

# PONTIAC CITY COUNCIL

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



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

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

Website: [http://pontiac.mi.us/council/meeting\\_agendas\\_and\\_minutes/index.php](http://pontiac.mi.us/council/meeting_agendas_and_minutes/index.php)

## FORMAL MEETING

January 21, 2020

12:00 P.M.

135<sup>th</sup> Session of the 10<sup>th</sup> Council

Call to order

Invocation

Pledge of Allegiance

Roll Call

Authorization to Excuse Councilmembers

Amendments to and Approval of the Agenda

Approval of the Minutes

1. January 14, 2020

Public Hearing

2. Public Hearing regarding the City of Pontiac 2020-2024 Parks and Recreation Master Plan  
[www.Pontiac.Mi.Us/P&RMasterPlan](http://www.Pontiac.Mi.Us/P&RMasterPlan)

Special Presentations (Presentations are limited to 10 minutes.)

3. Park Place Little City  
Presentation Presenter: Larry Jasper  
(This presentation was deferred from the January 7, 2020 Meeting.)
4. City of Pontiac Financial Statements for the Year Ended June 30, 2019  
Presentation Presenters: Mark Tschirhart and Tracy Kaparek, Rehmann Robson
5. Economic Development/Community Benefits for Medical Marihuana  
Presentation Presenter: Mayor Deirdre Waterman
6. Medical Marihuana Application Process and Community Benefits Evaluation and Scoring Update  
Presentation Presenter: Garland Doyle, Interim City Clerk

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

Office of the City Clerk 47450 Woodward Pontiac, Michigan 48342 Phone (248) 758-3200

## Recognition of Elected Officials

## Agenda Address

## Resolutions

### Mayor's Office

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

### Planning

8. Resolution to approve the Specially Designated Distributer (SDD) Class C 'Bistro' License on behalf of the petitioner Fillmore 13 Brewery, and that notice of approval be sent to the Michigan Liquor Control Commission for consideration.
9. Resolution to approve a Zoning Map Amendment request [ZMA 19-08] for 7 & 9 Glenwood Avenue also known as Parcel Numbers 64-14-21-383-011 & 012, to amend the current site zoning C-1 Local Business to C-3 Corridor Commercial and M-1 Light Manufacturing with CR Conditional Zoning.
10. Resolution to approve a Zoning Map Amendment request [ZMA 19-12] for Parcel No. 64-14-18-351-017 to amend the current site zoning C-4 Suburban Commercial to C-3 Corridor Commercial with CR Conditional Rezoning.
11. Resolution to approve a Zoning Map Amendment request [ZMA 19-13] for 676 Cesar Chavez also known as Parcel No. 64-14-19-429-013 to amend the current site zoning C-1 Local Business to C-3 Corridor Commercial with CR Conditional Rezoning.
12. Resolution to approve a Zoning Map Amendment request [ZMA 19-14] for 114 W. Walton Blvd also known as Parcel No. 64-14-08-380-027 to amend the current site zoning C-1 Local Business to C-3 Corridor Commercial with CR Conditional Rezoning.
13. Resolution to approve a Zoning Map Amendment request [ZMA 19-15] for 108. W. Walton Blvd also known as Parcel No. 64-14-08-380-028 to amend the current zoning C-1 Local Business to C-3 Corridor Commercial with CR Conditional Rezoning.
14. Resolution to approve a Zoning Map Amendment request [ZMA 19-16] for 228 W. Walton Blvd also known as Parcel No. 64-14-08-354-010 to amend the current zoning C-1 Local Business to C-3 Corridor Commercial with CR Conditional Rezoning.
15. Resolution to approve the 2020-2024 Parks and Recreation Master Plan for the City of Pontiac
16. Resolution to approve Mayoral recommendation to reappoint the following individuals to the Planning Commission: Mona Parlove for a term ending June 30, 2021 and Dayne Thomas for a term ending June 30, 2022 **(This item was deferred from the November 26, 2019 Council Meeting.)**
17. Resolution to reappoint the following individuals to the City's Planning Commission: Lucy Payne for a term ending June 30, 2023 and E. Ashley Fegley for a term ending June 30, 2022. **(This item was deferred from the December 10, 2019 Council Meeting)**

## Ordinance

18. An Emergency Ordinance to amend Ordinance 2363 to include Medical Marihuana Facility Uses in Designated Overlay Districts. The amendment allows the following: Medical Marihuana Grower uses are permitted outside the Cesar Chavez and Walton Blvd Medical Marihuana Overlay Districts. Medical

Marihuana Processor uses are permitted outside the Cesar Chavez and Walton Blvd Medical Marihuana Overlay Districts.

**Public Comment**

**Mayor, Clerk and Council Closing Comments**

**Adjournment**

**#1**

**MINUTES**



January 14, 2020 Study

**Official Proceedings  
Pontiac City Council  
134<sup>th</sup> Session of the Tenth Council**

**Call to order**

A Study Session of the City Council of Pontiac, Michigan was called to order in City Hall, Tuesday, January 14, 2020 at 6:00 p.m. by Council President Kermit Williams.

**Roll Call**

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

Mayor Waterman was present.

Clerk announced a quorum.

**Authorization to Excuse Councilmembers**

20-10           **Excuse Councilperson Gloria Miller for personal reasons.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

No: None

**Motion Carried.**

Councilwoman Gloria Miller arrived at 6:03 p.m.

**Amendments to the Agenda**

20-11           **Motion to move items #2 and #3 above public comment.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

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

No: None

**Motion Carried.**

**Approval of the Amended Agenda**

20-12           **Approval of Amended Agenda.** Moved by Councilperson Waterman and second by Councilperson Pietila.

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

No: None

**Motion Carried.**

**Approval of the Minutes**

20-13           **Approve meeting minutes for January 7, 2020.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

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

### **City Council Resolutions**

20-14            **Suspend the rules.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

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

20-15            **Resolution to appoint Harold Harris, Linda Watson and Mattie Lasseigne to the Board of Review.** Moved by Councilperson G. Williams and second by Councilperson Pietila.

Whereas, section 5.402 of the Pontiac City Charter requires the City Council to appoint three electors of the City annually, to the Board of Review before the first meeting; and,  
Whereas, in addition to the charter requirement of being an elector, all members of the Board of Review must attend and receive training.  
Now, Therefore, Be It Resolved that the Pontiac City Council appoints Harold Harris, Linda Watson and Mattie Lasseigne to the Board of Review.

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

20-16            **Suspend the rules.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

20-17            **Resolution for Friends of Murphy Park.** (Moved by Councilperson Waterman and second by Councilperson Pietila.

