(126,252)
Henry Ford Hospital		unknown
Village at Bloomfield		unknown
Property/Income tax revenue from Medical Marijuana		unknown
Other start up tech companies		unknown
Net income tax loss estimated	\$	1,015,029

5 year look back of revenues from General Motors (estimate as of 1/23/19)

	Tax Year 2014	Tax Year 2015	Tax Year 2016	Tax Year 2017	Tax Year 2018 estimated	5 year total
Income Tax Revenue	\$ 2,057,089	\$ 2,174,271	\$ 2,504,951	\$ 2,748,326	\$ 2,227,931	\$ 11,712,568
Property Tax Revenue	\$ 543,983	\$ 548,592	\$ 261,806	\$ 266,229	\$ 275,763	\$ 1,896,373
Property Tax Abatements	\$ (91,722)	\$ (106,338)	\$ (67,187)	\$ (74,348)	\$ (84,921)	\$ (424,516)
Net revenues	\$2,509,349	\$2,616,525	\$2,699,570	\$2,940,207	\$ 2,418,772	\$13,184,424

5 year projection of revenue from General Motors (estimate as of 1/23/19)

	Tax Year Estimated 2019	Tax Year Estimated 2020	Tax Year Estimated 2021	Tax Year Estimated 2022	Tax Year Estimated 2023	5 year Estimated total
Income Tax Revenue	\$ 1,027,931	\$ 1,038,210	\$ 1,048,592	\$ 1,059,078	\$ 1,069,669	\$ 5,243,479
Property Tax Revenue	\$ 278,520	\$ 281,306	\$ 284,119	\$ 286,960	\$ 289,829	\$ 1,420,734
Property Tax Abatements	\$ (85,770)	\$ (76,571)	\$ (77,337)	\$ (41,589)	\$ (42,005)	\$ (323,272)
Net revenues	\$1,220,681	\$1,242,944	\$1,255,374	\$1,304,449	\$ 1,317,493	\$ 6,340,941

*Assuming a 1% increase per year for income and property tax and no additional property tax abatements awarded

RESOLUTION

#3

City of Pontiac Resolution for Leona Smith

WHEREAS, It is the sense of this legislative body to pay proper tribute to individuals of remarkable character whose lives have been dedicated to uplifting, inspiring and empowering the community; and;

WHEREAS, it is feelings of the deepest regret that the Pontiac City Council mourns the passing of Leona Smith, a giving and loyal member of this community; and,

WHEREAS, Leona Smith was born and raised in Detroit, Michigan where she was educated in the Detroit Public School system and attended Lewis Business College and Oakland Community College; and,

WHEREAS, Leona Smith at a very young age was exposed to the joyful sounds of spiritual songs, as her grandmother was her first music teacher; and,

WHEREAS, Leona Smith since the age of 14, was incessantly and unselfishly committed to the music ministry; and,

WHEREAS, Leona Smith was married to the late Rev. Dr. Solomon Smith Sr., who served as pastor of New Hope Missionary Baptist Church in Pontiac, Michigan for 39 years; and,

WHEREAS, Leona Smith after devoting 27 years of faithful service, retired from Leo Burnett Advertising in 2006; and,

WHEREAS, Leona Smith's musical talents allowed her to transcend to immeasurable heights and to serve in various distinguished roles including; Minister of Music at New Hope Missionary Baptist Church for 39 years, a music class instructor for her district, a teacher for the Metropolitan District Association, Music Coordinator for the Crystal Lake District Association for 25 years, Musical Coordinator of the Wolverine State Baptist Convention (the last 12 years), a musician for the Wolverine State Women's Auxiliary, a recently appointed organist for the National Baptist Convention's Woman's Auxiliary and chairperson of the Crystal Lake District Ministers Wives and Widows; and,

WHEREAS, Leona Smith also served as a loyal, assistant Sunday School instructor who taught Tuesday night Bible Study sessions, was a phenomenal orator who was privileged enough to be asked to speak at many Women's Day programs, women's workshops and retreats, in Pontiac, Saginaw, Flint and Detroit; and,

WHEREAS, Leona Smith received countless awards, some include; the 2008 "Pillar of Strength" award from her church, for loyal and dedicated service, the Pontiac Musicians Ministry Fellowship Award of Appreciation, the "Minister's Wife of the Year" award, the "Living Legend" award from the Sisters Keepers organization, the Wolverine State Nurses Award of Dedication and Faithfulness in 2013 and was a two-time award recipient from the Wolverine State Congress of Christian Education for dedicated service in the music ministry; and,

WHEREAS, Leona Smith often loved to reference her favorite scripture, Romans 12:1, "I beseech you therefore brethren, by the mercies of God, that ye present your bodies a living sacrifice, holy, acceptable unto God, which is your reasonable service."

NOW, THEREFORE BE IT RESOLVED, that the Members of the Pontiac City Council and members of this great community will greatly miss Leona Smith, as her life was a portrait of service, a legacy that will long endure the passage of time and will remain as a comforting memory to all those whose lives she touched; we give our sincerest condolences to the family and friends of Leona Smith.

Kermit Williams, President

Randolph Carter, Pro-Tem

Patrice Waterman, Councilwoman

Don Woodward, Councilman

Mary Pietila, Councilwoman

Gloria Miller, Councilwoman

Doris Taylor-Burks, Councilwoman

RESOLUTION

#4

Pontiac City Council Resolution



WHEREAS, the City of Pontiac Treasury Department is the appropriate department to resolve issues relating to property transfer affidavits.

NOW, THEREFORE BE IT RESOLVED that the Pontiac City Council hereby requires that issue of property transfer affidavit penalties, shall be reviewed and resolved, at the discretion of the City of Pontiac Treasury Department.

RESOLUTION

#5



MEMORANDUM

City of Pontiac

Controller's Office

47450 Woodward Avenue

Pontiac, Michigan 48342

Telephone: (248) 758-3118

Fax: (248) 758-3197

DATE : 02/7/2019

TO: Honorable Mayor and City Council

FROM: Danielle Kelley, Plante & Moran - Controller's Office

THROUGH: Jane Bais DiSessa – Deputy Mayor

SUBJECT: Budget amendment FY 2018-2019 – Williams International Education Fund

Mayor Waterman,

In accordance with the development agreement approved by City Council with Williams International for Educational Fund money, the City has received a \$150,000 check from Williams International. In accordance with the agreement, both a representative from the City and a representative from Williams International have met and approved that the 2018 fund be used for the following:

1. A portion of the \$150,000 is to be distributed to Cranbrook for payment of after school STEM programming at the Youth Recreation Center.
2. The remaining 2018 funds be allocated at the Mayor's discretion for youth transportation.

In order to receive this revenue and incur the expenditures above, a budget amendment will need to be approved by the City Council, as it will cause an increase in both overall revenues and expenditures over which was originally adopted by the City Council. Given that the funds have been designated for programs within Youth Recreation, we have deemed it appropriate to receipt and expend the funding out of Fund 208 – Youth Recreation Fund. The following amendment is recommended:

208-000-671.208 (revenue) – Williams Int Educational Fund	\$150,000
208-756-818.000 (expenditure) – Other Professional Services	\$150,000

This would establish a new revenue account in accordance with the agreement for budgeting purposes. Additionally, the current Cranbrook outreach program has been paid out of 208-756-818.000, thus we recommend this account's budget be increased.

If Council agrees with the budget amendment above, then the following resolution would be in order:

Whereas, the City of Pontiac timely approved the 2018-2019 budget on June 8, 2018, and;

Whereas, the City Council approved the development agreement with Williams International that contained a provision for Williams International would provide educational funding to the City on an annual basis, and;

Whereas, the City and Williams International has come to an agreement on the means of which the Williams International Educational Fund dollars will be expended, and;

Whereas, the City has received a check in the amount of \$150,000 from Williams International, and;

Whereas, the Mayor is proposing to the City Council to increase the revenues and appropriations for the current year 2018-2019 for the Youth Recreation fund as illustrated below as necessary to receipt this revenue and expend these funds in accordance with the development agreement:

- *Youth Recreation Fund – 208*
 - *Other Revenue - \$150,000*
 - *Recreation and Culture - \$150,000*

Whereas, the increased revenue and appropriations will not cause the fund balance in any of the funds to go below the policy mandated thresholds.