**WHEREAS**, it is with warm and sincere gratitude that we recognize the Friends of Murphy Park; organized in 1994 in the Recreation Department when the Adopt a Park program was established, under the leadership of Maurice (Butch) Finnegan and Portia Fields-Anderson; and,  
**WHEREAS**, sanctioned by the City of Pontiac, a liaison was formed with the Mayor, City Council, District Seven Citizens District Council and organizers Jean Sheppard, Sally McAllister, and Charlie "June" Adams who answered the call to adopt Murphy Park and subsequently organized the Friends of Murphy Park, whose mission was to: enhance the quality of life for youth with quality and relevant

recreation programs; and most notably for operating a structured summer playground program that has operated for 13 years serving thousands of youth of all abilities and diversities with activities in nature, fitness, wellness, personal development, special events, cultural arts, enrichment, drama, dance, music, art, sports, field trips , daily lunch, and provided summer job opportunities for youth ages 14 to 21; and, **WHEREAS**, the Friends of Murphy Park continued to flourish with the support of its friends, partners and collaborators: Welcome Baptist Church, Michigan Works, OHLSA, DNR, Take One Programs, DTE, Forgotten Harvest, Unique Foods, Meals on Wheels, Pontiac DPW, Better Pontiac, Night Riders, Pontiac Creative Art Center, Oakland County Parks, Huron Clinton Metropolitan Authority, Nicks Corner, Save-a-Lot, Elam Brothers, Habitat for Humanity, Welcome Baptist Church, St. Vincent Church, Woodside Bible, Take One Programs, Pontiac Horse Shoe Pitchers , Leona Patterson, Mattie McKinney-Hatchett, Chuck Johnson, Kermit Williams, Loretta Crisp, Cheryl Morway, Attorney Earlene Baggett, Dave Coleman, Leonard Smith, Willie Martinez, Butch Finnegan, Duck McConner, Travis, Dennis Williams, Yohannes Bolds, Everette Seay, Curtis Cheeks, Sharda Johnson, Pat Franks, Troy Craft, Deborah Vaden, Margaret Yellen, Regina Press, Mark Holland, Maria and Esther Jimenez, Maria Bermudez, Rip Peterson, Brenda and Randy Carter, Ramone "Cornbread" Johnson, parents, City of Pontiac Mayors and members of the City Council, and,

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

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

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

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

No: None

**Resolution Passed.**

**\*\*Council President K. Williams stated that street signs in Murphy Park were to be named in honor of Jean Sheppard and Sally McAllister. Department of Public Works is to investigate and report back to Council.**

### **Public Comment**

Sixteen (16) individuals addressed the body during public comments.

### **City Council Resolution**

20-18      **Suspend the rules.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

No: None

**Motion Carried.**

20-19        **Resolution to require that all Planning Commission recommendations that require final action and or Pontiac City Council approval must be placed on the Pontiac City Council's agenda within twenty-one (21) days from the date the applicant was provided a recommendation by the Planning Commission.** Moved by Councilperson G. Williams and second by Councilperson Pietila.

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

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

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

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

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

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

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

No: None

**Resolution Passed.**

### **Resolution from Planning**

20-20        **Suspend the rules.** Moved by Councilperson Pietila and second by Councilperson Waterman.

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

No: None

**Motion Carried.**

20-21        **Resolution to schedule a Public Hearing for the City of Pontiac 2020-2024 Parks & Recreation Master Plan on January 21, 2020 beginning at 12:00 p.m. at the Council Chambers in Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan 48342.** Moved by Councilperson Pietila and second by Councilperson G. Williams.

January 14, 2020 Study

WHEREAS, that the Pontiac City Council will hold a PUBLIC HEARING at its Regular Meeting on January 14, 2020 beginning at 6:30 p.m. at the Pontiac City Hall, 47450 Woodward Avenue Pontiac, Michigan 48342 in the upper level Council Chambers to receive comments on the proposed 2020-2024 City of Pontiac Parks and Recreation Master Plan.

WHEREAS, the 2020-2024 Parks & Recreation Master Plan can be viewed on the City of Pontiac Website:

[http://www.pontiac.mi.us/departments/community\\_development/planning\\_and\\_zoning/parks\\_and\\_recreation\\_masterplan.php](http://www.pontiac.mi.us/departments/community_development/planning_and_zoning/parks_and_recreation_masterplan.php)

WHEREAS, NOTICE IS FURTHER GIVEN that the text of the proposed Parks and Recreation Master Plan may be examined at the Pontiac Public Library, 60 East Pike Street, Pontiac, Michigan 48342 and Pontiac City Hall 47450 Woodward Avenue Pontiac, Michigan 48342 during normal business hours.

NOW, THEREFORE BE IT RESOLVED, that a Public Hearing for the City of Pontiac 2020-2024 Parks & Recreation Master Plan be held on January 21, 2020 beginning at 12:00 p.m. at the Council Chambers in Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan 48342.

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

No: None

**Resolution Passed.**

### **Adjournment**

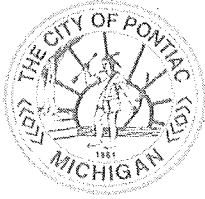
Council President Kermit Williams adjourned the meeting at 8:46 p.m.

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GARLAND S. DOYLE  
INTERIM CITY CLERK

**#2**

**PUBLIC  
HEARING**



**CITY OF PONTIAC**  
**Department of Building Safety & Planning**  
**Code Enforcement Division**

47450 Woodward Ave, Pontiac MI 48342  
T: 248.758.2800 | F: 248.758.2827

*Mayor Deirdre Waterman*

**From: Donovan Smith – City Planner**  
**Planning Division**

**Date: 1/16/2019**

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**City of Pontiac**  
**City Council**  
**Notice of Public Hearing**

NOTICE IS HEREBY GIVEN, that the Pontiac City Council will hold a PUBLIC HEARING at its Regular Meeting on January 21, 2020 beginning at 12:00 p.m. at the Pontiac City Hall, 47450 Woodward Avenue Pontiac, Michigan 48342 in the upper level Council Chambers to receive comments on the proposed 2020-2024 City of Pontiac Parks and Recreation Master Plan.

NOTICE IS FURTHER GIVEN that the text of the proposed Parks and Recreation Master Plan may be examined at the Pontiac Public Library, 60 East Pike Street, Pontiac, Michigan 48342 and Pontiac City Hall 47450 Woodward Avenue Pontiac, Michigan 48342 during normal business hours. The proposed plan is also available on the City's website at: [www.Pontiac.Mi.Us/P&RMasterPlan](http://www.Pontiac.Mi.Us/P&RMasterPlan)

Written comments may be submitted to the City of Pontiac at 47450 Woodward Avenue Pontiac, Michigan 48342 or by email at [PontiacPRMasterplan@Pontiac.mi.us](mailto:PontiacPRMasterplan@Pontiac.mi.us) until the time of the public hearing. Those persons needing special accommodations at the Meeting should contact the City at least two business days in advance.