Now therefore, be it resolved that the City Council of the City of Pontiac approves the Youth Recreation amendment for the Williams International Education funding for the fiscal year 2018-2019 as requested by the Mayor above.

EXHIBIT A

General Fund - 101

ESTIMATED REVENUES

	2018-2019 Current budget	2018-2019 Proposed Amendment	2018-2019 Amended Budget
Property Taxes	7,912,643		7,912,643
Income Taxes	13,450,000		13,450,000
Licenses and Permits	195,000		195,000
Federal Grants	115,000		115,000
State Grants	9,962,707		9,962,707
Charges for Services	1,115,600		1,115,600
Fines and Forfeits	108,000		108,000
Interest and Rents	376,000		376,000
Other Revenue	2,433,704		2,433,704
Transfers In and Other Uses	240,000		240,000
TOTAL ESTIMATED REVENUES	35,908,654		35,908,654

APPROPRIATIONS

General Government	8,836,826		8,836,826
Public Safety	20,009,581		20,009,581
Public Works	2,681,356	3,526	2,684,882
Health and Welfare	150,000	101,310	251,310
Community and Economic Development	2,439,432		2,439,432
Recreation and Culture	700,610	20,000	720,610
Other Functions	2,452,662		2,452,662
Transfers Out and Other Uses	2,188,182		2,188,182
TOTAL APPROPRIATIONS	39,458,649	124,836	39,583,485

General Fund

NET REVENUES/APPROPRIATIONS	(3,549,995)	(124,836)	(3,674,831)
Audited - Use of Assigned fund balance FY 18	(3,550,000)		(3,550,000)
NET REVENUES/APPROPRIATIONS	5		(124,831)
Audited - Nonspendable fund balance FY 18	15,278		15,278
Audited - Committed fund balance FY 18	3,200,000		3,200,000
Audited - Unassigned fund balance FY 18	10,593,924		10,469,093
Estimated fund balance 2019	13,809,207		13,684,371
Unassigned fund balance as a percentage of expenditures	27%		26%
Fund Balance policy	15%		15%

EXHIBIT A - continued

Local Street Fund - 203

		2018-2019		2018-2019
ESTIMATED REVENUES		Current budget	Proposed Amendment	Amended Budget
	State Grants	1,522,860	121,157	1,644,017
	Interest and Rents	21,493		21,493
	Transfers In	14,125		14,125
	TOTAL ESTIMATED REVENUES	1,558,478	121,157	1,679,635
APPROPRIATIONS				
	Public Works	2,869,536	1,857,371	4,726,907
	TOTAL APPROPRIATIONS	2,869,536	1,857,371	4,726,907
General Fund	NET REVENUES/APPROPRIATIONS	(1,311,058)	(1,736,214)	(3,047,272)
	Audited - Fund balance FY 18	5,933,352		5,933,352
	Estimated fund balance 2019	4,622,294		2,886,080
	Fund balance as a percentage of expenditures	161%		61%
	Fund Balance policy	10-20%		10-20%

Youth Recreation Fund - 208

		2018-2019		2018-2019
ESTIMATED REVENUES		Current budget	Proposed Amendment	Amended Budget
	Property Taxes	960,642		960,642
	Transfers In	6,331		6,331
	TOTAL ESTIMATED REVENUES	966,973	-	966,973
APPROPRIATIONS				
	Recreation and Culture	964,393	70,000	1,034,393
	TOTAL APPROPRIATIONS	964,393	70,000	1,034,393
General Fund	NET REVENUES/APPROPRIATIONS	2,580	(70,000)	(67,420)
	Audited - Fund balance FY 18	161,751		161,751
	Estimated fund balance 2019	164,331		94,331
	Fund balance as a percentage of expenditures	17%		9%
	Fund Balance policy	10%		10%

Cemetery Fund - 209

		2018-2019		2018-2019
ESTIMATED REVENUES		Current budget	Proposed Amendment	Amended Budget
	Charges for Service	10,000		10,000
	Transfers In and Other Uses	240,337		240,337
	TOTAL ESTIMATED REVENUES	250,337	-	250,337
APPROPRIATIONS				
	General Government	246,996	4,828	251,824
	TOTAL APPROPRIATIONS	246,996	4,828	251,824
General Fund	NET REVENUES/APPROPRIATIONS	3,341	(4,828)	(1,487)
	Audited - Fund balance FY 18	62,948		62,948
	Estimated fund balance 2019	66,289		61,461
	Fund balance as a percentage of expenditures	27%		24%
	Fund Balance policy	10%		10%

EXHIBIT A - continued

Senior Activities Fund - 212

ESTIMATED REVENUES	2018-2019		2018-2019
	Current budget	Proposed Amendment	Amended Budget
Property Taxes	306,860		306,860
Interest and Rents	19,397		19,397
Transfers In	28,499		28,499
TOTAL ESTIMATED REVENUES	354,756	-	354,756
APPROPRIATIONS			
Recreation and Culture	452,021	204,600	656,621
TOTAL APPROPRIATIONS	452,021	204,600	656,621
General Fund			
NET REVENUES/APPROPRIATIONS	(97,265)	(204,600)	(301,865)
Audited -Fund balance FY 18	969,486		969,486
Estimated fund balance 2019	872,221		667,621
Fund balance as a percentage of expenditures	193%		102%
Fund Balance policy	10%		10%

Cable Fund - 213

ESTIMATED REVENUES	2018-2019		2018-2019
	Current budget	Proposed Amendment	Amended Budget
Charges for Service	175,100		175,100
Interest and Rents	6,631		6,631
Transfers In	2,840		2,840
TOTAL ESTIMATED REVENUES	184,571	-	184,571
APPROPRIATIONS			
General Government	138,815	722,351	861,166
TOTAL APPROPRIATIONS	138,815	722,351	861,166
General Fund			
NET REVENUES/APPROPRIATIONS	45,756	(722,351)	(676,595)
Audited -Fund balance FY 18	1,166,125		1,166,125
Estimated fund balance 2019	1,211,881		489,530
Fund balance as a percentage of expenditures	873%		57%
Fund Balance policy	10%		10%

Capital Improvement Fund - 445

ESTIMATED REVENUES	2018-2019		2018-2019
	Current budget	Proposed Amendment	Amended Budget
Property Taxes	908,036		908,036
Other Revenue	5,000		5,000
Interest and Rents	20,555		20,555
TOTAL ESTIMATED REVENUES	933,591	-	933,591
APPROPRIATIONS			
General Government	721,333	1,457,000	2,178,333
Public Safety	178,000	80,000	258,000
Public Works	695,132		695,132
Community and Economic Development	115,136		115,136
TOTAL APPROPRIATIONS	1,709,601	1,537,000	3,246,601
General Fund			
NET REVENUES/APPROPRIATIONS	(776,010)	(1,537,000)	(2,313,010)
Audited -Fund balance FY 18	2,800,087		2,800,087
Estimated fund balance 2019	2,024,077		487,077
Fund balance as a percentage of expenditures	118%		15%
Fund Balance policy	15%		15%

RESOLUTION

#6



MEMORANDUM

City of Pontiac
Controller's Office
47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3118
Fax: (248) 758-3197

DATE : 02/07/2019

TO: Honorable Mayor and City Council

FROM: Danielle Kelley, Plante & Moran - Controller's Office

THROUGH: Jane Bais DiSessa – Deputy Mayor

SUBJECT: Budget amendment FY 2018-2019 – fiscal year 2017-2018 rollovers for Department of Public Works

Mayor Waterman,

We have reviewed both projects not completed and available budget of fiscal year 2018 with the department of public works and identified those projects and available budget which can be used to complete projects in this fiscal year 2019. Those projects are:

- General Fund
 - \$3,526 – Computer equipment for DPW department budgeted, but not expended
 - \$20,000 – Grass Cutting expenditures budgeted, but not expended
- Local Street Fund
 - \$121,157 – ACT 51 funding from FY 18 recognized in FY 19 (60 day rule)
 - \$106,775 – Non-motorized construction and sidewalk repair
 - \$970,160 – Kettering road repair
 - \$610,000 – Irwin road repair
 - \$170,436 – additional funding as needed for road repairs
- Cemetery Fund
 - \$4,828 – Grass cutting expenditures budgeted, but not expended.
- Senior Center Fund
 - \$204,600 – Ruth Peterson roof repair
- Capital Improvement Fund
 - \$290,000 – City Hall parking lot repair
 - \$1,117,000 – Building additions and improvements to City Hall and Courthouse
 - \$25,000 – repairs for Ottawa Park Cemetery
 - \$25,000 – repairs for Oak Hill Cemetery
 - \$80,000 – Police station improvements

If Council agrees with the budget amendment above, then the following resolution would be in order:

Whereas, the City of Pontiac timely approved the 2018-2019 budget on June 8, 2018, and;

Whereas, the Mayor has reviewed the department of public works requests for rollover of unused appropriations in the previous fiscal year, 2017-2018, and;

Whereas, the Mayor is proposing to the City Council to increase the appropriations for the current year 2018-2019 for the funds and amounts described in exhibit A and below as necessary to complete the projects that the City Council had fully funded and approved in the last fiscal year but were not timely expended. Those amounts are:

- *General Fund - \$23,526*
 - *Public Works - \$3,526*
 - *Recreation and Culture - \$20,000*
- *Local Street Fund - \$1,736,214 (net)*
 - *State Grant Revenue - \$121,157*
 - *Public Works - \$1,857,371*
- *Cemetery Fund - \$4,828*
 - *General Government - \$4,828*
- *Senior Center Fund - \$204,600*
 - *Recreation and Culture - \$204,600*
- *Capital Improvement Fund - \$1,537,000*
 - *General Government - \$1,457,000*
 - *Public Safety - \$80,000*

Whereas, the increased appropriations will not cause the fund balance in any of the funds to go below the policy mandated thresholds and;

Now therefore, be it resolved that the City Council of the City of Pontiac approves the rollover budget amendments for the fiscal year 2018-2019 as requested by the Mayor and department of public works above and detailed in the attachment labeled exhibit A.

EXHIBIT A**General Fund - 101****ESTIMATED REVENUES**

	2018-2019		2018-2019
	Current budget	Proposed Amendment	Amended Budget
Property Taxes	7,912,643		7,912,643
Income Taxes	13,450,000		13,450,000
Licenses and Permits	195,000		195,000
Federal Grants	115,000		115,000
State Grants	9,962,707		9,962,707
Charges for Services	1,115,600		1,115,600
Fines and Forfeits	108,000		108,000
Interest and Rents	376,000		376,000
Other Revenue	2,433,704		2,433,704
Transfers In and Other Uses	240,000		240,000
TOTAL ESTIMATED REVENUES	35,908,654	-	35,908,654

APPROPRIATIONS

General Government	8,836,826		8,836,826
Public Safety	20,009,581		20,009,581
Public Works	2,681,356	3,526	2,684,882
Health and Welfare	150,000		150,000
Community and Economic Development	2,439,432		2,439,432
Recreation and Culture	700,610	20,000	720,610
Other Functions	2,452,662		2,452,662
Transfers Out and Other Uses	2,188,182		2,188,182
TOTAL APPROPRIATIONS	39,458,649	23,526	39,482,175

General Fund

NET REVENUES/APPROPRIATIONS	(3,549,995)	(23,526)	(3,573,521)
Audited - Use of Assigned fund balance FY 18	(3,550,000)		(3,550,000)
NET REVENUES/APPROPRIATIONS	5		(23,521)
Audited - Nonspendable fund balance FY 18	15,278		15,278
Audited - Committed fund balance FY 18	3,200,000		3,200,000
Audited - Unassigned fund balance FY 18	10,593,924		10,570,403
Estimated fund balance 2019	13,809,207		13,785,681
Unassigned fund balance as a percentage of expenditures	27%		27%
Fund Balance policy	15%		15%

EXHIBIT A - continued**Local Street Fund - 203****ESTIMATED REVENUES**

	2018-2019 Current budget	Proposed Amendment	2018-2019 Amended Budget
State Grants	1,522,860	121,157	1,644,017
Interest and Rents	21,493	-	21,493
Transfers In	14,125		14,125
TOTAL ESTIMATED REVENUES	1,558,478	121,157	1,679,635

APPROPRIATIONS

Public Works	2,869,536	1,857,371	4,726,907
TOTAL APPROPRIATIONS	2,869,536	1,857,371	4,726,907

General Fund

NET REVENUES/APPROPRIATIONS	(1,311,058)	(1,736,214)	(3,047,272)
Audited - Fund balance FY 18	5,933,352		5,933,352
Estimated fund balance 2019	4,622,294		2,886,080
Fund balance as a percentage of expenditures	161%		61%
Fund Balance policy	10-20%		10-20%

Cemetery Fund - 209**ESTIMATED REVENUES**

	2018-2019 Current budget	Proposed Amendment	2018-2019 Amended Budget
Charges for Service	10,000		10,000
Transfers In and Other Uses	240,337		240,337
TOTAL ESTIMATED REVENUES	250,337	-	250,337

APPROPRIATIONS

General Government	246,996	4,828	251,824
TOTAL APPROPRIATIONS	246,996	4,828	251,824

General Fund

NET REVENUES/APPROPRIATIONS	3,341	(4,828)	(1,487)
Audited - Fund balance FY 18	62,948		62,948
Estimated fund balance 2019	66,289		61,461
Fund balance as a percentage of expenditures	27%		24%
Fund Balance policy	10%		10%

Senior Activities Fund - 212**ESTIMATED REVENUES**

	2018-2019 Current budget	Proposed Amendment	2018-2019 Amended Budget
Property Taxes	306,860		306,860
Interest and Rents	19,397		19,397
Transfers In	28,499		28,499
TOTAL ESTIMATED REVENUES	354,756	-	354,756

APPROPRIATIONS

Recreation and Culture	452,021	204,600	656,621
TOTAL APPROPRIATIONS	452,021	204,600	656,621

General Fund

NET REVENUES/APPROPRIATIONS	(97,265)	(204,600)	(301,865)
Audited - Fund balance FY 18	969,486		969,486
Estimated fund balance 2019	872,221		667,621
Fund balance as a percentage of expenditures	193%		102%
Fund Balance policy	10%		10%

EXHIBIT A - continued**Capital Improvement Fund - 445**

		2018-2019		2018-2019
		Current budget	Proposed Amendment	Amended Budget
ESTIMATED REVENUES				
	Property Taxes	908,036		908,036
	Other Revenue	5,000		5,000
	Interest and Rents	20,555		20,555
	TOTAL ESTIMATED REVENUES	933,591	-	933,591
APPROPRIATIONS				
	General Government	721,333	1,457,000	2,178,333
	Public Safety	178,000	80,000	258,000
	Public Works	695,132		695,132
	Community and Economic Development	115,136		115,136
	TOTAL APPROPRIATIONS	1,709,601	1,537,000	3,246,601
General Fund				
	NET REVENUES/APPROPRIATIONS	(776,010)	(1,537,000)	(2,313,010)
	Audited - Fund balance FY 18	2,800,087		2,800,087
	Estimated fund balance 2019	2,024,077		487,077
	Fund balance as a percentage of expenditures	118%		15%
	Fund Balance policy	15%		15%

RESOLUTION

#7



CITY OF PONTIAC
Department of Building Safety & Planning
Planning Division

47450 Woodward Avenue | Pontiac, MI 48342
T: 248.758.2800 | F: 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 18-09 ZONING MAP AMENDMENT
JAMES TREVOR DANIEL
19 LIBERTY STREET | PIN 64-14-29-307-012
R-1 ONE FAMILY DWELLING TO R-3 MULTIPLE FAMILY DWELLING

DATE: JANUARY 20, 2019

The City of Pontiac is in receipt of application ZMA 18-09 for a Zoning Map Amendment (rezoning) parcel 64-14-29-307-012. The November 28, 2018 meeting, the Planning Commission recommended to City Council the approval of the Zoning Map Amendment.