**47450 Woodward Ave • PONTIAC, MICHIGAN 48342-5009**  
**TELEPHONE: (248) 758-3700 • FAX: (248) 758-3750**

**#3**

**PRESENTATION**



## Leasing, Management or Public Private Partnership of the Phoenix Center Facility

From: Jessica Massey (jmassey@pontiac.mi.us)  
To: littlecitiesii@yahoo.com  
Cc: jclark@gmhlaw.com; achubb@gmhlaw.com  
Date: Tuesday, December 17, 2019, 12:47 PM EST

Good Afternoon,

I am writing regarding your submission to the City of Pontiac Request for Proposals for the Leasing, Management, or Public Private Partnership of the Phoenix Center Facility. Your submission failed to include all responsive documentation as required by Section 2.9, Quotations/Proposals, Subsection D, Content of Proposal, parts 1 through 6. Pursuant to Section 4.2, Reservation of Rights, the City of Pontiac is allowing you to supplement your bid by 5:00pm Eastern Time on Friday, December 20, 2019. Please review Section 2.9, Subsection D, parts 1 through 6, and provide all missing information by that deadline.

Jessica Massey, Purchasing Agent



City of Pontiac

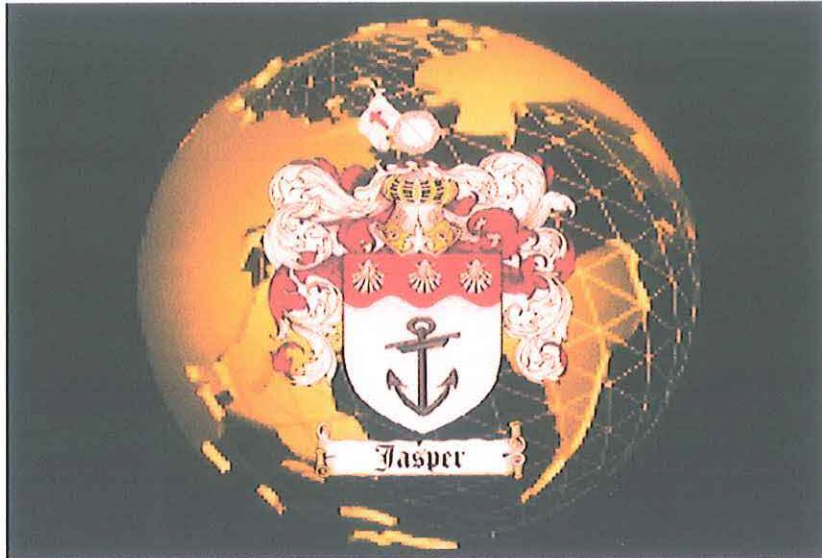
46450 Woodward

Pontiac, MI 48342

PH. 248-758-3120

Fax 248-758-3197

## JASPER III CORPORATION



Parenting Company to be formed through Omega's Pilot



**Omega Investments, Ltd.**

**SGIDS**

(Smart Grid Infrastructure Distribution Systems)

Supporting by

**The LITTLE CITY Franchise**

**Mixed Use Development Plan**

**Omega's PPP for Phoenix Parking Structure & Ottawa Towers**

Lawrence Jasper, CEO

265 Marlborough

Bloomfield Hills, MI 48302

248- 961-7075

[littlecityj@yaho.com](mailto:littlecityj@yaho.com) (2.9A)

**Introduction:** Omega Investments Ltd. (Omega) was formed in 2003 to find talent, technology, and solutions to the present economic crisis of the USA, focused on rejuvenating Inner Cities and Rural communities through participation of the local residences. Thereby, restoration of existing buildings and/or completely new developments on mixed-use parcels connected by a Mass Transit commodities distribution infrastructure.

Omega was in the process of raising capital to purchase the Ottawa Towers and then work with the City of Pontiac to support the Little City franchise concept, being the Settlement Agreement provides the owners of the Ottawa Towers to use the Phoenix Parking Structure for a period of 10 years. Later to work with the City of Pontiac to better the community. However, the opportunity to implement a PPP with the City of Pontiac and incorporate the systems of the LC with the Ottawa Towers provides a unique opportunity to reward the citizens of the City of Pontiac. The City of Pontiac would raise the capital for restoration \$20M for the Ottawa Towers, which interacts with the Phoenix Parking Structure and the utilities that would be created by the restoration.

The Little City franchise system interacts with the **Intradependant Business Model** supporting its operations of the mixed-use development, and interacts with the local municipality and its work force to bring back high paying jobs and update their technological systems bringing them into the 21<sup>st</sup> century with cutting edge technology and manufacturing supported by the duplication of the LC franchise and its connecting Maglev Transit commodities distribution systems.

The Little City mixed use development focuses on preventative medical solutions, job creation, cross educational platforms, advanced entertainment solutions, office and professional services, and high-end technology systems to support the surrounding communities that run the franchise. We use Artificial Intelligence (AI) units to create dash boards for the franchisee and franchisor, overseeing and holding the intradependent partners accountable. Additionally, it provides non-profit solutions to support the workforce and their families contributed through the oversight and profitability of the LC's 50/50 percentage leases.

The LC is completely self-efficient and is designed to interact with local municipalities reducing the yearly cost producing more utilities than the LC unit uses and selling them at a 50% reduction to local municipalities. It builds into its development infrastructure that produces Green Energy, Purification systems for drinking water without chemicals, and a confidential WIFI 6 systems for digital services to support triple play telecommunications, cloud housing, and Internet of Things (IOT). Ultimately, generating higher Return on Investment (ROI) for the real estate investment. The utilities and transit systems interact with the local infrastructure providing distribution of the utilities, people, and material that is metered, and accounted for through the AI unit.

The City of Pontiac and Omega Investments would provide the acquisition and restoration funds for the Ottawa towers through a PPP with Omega Investments Ltd. The bonds would be supported by Pontiac and guaranteed by the present community. The Phoenix Parking structure would be repaired with the upgraded electrical, water, and digital systems of the Ottawa Towers. Omega would fill the Ottawa Towers with seasoned business owners to run its operations and

train the workforce to oversee the utilities and its internal operations. Within 12 to 24 months. Omega would refinance the Ottawa towers to include the Phoenix Parking structure and pay off the bonds using the 20% bonus to pay for repairs to Phoenix Facility in compliance to the Settlement Agreement. Additionally, it would provide ownership, 10% of the Parenting Company of Omega (Jasper III Corp.) and a 10% of the Token used for the capital raise to initiate the new manufacturing for the Rail and LC's, associated to the profits of the pilot LC which is the Ottawa Towers. Furthermore, the refinance would pay for a 4-mile Mass Transit Maglev that would use the existing easements attaching businesses Williams International, United Wholesale Mortgage, and Amazon to the Phoenix Parking Structure and the pilot Little City (LC) franchise solution.