The approximately 6,400 sq. ft. parcel is located on the south side of Liberty Street between Evelyn Court and Henderson Street. Mr. Daniel, applicant requests a rezoning from R-1 One Family Dwelling to R-3 Multiple Family Dwelling. According to the applicant the legal non-conforming quadruplex [4 units] provides a quality, safe, updated rental to Pontiac residents. The rezoning would ensure that the parcel use is properly zoned and would also safeguard neighborhood residents living in this stable, sustainable neighborhood. The 4-unit apartment building is a permitted use in the R-3 Multiple Family Dwelling zoning district.

The subject site is located on a single parcel and has vehicular access from Liberty Street. The surrounding area consist of a majority of multiple family buildings to the north. Scattered vacant parcels and multiple and one family dwelling units to the east, and single family and two family dwelling units and numerous vacant parcels to the south and west.

Abutting properties to the east are zoned R-1 One Family Dwelling and R-3 Multiple Family Dwelling. South of subject site is zoned R-1. West of the site is zoned R-1 and R-2 Two Family Dwelling and the north is zoned R-3 Multiple Family Dwelling zoning district.

The subject site is designated as Traditional Neighborhood Residential Land Use Category. The goals of this category is to provide flexibility that encourages the positive, appropriate use and zoned properties in the City that provides a diverse housing stock appealing to a population with a wide range of incomes and housing types.

Zoning Map Amendment Criteria

The City Council must consider any of the following criteria [section 6.804, A-J] that apply to the application in making a decision to amend the Official Zoning Map [Section 6.804]. To assist in the evaluation, we offer the following findings of fact for your consideration.

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 project is consistent with the goals, policies, and objectives of the City's Master Plan and with current development/redevelopment housing trends in this neighborhood.
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 fully developed 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 provide evidence that they could not develop the property with a single family dwelling unit, urban agriculture, solar energy installation or a community center. It is clear that demolition and development costs will 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 existing multiple family apartment building is compatible with uses allowed within the R-3 zoning district and will not negatively impact neighborhood 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.*
Existing City utilities are provided and have sufficient capacity for the quadruplex 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.*
Liberty Street is a City Local Road. The proposed development will not impact the ability of this street 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 R-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 R-1 One Family Dwelling district with its primary goal of creating settings for single family residential neighborhoods to allow multiple family apartment buildings within the 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 zone within the neighborhood and it is reasonable to continue the R-3 zoning pattern located on the north side of Liberty Street and to the east side of Henderson Street.

ZMA 18-09 - Zoning Map Amendment
Address: 19 Liberty Street
Parcel: 64-14-29-307-012

Resolution

Whereas, The City has received an application for a Zoning Map Amendment for 19 Liberty Street, identified as PIN 64-14-29-307-012 from James Trevor Daniel and the applicant's petition is 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

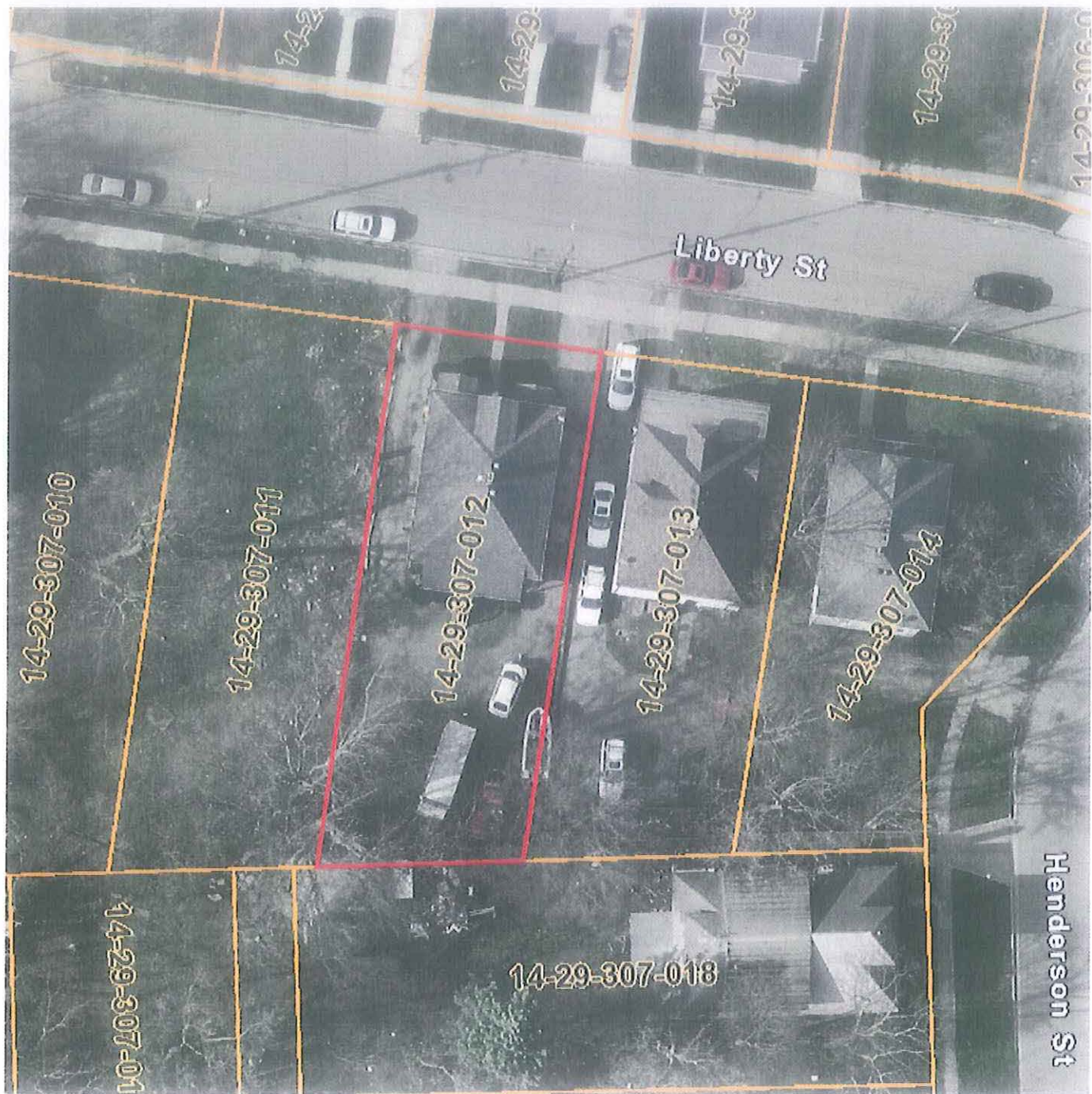
Whereas, The Planning Division has reviewed the applicant's rezoning request and the requirements set forth by Section 6.804 of the Zoning Ordinance, and the Planning Division has determined the aforementioned request and proposed intended use of the property complies with the City of Pontiac Zoning 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 November 28, 2018, a Public Hearing was held, and in consideration of public opinion, the Planning Commission recommends City Council approve the Zoning Map Amendment request for 19 Liberty Street, approving the change from the current R-1 One Family Dwelling District to R-3 Multiple Family Dwelling District; 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 (ZMA 18-09) request for 19 Liberty Street, also known as PIN 64-14-29-307-012, to amend the current site zoning from R-1 One Family Dwelling District to R-3 Multiple Family Dwelling District.





14-29-307-010

14-29-307-011

14-29-307-012

14-29-307-013

14-29-307-014

14-29-307-018

14-29-307-01

Liberty St

Henderson St



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: _____

Sidwell Number: _____

Date: _____

Office Use Only

PF Number: ZMA-18-09

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			
Address			
City			
State			
ZIP Code			
Telephone	Main: _____	Cell: _____	Fax: _____
E-Mail			

Project and Property Information

Name of Proposed Development: _____

The subject property is location at _____ on the N / S / E / W side of _____
between _____ and _____.

The property is zoned: _____

Proposed Zoning District: R-1

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

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

Property Owner Information

Name	TAYLOR, T. J.		
Address	701 E. 10th		
City	Ann Arbor		
State	MI		
ZIP Code	48106		
Telephone	Main:	Cell: 419-221-8000	Fax:
E-Mail			

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: _____

Reasoning for Zoning Map Amendment for 19 & 21 Liberty

19 & 21 Liberty are a quadplex or 4 unit (see photos) which is fully licensed and in good standing with the city of Pontiac's Building Safety and Planning Department. This 4 unit will continue to provide safe, updated and high quality rentals to Pontiac residents. Moving 19 & 21 Liberty from its current status of R1 Non Confirming to R2 would benefit the city by removing the potential of permanent displacement of 3 families should an unfortunate event occur and damage the building more than 50%.

Due to my relaxed screening process and my significant involvement at the Pontiac Dream Center I am willing to bring on tenants who most landlords would not be willing to even talk with. As it currently stands if 19 & 21 Liberty ever becomes over 50% damaged causing it to revert back to standard R1 three families will be permanently displaced from my building. By changing it to R2 I will be allowed to keep it as a 4 unit and would be able to provide accommodations to tenants while repairs are underway.

As far as any negative impact on the city or street; I do not see any. It is currently being used as a 4 unit. From a practical standpoint there would not be any changes to how the building is currently being utilized. This change would only be a proactive action to ensure protection to three of the tenants at a future date.



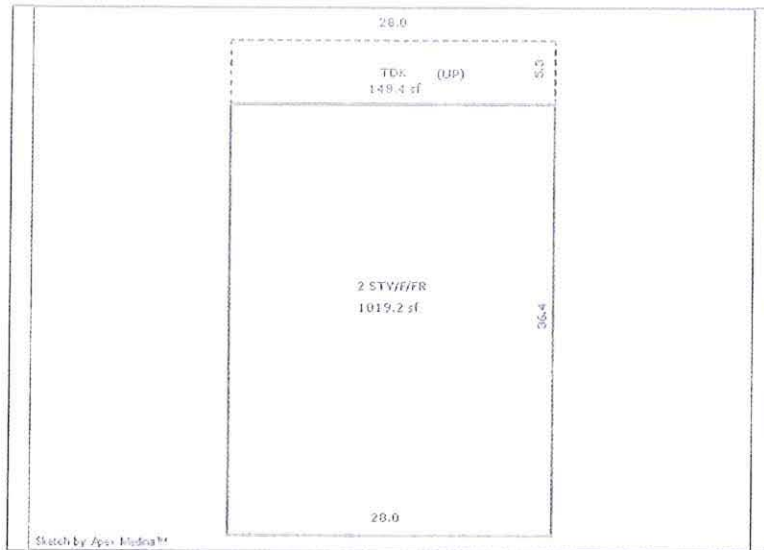
Parcel Sketch View

City of Pontiac (64)

Page Print Layout: 2 per page

PIN: 14-29-307-012

PRINT DATE: 11/5/2018



19 & 21 Liberty



RESOLUTION

#8



CITY OF PONTIAC
Department of Building Safety & Planning
Planning Division

47450 Woodward Avenue | Pontiac, MI 48342
T: 248.758.2800 | F: 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 18-10 ZONING MAP AMENDMENT
KAREN DANIEL, OWNER | JAMES TREVOR DANIEL, APPLICANT
99 S. JESSIE STREET | PIN 64-14-28-383-013
R-1 ONE FAMILY DWELLING TO
R-2 TWO FAMILY & TERRACE FAMILY DWELLING

DATE: JANUARY 20, 2019

The City of Pontiac is in receipt of application ZMA 18-10 for a Zoning Map Amendment [rezoning] parcel 64-14-28-383-013. At the November 28, 2018 meeting, the Planning Commission recommended to City Council the approval of the Zoning Map Amendment.

The 6,780 sq. ft. site is located on the east side of S. Jessie Street, approximately 150 feet north of Auburn Road. The applicant requests a rezoning from R-1 One Family Dwelling to R-2 Two Family & Terrace Family Dwelling. The legal non-conforming duplex provides a quality, safe, updated rental to Pontiac residents. The rezoning would benefit the residents by providing a stable, sustainable neighborhood and provide tenants to reside in a duplex dwelling unit that is properly zoned. A two family apartment building is a permitted use in the R-2 Two Family & Terrace Family Dwelling zoning district.

The subject site is located on a single parcel with direct vehicular access from S. Jessie Street. The surrounding area consist of two and single family dwelling units to the north. A vacant parcel and a multiple family building to the east and southeast, respectively. A vacant commercial building to the south and single family dwellings to the west.

Abutting properties to the east are zoned R-1 One Family Dwelling and R-2 Two Family & Terrace Family Dwelling. South of subject site is zoned R-1. West of the site is zoned C-1 Local Business and to the north is R-1 zoning district.

The proposed Zoning Map Amendment does reflect and adhere to the Master Plan's policies to strengthen existing residential neighborhoods, provide diverse housing choices, and ensure residential development complement and enhance the character of existing neighborhoods and have a positive effect on property values.

Rezoning Criteria

The Pontiac City Council must consider any of the following criteria [section 6.804, A-J] that apply to a decision to amend the Official Zoning Map [Section 6.804]. To assist the City Council in its evaluation, we offer the following rationale for your consideration.

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 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 is fully developed 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 provide evidence that they could not develop the property with a single family dwelling unit or a community center. It is clear that demolition and development costs will 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 existing duplex apartment building is compatible with uses allowed within the R-2 zoning district and will not negatively impact neighborhood 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.*
Existing City utilities are provided and have sufficient capacity for the duplex.
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. Jessie Street is a City Local Road. The existing duplex will not impact the ability of this street and Auburn Road to handle existing or 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 R-2 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 R-1 One Family Dwelling district with its primary goal of creating settings for single family residential neighborhoods to allow two family apartment buildings within the 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 or incompatible zone within the neighborhood, since the proposed rezoning located near other R-2 zoned parcels and commercial used parcel.

ZMA 18-10 - Zoning Map Amendment
Address: 99 S Jessie Street
Parcel: 64-14-28-383-013

Resolution

Whereas, The City has received an application for a Zoning Map Amendment for 99 S Jessie Street, identified as PIN 64-14-28-383-013 from Karen Daniel, Owner and James Trevor Daniel, Applicant is 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 November 28, 2018, a Public Hearing was held, and in consideration of public opinion, the Planning Commission recommends City Council approve the Zoning Map Amendment request for 99 S Jessie Street, approving the change from the current R-1 One Family Dwelling District to R-2 Two Family & Terrace Family Dwelling District; 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 (ZMA 18-10) request for 99 S Jessie Street, also known as PIN 64-14-28-383-013, to amend the current site zoning from R-1 One Family Dwelling District to R-2 Two Family & Terrace Family Dwelling District.