The Initial offering of the LC's coin is for future duplication of the utility infrastructure, support new manufacturing to build out the State of Michigan, connecting Indianapolis Indiana, using the Interstate Highways I-75, I-94, I-69, creating the first of Jasper's Gateways and 40 LC units. The Pilot LC will incorporate the Ottawa buildings and the Phoenix Parking structure. Additionally, those that are in the initial positions will be promoted to replicate the Gateway in 12 different locations, adding to the workforce and systematically build out those gateways. This is expected to be completed within first 4 years completing 521 LC units and 5200 miles of rail. At the end of 4 years the citizens of Pontiac will be able to cash in all or some of their shares, providing them the ability to pay off debt, buy a house, or simply fund their retirement.

Omega has put together a team to oversee the restoration of the buildings and parking structure and implementation of all the technology systems that will correspond with various US tech companies. If Omega and the City of Pontiac agree to a PPP, then we would look to upgrade the Pontiac systems to correlate with the utilities distribution and see the City of Pontiac act as the franchisee and receive an additional 3% fee for its oversight for a period of 10 years, at which date the franchise can be renewed.

## 2.9 (c) Omega's Team:

<u>Lawrence Jasper</u>	CEO	<u>Chief Executive Officer</u>	<b>Contact for all 248-961-7075</b>
Scott Foster	COO	Chief Operating Officer	
<b><u>City of Pontiac</u></b>	<b>CFO</b>	<b><u>Chief Financial Officer (Oversee 25 Million in Bonds)</u></b>	
Robert Kulick	CTO	Chief Technology Officer	
Bob Storen	CDO	Chief Development Officer	
Megan Storen	GM	General Manager Construction	
Brad Baldwin	GM	General Manager Hotel/Entertainment	
Mathew Rosendaul	GM	General Manager Utility operations	
Fred Wagner	GM	General Manager Food Service	
Mike Johnson	GM	General Manager Maintenance Oversight	

- i. Omega's team shall oversee restorations and technology equipment implementations for the best use of properties combining the Ottawa Towers and the Phoenix parking structure, represented in the proposal for the Private Public Partnership and attached business plan.
  - a. The Team's sole commitment will be executing the executive summary that was provided in this proposal for the restoration of the Ottawa Towers, leveraging the best use of the property and parking structure, providing multiple benefits for the citizens of Pontiac.
    - 1. Inexpensive Triple Play Telecommunications
    - 2. Utilities at 50% off for the City of Pontiac
      - 1. Electricity
      - 2. Water Purification
      - 3. Digital WI FI utilities (Cloud Housing, Digital programs, Internet of Things etc.)
      - 4. A functional Parking Structure with amenities for social bonding.
  - ii. There is no anticipation of overlap or capacity issues in completion of the project.
- d. Omega's CEO Lawrence Jasper is a veteran, honorably discharged from the Army. It is Omega's mission to help local communities and its veterans secure long term high paying jobs for careers.
  - i. We have engaged **Mr. Carlton Jones of CarNav Group (Minority Business)** to support the cross-education platform for Jobs and construction positions that will be created for the project component, its expansion, duplication, and operations of the PPP.
  - ii. Mr. Jasper will be reaching out to the Veteran Administration for recommendations of qualified veterans who are looking for a career to fill positions that will be available.

**3.** The Resume's provided outline the teams experience and prior oversight for the restoration and technological background of every aspect of the project components to include:

**a.** Omega's Chief Development Officer will be overseeing renovations and restorations of the construction operations of the PPP. **(see resume provided).**

- 1. Harvey's Hotel and Convention Center, Council Bluffs, IA
- 2. Somerset North Shopping Center, Troy, MI
- 3. Veterans Administration Building Detroit, MI

**b.** Omega's Chief Technology Officer will be overseeing the implementation of equipment that supports higher ROI's for the project component and value-added benefits. **(see resume provided)**

- 1. Green electrical production
- 2. Clean sewage purification system
- 3. Digital WI FI 6 systems.

c. Omega's Chief Operations Officer will be overseeing the leasing, entrepreneurs, management of business operations running the proposed mix-use development operations of the component project's and PPP with the City of Pontiac. **(See Resume provided)**

1. The filling of the Ottawa Towers mixed use space.
2. Oversight of Intradependent Business Model for the PPP.
3. Interacting with oversight from the City of Pontiac.

**The Team titles provided above outline responsibilities for the LC franchise operations and intradependent business model, along interactions with the Artificial Intelligence that coincide with the PPP. More definitions can be outlined specifically with the acceptance of the proposal.**

**4)** The proposal supports the City of Pontiac providing the necessary bonds and insurance to complete the project with the AAA guarantees of the Oakland County's Executive. The executive summary provided in the proposal outlines the cost to renovate and restoration of the Ottawa towers, which is leverage within 2 years to pay back the bonds. In the process of implementing the high-end technology benefitting the PPP, while we fix existing issues with the Phoenix Parking structure and meet the necessary repairs agreed to in the Settlement Agreement. **(The City of Pontiac is shown as the Chief Financial Officer in the PPP). Executive Summary outlines cost.**

**a.** The Phoenix Parking structure has no benefit or ability to pay for its repairs without connecting the Ottawa Towers, based on the Settlement Agreement terms and the present atmosphere.

**b.** However the acquisition of the Ottawa Towers presently for sale @ 16.9 Million allows us to leverage the existing office space and convert it to the best use, commercial mixed use.

**c.** The acquisition allows us to fill the existing vacant space through Omega's Intradependent business model and increase the ROI's with high end technology products. Thereby, providing us the ability to refinance and payoff any debt acquired to combine the Phoenix Parking Structure with the Ottawa Towers in the PPP with the City of Pontiac, ultimately creating the pilot LC.

**d.** The City of Pontiac shall become the franchisee, receiving a 3% fee of gross proceeds of the LC development, overseen by the formulated parenting company displayed in this proposal as Jasper III Corporation, the franchisor. The franchise is granted for 10 years and must be resubmitted for future extensions every 10 years.

**e.** Economically, the City of Pontiac can pay off its debt and meet the Settlement Agreement cost of repairs on the Phoenix Parking Structure. Additionally, the citizens of Pontiac are rewarded with a 10% interest in the Parenting Company designed to duplicate its LC pilot. Furthermore, are rewarded with a 10% profit sharing based on the tokens assigned to the utility infrastructure of the LC, and commercial leases created by the PPP.

**f.** The Tokens will be used to support expansion and duplication of the LC through manufacturing in Pontiac, as much as possible, creating opportunity for the community, as One Team.

**5. Concept and Utilization of the Phoenix Center Facility:** The Master Plan is to combine the Ottawa Towers with the Phoenix Center Parking Structure, leverage the best use by building out the Towers to support a Hotel, Retail, Medical, Educational, and Office space. Supporting it with seasoned local businesses, that increase lease values by using a 50/50 percentage lease structure. Then leveraging the increase value to support the payoff of debt to acquire and the restoration, while incorporating a digital infrastructure that provides great value for the Citizens of Pontiac.