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: 99 S. Jessie

Sidwell Number: 14-38-383-013

Office Use Only

PF Number: 248-1870

Date: _____

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>James Taylor Daniel</u>		
Address	<u>3341 Empire</u>		
City	<u>Pontiac Hill</u>		
State	<u>MI</u>		
ZIP Code	<u>48305</u>		
Telephone	Main: _____	Cell: <u>248-333-3237</u>	Fax: _____
E-Mail	_____		

Project and Property Information

Name of Proposed Development: _____

The subject property is located at 99 S. Jessie on the N / S (E) / W side of Jessie between Empire and Sharn Road.

The property is zoned: R-1 Non-Conforming

Proposed Zoning District: R-2

It is proposed that the property will be used as: R-2

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

Property Owner Information

Name	Karen Daniel		
Address	5041 Egan		
City	Bloomfield Hills		
State	MI		
ZIP Code	48309		
Telephone	Main:	Cell: 734-637-9791	Fax:
E-Mail	Mrs. Daniel 21121@earthlink.net		

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.).

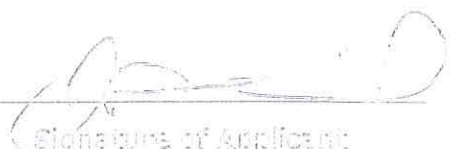
see attached

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.

see attached



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.

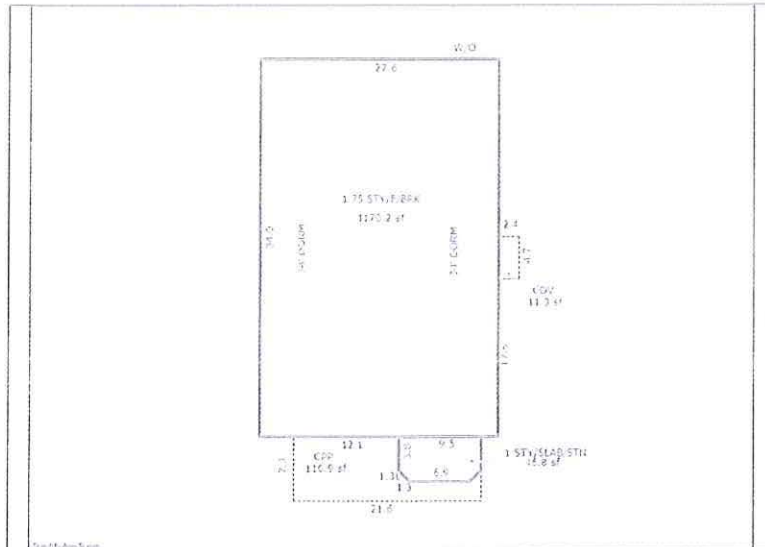
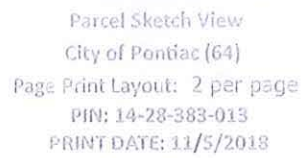
Notary Public, Oakland County, Michigan
My Commission Expires: _____

Reasoning for Zoning Map Amendment for 99 S. Jessie

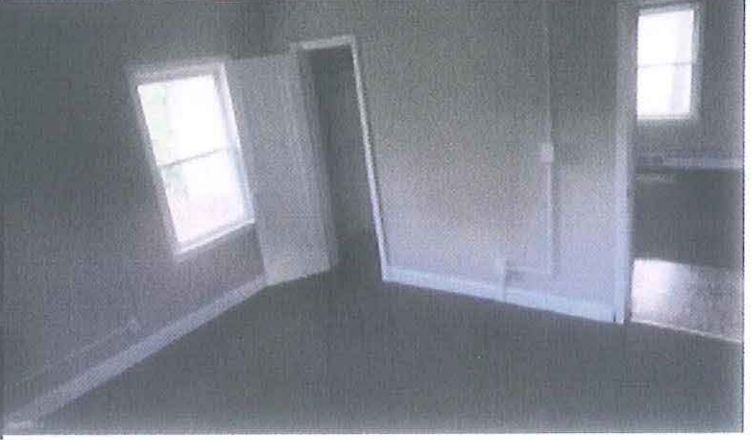
99 S. Jessie is a duplex (see photos) which is fully licensed and in good standing with the city of Pontiac's Building Safety and Planning Department. This duplex will continue to provide safe, updated and high quality rentals to Pontiac residents. Moving 99 S. Jessie from its current status of R1 Non Confirming to R2 benefit the city by removing the potential of permanent displacement of 1 family should an unfortunate event occur and damage the building more than 50%.

Due to my relaxed screening process and my significant involvement at the Pontiac Dream Center I am willing to bring on tenants who most landlords would not be willing to even talk with. As it currently stands if 99 S. Jessie ever becomes over 50% damaged causing it to revert back to standard R1 one family will be permanently displaced from my building. By changing it to R2 I will be allowed to keep it as a duplex and would be able to provide accommodation to a tenant while repairs are underway.

As far as any negative impact on the city or street; I do not see any. It is currently being used as a duplex. From a practical standpoint there would not be any changes to how everything is currently being utilized. This change would only be a proactive action to ensure protection to one of the tenants at a future date.



99 S. Jessie



RESOLUTION

#9



CITY OF PONTIAC
Department of Building Safety & Planning
PLANNING DIVISION
47450 Woodward Avenue | Pontiac, MI 48342
T: 2348.758.2800 | F: 248.758.2827

Mayor Deirdre Waterman

MEMORANDUM

TO: Honorable Mayor, Council President, and City Council

FROM: Vern Gustafsson – Planning Manager
Through the Office of Deputy Mayor – Jane Bais-DiSessa

SUBJECT: Amending the Development Agreement for the Henry Ford Medical Center Signs, Village at Bloomfield

DATE: January 20, 2019

History

At the December 28, 2016 meeting, the City Council approved several amendments to the original Development Agreement for Bloomfield Park to reflect the Master Plan envisioned by Redico for the Village at Bloomfield, which includes sign updates. One of the changes involved a request for wall signs on the parking deck adjoining a future medical office building. The City Council elected not to take action on the parking deck signs to allow the specific sign, location, and tenant to be presented at a future meeting.

Amendment Request

Henry Ford Medical Center in conjunction with Redico, received approval from the Joint Development Council [JDC] for wall signs in compliance with the allowable sign area on June 20, 2018. Subsequently, on November 28, 2018, the JDC considered a revised sign proposal from Henry Ford Medical Center to allow additional signs on the adjoining parking deck [see attached correspondences and JDC Memorandum].

Two 14 ft. x 81 ft. Illuminated wall signs are proposed near the top of the parking deck on the west and south elevations. The location of the two wall signs will be placed at a height not to exceed 88 ft. 1.5 in. The Development Agreement allows a height of no higher than four stories or 58 ft. for an office building and wall signs are not to be illuminated. The proposed 2,643 sq. ft. total sign area for the Henry Ford Medical Center exceeds the 800 sq. ft. sign area allowed per building by the Development Agreement as amended.

In discussions of this agenda item at the November 28th JDC meeting, the JDC voted to approve the additional signs and locations as submitted subject to:

1. Provide dimming features to lower the intensity of sign illumination;
2. Install timers on the parking deck signs, and;
3. Seek an Amendment to the Development Agreement for the additional signs.

Recommendation

We suggest the City Council discuss the specific amendment request for the Henry Ford Medical Center sign request at the Village at Bloomfield and authorize the City Attorney to prepare an amendment to the Development Agreement for the Mayor and City Council signatures.

December 5, 2018

Pontiac City Clerk
47450 Woodward
Pontiac, MI 48342

Regarding: Henry Ford Medical Center and Parking Structure
Hobbs+Black Project #:18605

Property Address: Village at Bloomfield
1961 S. Telegraph Road
Building D, Medical Office Building and Parking Structure

**Request: Amendment to the Development Agreement
For Additional Signage Area and Mounting Height**

Dear Council Members:

Pursuant to the November 28, 2018 Joint Development Council meeting, we are asking the City of Pontiac to review the request to amend the Development Agreement for additional signage area and signage height.

The attached letter from Hobbs+Black dated September 27, 2018 provides a summary of the changes requested regarding signage. Per the JDC's recommendations in their approved motion, a dimming feature will be provided to adjust the intensity of the illumination, and timers will be installed on the parking deck signage.

A copy of the JDC Memorandum from the November 28th meeting is attached for reference, as well as a site plan and drawings illustrating the proposed signage.

We believe this signage will be an important wayfinding feature for this medical office building and we urge the council to recommend approval of the amendment of the development agreement to the JDC.

Sincerely,



Tom Dillenbeck
Vice President

TMD/dmm

JDC Memorandum

Date: November 20, 2018

From: Patti Voelker, Director of Planning, Building & Ordinance
Vern Gustafsson, Pontiac Planning Manager

Re: Henry Ford Medical Center and Parking Structure

Property Addresses: Act 425 Transferred Area

Request: Sign Review for additional signage for the Henry Ford Medical Center and abutting parking structure

Amenities: 84,000 sq. ft. office building and 345,257 sq. ft. 8 level parking structure

Legal Description: Village at Bloomfield Development Property, Tier C (570 ft. from Telegraph Rd).

Zoning: T-C, Town Center zone district. A medical office building is a permitted principal use and a parking structure is a permitted accessory use pursuant to the Town Center Ordinance

Background:

At the June 20, 2018 meeting, the Joint staff report for the Henry Ford Medical Center noted that the two signage areas near the top of the parking decks indicated on the west and south elevations were not permitted per Section 7.d.2. of the Development Agreement. The JDC approved the Henry Ford site plan subject to the condition that they submit an application for any future parking deck signage. It was noted that an amendment to the Development Agreement would be required for any additional signage that exceeded the maximum signage area and/or signage height allowed.

The JDC has received a request from Redico to amend the Development Agreement to allow the Henry Ford Medical Center at the Village at Bloomfield the opportunity to add additional signage area for that tenant and to allow the additional two signs to be located on the upper floor of the parking deck.

Signage:

Wall signage is subject to the terms of the Amended Development Agreement which establishes the combined sign area not to exceed 800 sq. ft. for the building and parking structure per the allowable wall sign chart. On June 20, 2018, the applicant received approval for 5 wall signs that total 375 sq. ft.

Two additional 1,134 sf wall signs are proposed near the top of the adjoining parking deck on the west and south elevations to total 2,643 sq. ft. which exceeds the 800 sq. ft. or no more than 6 % of the building's façade as allowed by Section 7.d.3.a of the First Amendment to the Development Agreement. In addition, the two wall signs will be internally illuminated and located at a height of 88 ft. on the west elevation and 81 ft. on the south elevation which exceed the provisions noted in Section 7.d.2 as follows:

2. Wall signs placed on any building shall not exceed the height of the building, and in no case shall wall signs be located above four (4) stories or at a height greater than fifty-eight (58) feet, whichever is less, except for signs that identify the name of the hotel or an office building and are designed as an integral part of the architectural design of the building. Building identification signage shall not be illuminated except for a movie theater, marquee sign, or a hotel sign located no higher than five (5) stories or at a height not greater than seventy-one (71) feet, whichever is less.

To limit the potential of any negative visual intrusion into the residential neighborhoods, the JDC may want to consider requiring the internal illumination of the signs to be capable of dimming the intensity of the illumination and installing timers should the signage be determined to negatively impact those residential properties in direct line of sight with the parking deck signage.

Planning Summary:

Based on a review of the sign plan documents, it is recommended that the JDC consider under what conditions signage approval for the parking deck signage may be granted for the revised signage plan for the Henry Ford Medical Center signage, subject to:

1. Providing dimming features to lower the intensity of the illumination.
2. Installing timers on the parking deck signage.
3. Seeking an amendment to the Development Agreement for additional signage.

September 27, 2018

Joint Development Council
Village at Bloomfield
425 Agreement

Pontiac City Clerk
47450 Woodward
Pontiac, MI 48342

Bloomfield Township Clerk
4200 Telegraph Road
P.O. Box 489
Bloomfield Hills, MI 48303

Regarding: Henry Ford Medical Center and Parking Structure
Hobbs+Black Project #: 18605

Property Address: Village at Bloomfield
1961 S. Telegraph Road
Building D, Medical Office Building and Parking Structure

Request: **Amendment to the Development Agreement
For Additional Signage Area and Mounting Height**

Dear Council Members:

Following the Site Plan Review for the Henry Ford Medical Center and Parking Structure, we are requesting additional signage area and mounting height for the two wall mounted signs located at the upper level of the parking structure. The purpose of this request is due to the medical use of the building and the importance of wayfinding for the patrons coming to the facility.

Per the Development Agreement, Section 7.d.2:

Wall signs placed on any building shall not exceed the height of the building, and in no case shall wall signs be located above four (4) stories or at a height greater than fifty-eight (58) feet, whichever is less, except for signs that identify the name of the hotel or an office building and are designed as an integral part of the architectural design of the building. Building Identification signage shall not be illuminated except for a movie theater, marquee sign, or a hotel sign located no higher than five (5) stories or at a height not greater than seventy-one (71) feet, whichever is less.

As shown on the attached drawings, the top of the wall mounted signs are intended to be integrated with the design of the parking deck by aligning the top of the signage with the top of the parking structure parapet which is located 88'-1 1/2" above grade level.

The Amended Development Agreement further states that the combined sign area shall not exceed 800 square feet for the building and parking structure. Building signage proposed during the Site Plan Review included five wall signs totaling 375 square feet. As shown on the attached drawings, the two additional signs located at the upper level of the parking structure are 1,134 square feet each.

The proposed signs are located a significant distance, approximately 600 feet, from the public street. The sightline from the Telegraph Road to the medical building is also obscured by the mature trees that fill the existing wetlands to the south of the building. The size and mounting height of the proposed signs are intended to provide visibility from the public street to help guide the users of this medical facility to their intended destination to fulfill their healthcare needs.

We urge the council to take these factors into consideration when reviewing this request for an amendment to the development agreement.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Dillenbeck". The signature is fluid and cursive, with the first name "Tom" and last name "Dillenbeck" clearly distinguishable.

Tom Dillenbeck
Vice President

TMD/dmm

Enclosures: Site Plan and Signage Drawings

100,000 sq. ft. retail building

Blomfield Turnpike

Telephone Road

PROPOSED RETAIL BUILDING

10/1/81

NE ENGINEERS, INC.

100,000 sq. ft. retail building

Blomfield Turnpike

Telephone Road

PROPOSED RETAIL BUILDING

10/1/81

NE ENGINEERS, INC.

Village at Bloomfield
Building D, Medical Office Building

9' 5 1/2"

61' 0"

Plan View

13' 0"

57' 5 1/2"

9' 5 1/2"