- a. The proposal sees the City of Pontiac as financiers, receiving benefits for supporting Omega's vision to redevelop the location for the people and by the people through its partnership with City reducing its cost for advance services and utilities, while developing new high paying jobs.
  - a. The City of Pontiac will receive a 50% discount on any utilities or services provided by the LC.
  - b. The City of Pontiac will meet its obligations to repair the Parking Structure without cost to its citizens, through the refinancing of the component project via the LC.
  - c. The Citizens receive profit sharing checks quarterly on the property's profitability and are engaged in the downtown activities.
  - d. A cross education platform will be initiated on a military platform paid mostly by the LC to benefit the workforce and businesses associated to the LC franchise.
- b. Parking for Citizens of Pontiac will be free for the first 10 years up to 500 spaces.
  - a. The refinancing of the LC, created through the PPP, will support a 4-mile Mass Transit commodities distribution system connecting the Phoenix Facility to the new businesses in Pontiac; Williams International, United Wholesale Mortgage, and Amazon, supporting and expected 15,000 employees.
  - b. The CEO of Omega is approved by the Michigan Transit Authority to build the Maglev Mass Transit system and has Michigan congressional bipartisan approval. However, in the past cost to build impeded Omega's ability to do so. Today by linking it to the redevelopment of the Ottawa Towers and Omega's LC with the necessity of Pontiac to repair the Phoenix Facility, it can be done.
  - c. In years to come, Omega would like to run the SGIDS system up/down the bike trails to connect the entire city to the LC and other mass transit systems like buses and trains.
- c. The PPP spurs the benefits to the City of Pontiac's citizens and rewards them for their risk in supporting the Bond issuing raise of capital for the PPP.
  - a. The citizens of Pontiac will share in the profit of the LC, quarterly, thereby creating participation in its new mixed used development.
  - b. The LC will support family's re-education and development into the workforce who need financial help, above the outlying shopping entities displayed in the associated business plan supported by the Intradependent Business model.
  - c. The LC's basic function is to provide wholesale cost for products and services, while benefiting the local citizens through profit sharing and membership discount

- d. The technological advantages of the LC provide a magnet for outside participation and exponentially increases its presence, by becoming a nucleus for future real estate growth, development, and job creation.
  - a. The cross educational platform brings together statewide college institutions to educate the work force.
    - i. Blockchain IT
    - ii. Coding for AI (Artificial Intelligence)
    - iii. Management/Businesses
    - iv. Human Resources
    - v. Technology advancements
    - vi. Manufacturing
    - vii. Green & Clean economic beneficial systems
    - viii. Transit
    - ix. Medical
    - x. Professional services
  - b. The preventive medical solutions interact with the community and the locality in that the WI FI 6 uses the satellite and local hot spots to monitor clients providing them digital nurses, and preventative exercise, pool, and diet monitoring on site.
  - c. The high-tech gaming, magnetic skateboards, and virtual reality systems continue to progress supporting the City of Pontiac and its downtown location.
  - d. The Hotel supports incoming professionals and locals looking for futuristic and high-end services for reasonable prices.
- e. The LC franchise supports the entire downtown drawing in Millenia and Elders that are looking for quality, safety, convenience, and services with a smile.
- f. The Phoenix Center Facility combined with the Ottawa Towers new use provides many benefits to the City and commercial services through Omega's LC.
  - a. Discounted cost for electricity, water, and digital services
  - b. Transportation via its Mass Transit application designed to run commercially down the US highways easements.
    - i. Later connecting Troy, Detroit, and Indianapolis, Indiana.
    - ii. Manufacturing of the Rail systems and the LC modular designs.
  - c. Future growth of the facilities south of the Ottawa Towers and the possible use of Lot 9, to support residential development of condominiums.
    - i. Small shops on outside of Lot 9 interfacing with present businesses.
  - d. A franchise fee of 3% paid to the City of Pontiac on gross proceeds of 400,000 sq. ft. of mixed-use commercial entertainment, education, medical, and retail.
  - e. A contracted workforce to work alongside the PPP development to incorporate the same digital benefits to the City of Pontiac, intradependent on the LC's AI unit, providing a dashboard and oversight of the businesses within the LC, providing green and red lights for profitability margins benefiting the Citizens of Pontiac.
  - f. Leadership that displays economic benefits for future Inner & Rural communities.



**6. Implementation Strategy, Budget, and Schedule.** See executive summary for restoration cost and benefits for the PPP, combining the Ottawa Towers with the Phoenix Parking Facility.

Raise funds through the City of Pontiac's Bonds (20 Million) sign PPP—**first 3 months**

- Get the County Executive to support Pontiac's PPP bonds
- Acquisition to purchase Ottawa Towers with City of Pontiac and Omega
- Publicly announce the PPP and benefits to citizens of Pontiac connecting new businesses
- Initiate architectural drawing for restoration of Towers and incorporated technology systems provide the City of Pontiac with cost expectations in phase development.
- Initiate forum for Intradependent systems necessary to interact with the City, Educational institutions, Medical Facilities, and the LC's professional services.
- Pull permits to initiate restoration process
- Hire staff to support core executives oversight responsibilities
- Set team strategy sessions for foundational companies to support implementation and the expansion of the franchise duplication.
- Initiate Attorney's for any and all legal documentation

Initiate restoration process – **3<sup>rd</sup> month to 15 months**

- Build out Ottawa towers as outlined in executive summary and architectural drawings
- Select business owners to run various multipurpose applications assorted to new mixed used LC development
- Set in motion SEC approval for utility token related to the PPP and profit sharing
- Set up Cross educational platform for workforce in Professional Building (B)
- Set up Medical partners for Urgent Care and preventative medical systems
- Initiate marketing for Hotel, Entertainment, and on-site gaming
- Bring in US Tech companies with the necessary programs to support the intradependent AI systems and WI FI 6 applications for cloud hosting, triple play telecommunications and Internet of Things, etc.
- Bring in local banking institution for reverse ATM's and refinance position of PPP
- Implement technology systems throughout Ottawa Towers and Phoenix Facility
- Lobby Washington for Omega's R.A.I.N.M.A.K.E.R. Act supporting an Infrastructure Bill designed on leveraging future Mixed Use developments like Pontiac's LC pilot and its mass transit SGIDS platform, creating secondary financing for new franchised units.
- Initiate refinancing with Banking Institution completing the process within 24 months and obtaining the new appraised value, attaching leasehold assorted business contracts
- Seek acquisition or limited partnership with owner of Lot 9
  - Pre-sell Condo's and space for shops to individuals and local businesses
  - Initiate MLP's with Mass Transit system
  - Get right of way approvals for Transit system in Pontiac
  - Initiate manufacturing of the light rail system for 4-mile connection

### Finish restoration and test technology systems—12<sup>th</sup> through 24<sup>th</sup> months

- Initiate the building of the Mass Transit commodities distribution systems
- Raise additional Capital for manufacturing through Initial Coin Offering (ICO).
- Set in place the duplicated educational processes for LC's expansion of franchises and all intradependant applications
- Set up Kettering for manufacturing on the job development
- Develop architecture for coding our own systems through local workforce
- Market Grand Opening
- Omega Refinances LC and pays off Bonds, provide the Citizens of Pontiac with their share ownership
- Pontiac becomes the franchisee and oversight of local businesses profitability operational development and oversight through the AI Unit.
- Develop future LC sights to create the first of Jasper's Gateways connecting Pontiac with Detroit, Flint, and Indianapolis, IN via I-75, I-94, I-69.
- Grand Opening of the City of Pontiac Little City (LC).