Henry Ford
HEALTH SYSTEM

HENRY FORD
Medical Center

Wall Mount - Qty (2) *NOT Recommended For use in adverse weather*

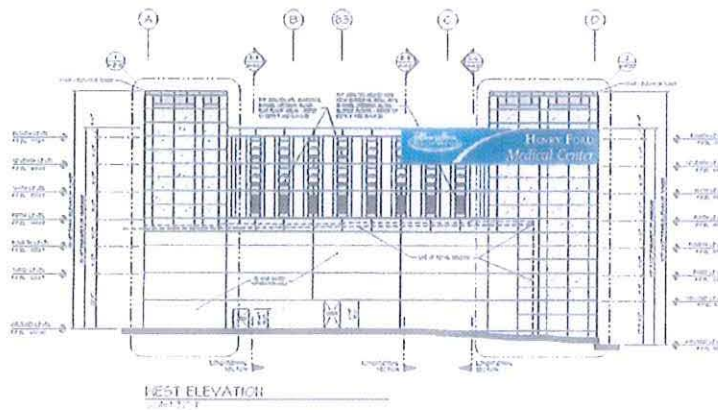
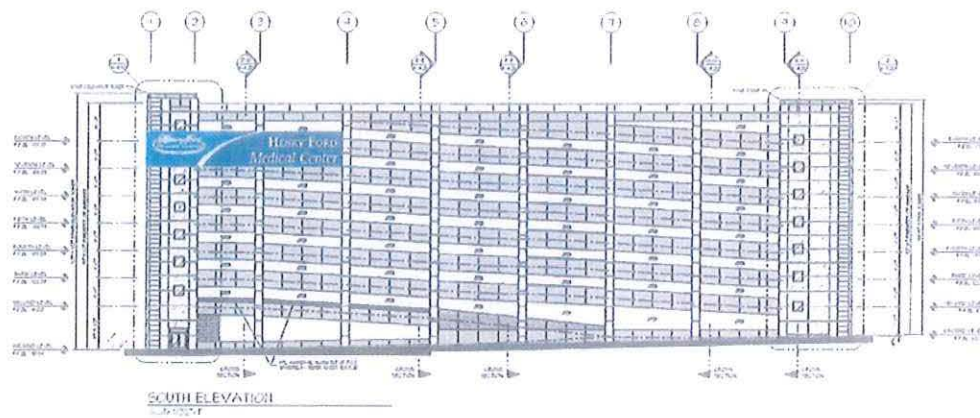
COMMERCIAL WALLMOUNT - Single Sided - Illuminated (LEDs)

- 14' 0" x 61' 0" commercial single face aluminum body
- tension frame retainer with black tension covers
- Face is a single, large format digital print
- Arch to be Galvalume 40T Silver Metallic 18" ang.
- Illumination method LEDs
- All electrical service to be 120v

Day

Night

Village at Bloomfield
Building D, Medical Office Building



RESOLUTION

#10



CITY OF PONTIAC
Department of Building Safety & Planning
Planning Division

478450 Woodward Avenue | Pontiac MI 48342
T: 248.758.2800 | F: 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 18-07 ZONING MAP AMENDMENT
JRS INVESTMENT PROPERTIES LLC
600 E. PIKE STREET | PIN 64-14-28-479-017
R-1 ONE FAMILY DWELLING TO R-3 MULTIPLE FAMILY DWELLING

DATE: JANUARY 20, 2019

The City of Pontiac is in receipt of application ZMA 18-07 for a Zoning Map Amendment [rezoning] parcel 64-14-28-479-017. At the November 28, 2018 meeting, the Planning Commission recommended to City Council the approval of the Zoning Map Amendment. The .60-acre site is located on the southwest corner of E Pike Street and Martin Luther King Jr. Blvd South. The applicant requests a rezoning from R-1 One Family Dwelling to R-3 Multiple Family Dwelling.

The Applicant proposes to convert the former Berea Family Tabernacle of Faith Church into a four or six-unit apartment building. The units will be one bedroom or studio efficiency and will have its own apartment entrance on the exterior perimeter of the building. The subject site has vehicular access from E. Pike Street. The surrounding area consist of a majority of vacant parcels with scattered parcels of single and multiple-family dwelling units.

The subject site and abutting property to the west and north are R-1 One Family Dwelling zoning district. South of the site is zoned R-1 and R-3, and to east side of Martin Luther King Jr. Blvd South is zoned C-1 Local Business zoning district.

The subject site is designated as Traditional Neighborhood Residential Land Use Category. The goals of this category is to provide flexibility that encourages the positive reuse of properties in strategic locations throughout the City and provide a diverse housing stock appealing to a population with a wide range of incomes and housing types.

Zoning Map Amendment Criteria

City Council must consider any of the following criteria [section 6.804, A-J] that apply to the application in making a decision to amend the Official Zoning Map [Section 6.804]. To assist City Council in its decision, we offer the following rational for your consideration.

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 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 not develop the property with single family dwelling units, solar energy installation or a community center. It is clear that demolition and development costs will 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 proposed multiple family apartment building will be equal or less intensive as compared to the former church.

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 are provided and have sufficient capacity 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.*

E. Pike Street is a City Local Road. The proposed development will not impact the ability of this street 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 R-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 R-1 One Family Dwelling district with its primary goal of creating settings for single family residential neighborhoods to allow multiple apartment buildings within the zoning district.

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

The proposed plan does not create an isolated or incompatible zone within the neighborhood as it is a reasonable reuse of the existing church building.

ZMA 18-07 - Zoning Map Amendment
Address: 600 E Pike Street
Parcel: 64-14-28-479-017

Resolution

Whereas, The City has received an application for a Zoning Map Amendment for 600 E Pike Street, identified as PIN 64-14-28-479-017 from JRS Investment Properties, LLC and the applicant's petition is 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 November 28, 2018, a Public Hearing was held, and in consideration of public opinion, the Planning Commission recommends City Council approve the Zoning Map Amendment request for 600 E Pike Street, approving the change from the current R-1 One Family Dwelling District zoning to R-3 Multiple Family Dwelling District; 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 (ZMA 18-07) request for 600 E Pike Street, also known as PIN 64-14-28-479-017, to amend the current site zoning from R-1 One Family Dwelling District zoning to R-3 Multiple Family Dwelling District.





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: 600 E PIKE

Sidwell Number: _____

Date: 10/2/18

Office Use Only.

PF Number: 18-07

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	PETER DEIR OF JRS INVESTMENT PROPERTIES, LLC		
Address	15506 SPICEWAY		
City	FRASER		
State	MI		
ZIP Code	48026		
Telephone	Main:	Cell: 586-863-6355	Fax:
E-Mail	JRSINVESTMENTPROPERTIES@YAHOO.COM		

Project and Property Information

Name of Proposed Development: _____

The subject property is location at 600 E PIKE on the N/S/E/W side of PIKE ST between S. MARSHALL and MARTIN LUTHER KING

The property is zoned: R-1

Proposed Zoning District: R-3

It is proposed that the property will be used as: 4 OR 8 UNIT APARTMENT BLDG.

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

Property Owner Information

Name	BEREA FAMILY TABERNACLE		
Address	68 W WALTON BLVD		
City	PONTIAC		
State	MI		
ZIP Code	48340		
Telephone	Main: 248-388-1631	Cell:	Fax:
E-Mail			

Are you the _____ Owner _____ Agent/rep. of the owner Other BUYER UNDER CONTRACT

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

SEE ATTACHED

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.

SEE ATTACHED

SEE ATTACHED

Signature of Owner

[Signature]
Signature of Applicant (BUYER)

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: _____

JRS Investment Properties, LLC.

JRSInvestmentProperties@yahoo.com

15506 Spiceway
Fraser, MI 48026
586-863-6355

October 2, 2018

To the Planning Commission:

I am asking to have the property at 600 E Pike St to be re-zoned from R-1 to R-3. The property is currently used as a church. My intent is to convert the building to a 4 to 6 unit apartment building (pending architectural plans). The units will be 1 bedroom or studio efficiency units. Each unit will have its own entrance on the exterior perimeter of the building.

I feel this change will be beneficial to the city as it will generate new tax dollars. It will also supply much needed affordable, clean housing for residents. The building will get a facelift and will be visually pleasing to the neighbors.

Thank you for your consideration. My contact info is in the letterhead. Feel free to contact me at anytime!

Sincerely,
Pete Deir

JRS Investment Properties, LLC



To Whom it may concern:

This letter is to give notification to the appropriate parties the Berea Family Tabernacle of Faith has entered into a Purchase Agreement to sell the property at 600 E Pike St in Pontiac, MI to JRS Investment Properties, LLC. We give permission to JRS Investment Properties (Pete Deir) to seek re-zoning of the property from Residential to Commercial during his due diligence period. Feel free to contact us at the number below with any questions. Thank you!

LeVani Buggs 248-388-1631

Sept 4, 2018