### **Project Budget: \$20 Million (See Executive Summary used for Investors cost breakdown)**

- Estimated Appraisal value after modification \$100 Million
- Projected Cash Flow: 5 Million + per annum.

### *Estimated Overall Economic Impact of Omega's Little City platform created through a PPP*

- High paying careers with upward movement for the local population
- An estimated \$250 Million-dollar Mixed Use Development LC pilot revitalizing Downtown Pontiac with the ability to continue the local investment and future expansions
- Community involvement to better the environment and receive dividends for their risk in providing the initial cash capital.
- Long term possibilities for added retirement saving, based on the ICO raise, in accordance to duplication and future growth supported by the Citizens of Pontiac
- A vision of the future displayed by Pontiac with a new Mass Transit Platform and unique benefits to its Citizens
- A magnet for surrounding investors and visitors to the downtown commercial district supported by the entertainment and technological advanced systems of the LC's.
- Cost reduction of energy, water purification, digital WIFI 6 systems for the City of Pontiac and any businesses that become a member of the LC etc.....

The overall scenario for the City of Pontiac is Bright and Beautiful supported by the people, made for the people, and rewarded them for their commitment to the Project. Current Zoning already exist, announcements creating public approval and community outreach for future careers and services that benefit the community such as triple play telecommunications for as little as \$50 dollars a month. Cross educational OJT for the workforce that provides jobs and profit sharing.

**CITY OF PONTIAC - BID PROPOSAL**

I, the undersigned, propose to provide services proposed in this contract as per specifications supplied by the City of Pontiac. No contract is active until a purchase order is issued to the successful bidder.

I further propose to deliver the above-described services for the City of Pontiac in first class operating manner in accordance with all specifications contained herein subject to purchaser's inspection of services performed.

I attest that the bid includes all information necessary for the City of Pontiac to accept bid.

Company Name: Omega Investments Ltd.

Address: 275 Mulbrough

Representative Signature: Lawrence F. Jasper II

Print Name: LAWRENCE F. JASPER II

Title: CEO

Office # 248-499-8999 Cell # 248-961-7075

FAX# 248-499-8375

Federal Tax Identification Number: 56-2586076

Date: 12/20/2019

**#4**

**SPECIAL  
PRESENTATION**

# City of Pontiac June 30, 2019 Audit Results

Presented by:  
Mark Tschirhart, Principal  
Tracey Kasperek, Senior Manager

# Overview of Financial Statements

- Independent Auditors' Report (pg 1)
  - Unmodified (“clean”) opinion
- Management's Discussion and Analysis (pg 6)
  - Narrative overview of the financial activities of the City for the fiscal year ended June 30, 2019

# Overview of Financial Statements

- Government-wide Financial Statements (pg 17)
  - Includes all activities of the primary government and its component units.
  - Reported on the full accrual basis of accounting
    - Includes long-term assets and liabilities not included in the fund financial statements
      - Capital assets
      - Long-term debt
      - Net pension asset/liability
      - Net other postemployment benefit liability



# Overview of Financial Statements

- Governmental Fund Financial Statements (pg 22)
  - Information is presented separately for each major fund. These include:
    - General Fund
    - Major Streets Fund
    - Local Streets
    - Sanitation Fund
    - District Court

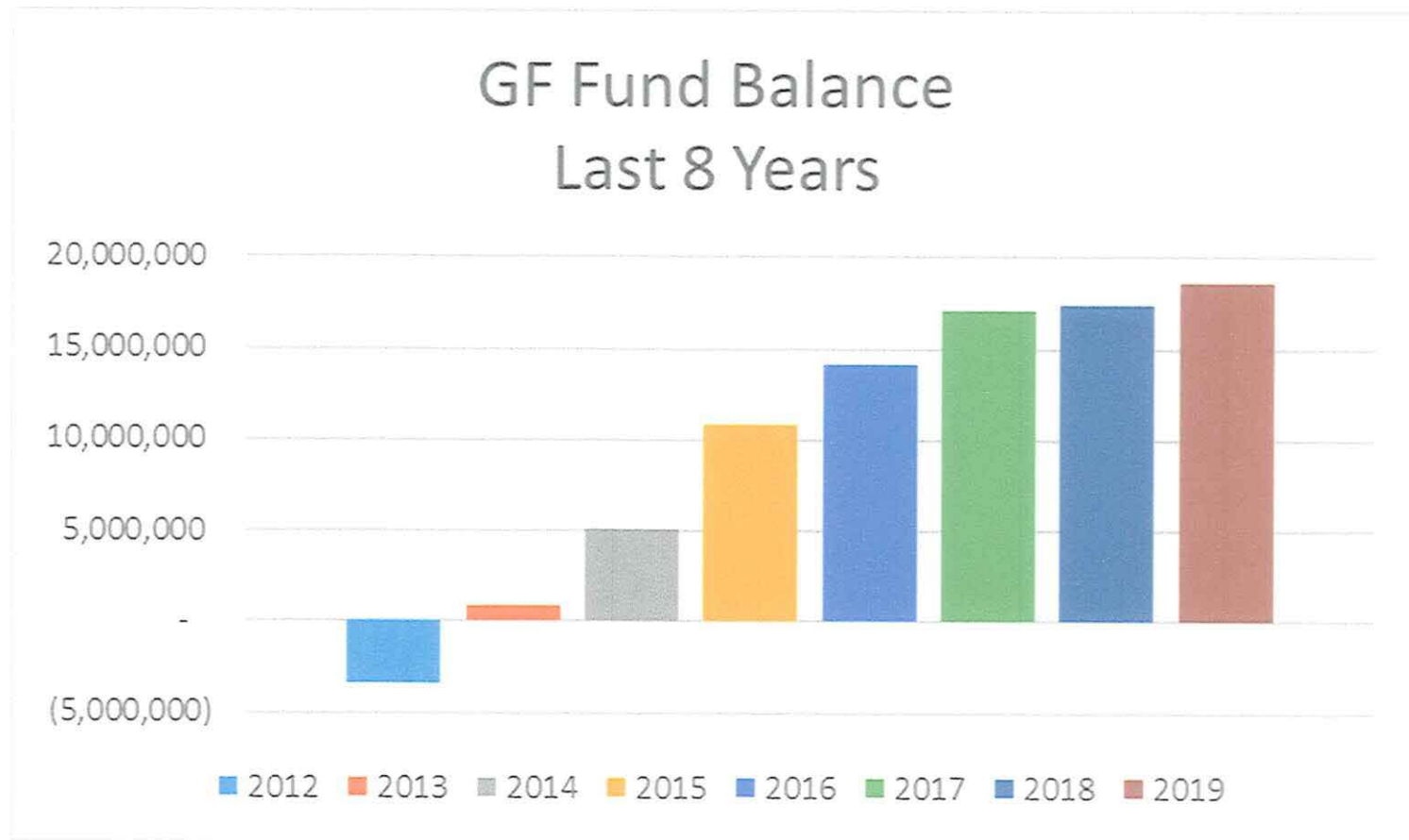


# Overview of Financial Statements

- General Fund Actual Results

Total Revenues	\$ 37,329,582
Total Expenditures	(34,897,265)
Net Transfers	(1,269,456)
Net Change	1,162,861
Beginning Fund Balance	17,422,150
Ending Fund Balance	\$ 18,585,011

# Overview of Financial Statements



# Overview of Financial Statements

- General Fund Fund Balance

	General Fund Fund Balance Classifications	% of Total Expenditures
Nonspendable	\$ 30,209	
Committed	3,200,000	
Assigned	2,800,000	
Unassigned	12,554,802	36%
	<u>\$ 18,585,011</u>	53%

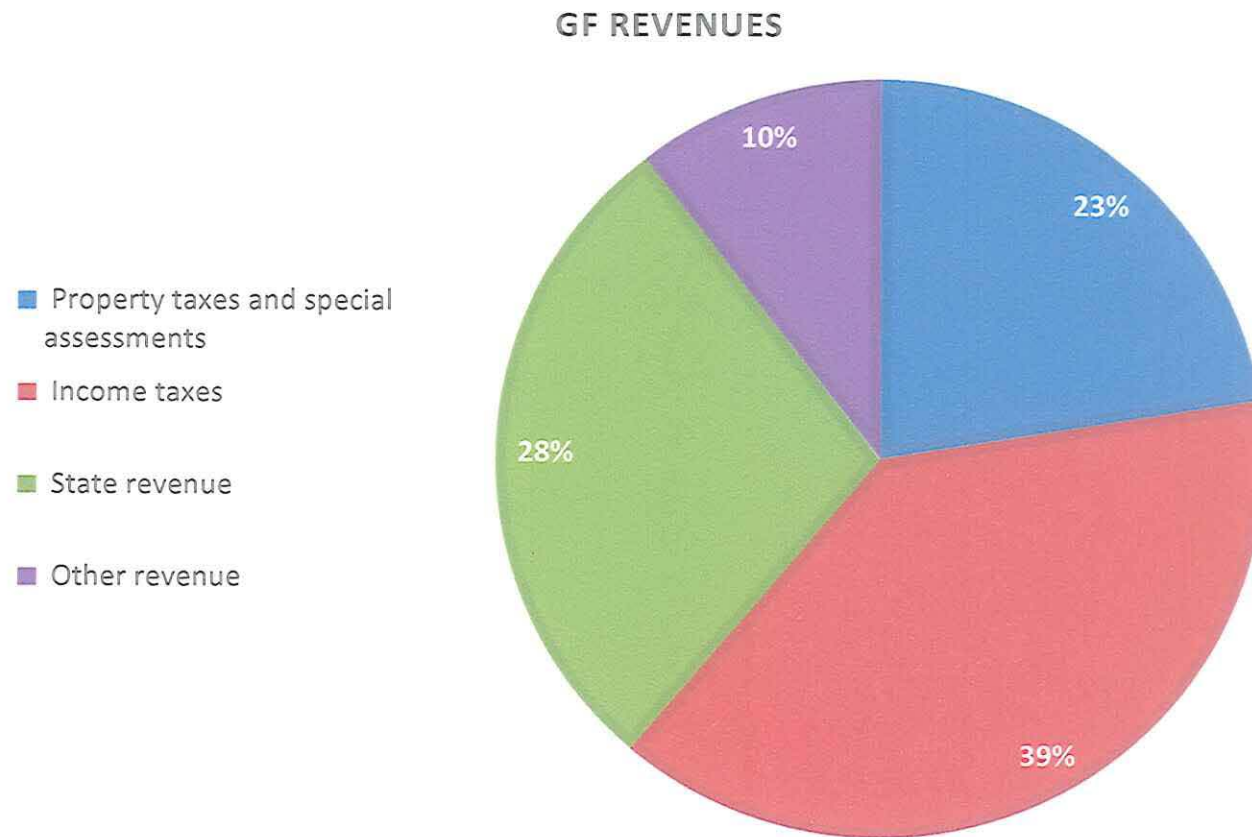
# Overview of Financial Statements

- General Fund Budget to Actual (pg 106)

	Original Budget	Final Budget	Actual	Actual Over (Under) Final Budget
Total Revenues	\$ 35,678,654	\$ 35,678,654	\$ 37,329,582	\$ 1,650,928
Total Expenditures	(34,040,755)	(37,545,819)	(34,897,265)	(2,648,554)
Net Transfers	(1,634,555)	(1,707,845)	(1,269,456)	(438,389)
Net Change	3,344	(3,575,010)	1,162,861	4,737,871
Beginning Fund Balance	17,422,150	17,422,150	17,422,150	-
Ending Fund Balance	\$ 17,425,494	\$ 13,847,140	\$ 18,585,011	\$ 4,737,871



# Overview of Financial Statements



# Overview of Financial Statements

- Actual Results of Other Governmental Funds
  - Detail for Nonmajor Funds can be seen at pg 114

	Major Streets	Local Streets	Sanitation	District Court	Nonmajor Funds
Total Revenues	\$ 5,998,310	\$ 1,653,660	\$ 3,743,559	\$ 2,037,475	\$ 5,700,457
Total Expenditures	(6,187,229)	(2,613,045)	(3,782,087)	(2,942,908)	(4,629,285)
Net Transfers	18,484	14,125	291	904,827	(169,695)
Net Change	(170,435)	(945,260)	(38,237)	(606)	901,477
Beginning Fund Balance	2,663,403	5,933,352	6,215,848	2,093	5,859,469
Ending Fund Balance	\$ 2,492,968	\$ 4,988,092	\$ 6,177,611	\$ 1,487	\$ 6,760,946

# Conclusion

- Internal Control and Compliance
  - No findings that were considered to be *material weaknesses*.
  - No findings that were considered to be *significant deficiencies*.
- Management Letter
  - No management letter comments included as *other matters*

**#5**

**SPECIAL  
PRESENTATION**



# City of Pontiac

## Key Economic Development Resources

- **City Master Plan:**

[http://www.pontiac.mi.us/departments/community\\_development/docs/Master\\_Plan\\_2014\\_adopted\\_11\\_25\\_14.pdf](http://www.pontiac.mi.us/departments/community_development/docs/Master_Plan_2014_adopted_11_25_14.pdf)

- **City Parks & Recreation Master Plan:**

<https://drive.google.com/file/d/1WD3XvgurkVaxm6TxFUtXh3weiWqIX6es/view>

- **CNU Study:**

<http://www.pontiac.mi.us/mayor/docs/CNU%20Report%20Pontiac%202016%20small.pdf>

- **Moving Pontiac Forward:**

[http://www.pontiac.mi.us/departments/community\\_development/docs/Pontiac\\_Moving\\_Forward\\_2015\\_07\\_01\\_\\_2\\_.pdf](http://www.pontiac.mi.us/departments/community_development/docs/Pontiac_Moving_Forward_2015_07_01__2_.pdf)

- **Neighborhood Revitalization Plans:**

- Washington Square
- Casa del Rey



### PONTIAC'S COMMUNITY BENEFITS "WISH LIST"

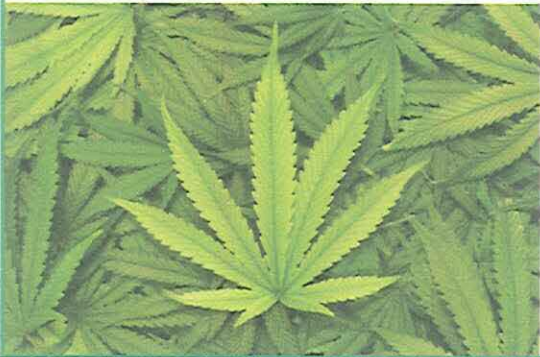
1. Naming rights for capital improvements at the Phoenix Center.
2. Economic development projects in the neighborhoods surrounding medical Marihuana businesses.
3. The design and refurbishment of Crystal Lake Park.
4. Refurbish and renovate Ewalt Center and Galloway Park.
5. Underwriting a citywide sports league such as basketball with uniforms designed for the business.
6. Funding additional public safety patrols to handle the influx of medical Marihuana businesses.
7. Naming rights for a prototype Pontiac gateway sign.
8. Matching funds for road and sidewalk repair grants.
9. The Sponsorship of a street fair or festival such as the Dream Cruise or Pontiac Music Festival.
10. Pontiac Youth Recreation Center Bookmobile in order to reach children in their neighborhoods.
11. Donate to the Promise Zone to fund the first two years of post-high school studies for Pontiac High School graduates who meet the program criteria.
12. Funding of the Oakland University-Pontiac Initiative community grant program.
13. Funding a business incubator in Pontiac.
14. Sponsoring rooms at the Pontiac Youth and Enrichment Center such as an exercise and weightlifting room, and arcade with video equipment, and a "Read to Me" children's room with computers.

**#6**

**SPECIAL  
PRESENTATION**



# City of Pontiac City Clerk Medical Marihuana Application Process & Community Benefits Evaluation and Scoring Update



Garland S. Doyle, M.P.A.  
Interim City Clerk  
January 21, 2020

# Application Period

Provisioning Center 21 Day Application Period January 6-27, 2020. The Clerk's Office will accept applications Monday-Friday 9:00 a.m.-4:00 p.m.

**No applications will be accepted after 4:00 p.m. on Monday, January 27, 2020.**



## Status of Professional Expert Agreements

- A. City Council approved the Professional Expert – Financial Advisor (Sherman J. Taylor, JD CPA, SRT Consulting, LLC) to the City Clerk and Professional Expert – Legal Advisor (Klint Kesto, Esq., Kesto Law, P.L.L.C) to the City Clerk on November 26, 2019
- B. The City Clerk gave both agreements to the Mayor to sign on November 29, 2019
- C. The Mayor met with the City Clerk and the two professional experts on January 13, 2020 to discuss the agreements.
- D. As of January 17, 2020, the City Clerk has not received the proposed revised agreements from the Mayor.
- E. The City Clerk will not review any Medical Marihuana Applications until the Professional Expert Agreements have been signed.

# Community Benefits

## What are Community Benefits?

Community Benefits are pledges made by the applicant to the residents of the City. Community benefit pledges should be made in partnerships with residents, neighborhood associations, faith-based organizations, community organizations and/or nonprofit organizations to develop or support established diverse programs and services that work to support children, families, neighborhoods, underserved populations and/or the quality of life in the city.

## Community benefits are not pledges made to the City of Pontiac (Municipality).

- **The City did not adopt a Community Benefits Ordinance**
- **There is no official City of Pontiac Community Benefits wish list. The Mayor has a wish list.**



### **Community Benefits Scoring**

In the Community Development Subcategory of Content and Sufficiency (up to 10 points) and the Philanthropic and Community Improvement Category (up to 10 points), applicants will be scored based on the community benefits pledged in the City. Community benefits points will be awarded, as determined by the City Clerk, based on the commitment, **quality, duration and community support** of such pledged benefits.

If an applicant does not pledge community benefits, such applicant will receive a zero (0) score for such Community Development Subcategory and Philanthropic and Community Improvement Category.

In each Community Benefits Scoring category in which an applicant can earn a maximum of three (3) points, applicants will receive:

- One (1) point if their submission is ***Very Deficient***, or
- Three (3) points if their submission is ***Satisfactory***.

In each Community Benefits Scoring category in which an applicant can earn a maximum of four (4) points, applicants will receive:

- One (1) point if their submission is ***Very Deficient***, or
- Four (4) points if their submission is ***Satisfactory***.

## How will Community Benefits be evaluated?

- **Quality**
  - Program Impact – Who will benefit as a result of the pledge?
  - Evidence-Based (Research & Data)
  - Capacity Building – Is the pledge developing or strengthening community resources (i.e. community leadership, financial or organizational capacity)?
- **Duration**
  - One time v long term commitment
- **Community Support**
  - Applicants need to be able to demonstrate that they have the support of the community.
  - How?
    - Pledges should be developed with community input.
    - Partnerships should be developed from the ground up not top down. (resident input in the design and development of benefits matter)
    - Letters of Support
    - Advisory Committee
    - Key Stakeholders

### Examples of Community Benefits:

- Job Training and Employment Programs
- Transitional Programs (Previously Incarcerated)
- Library and Literacy Programs
- Health Initiative Programs
- Business Development Fund (to assist City of Pontiac residents with funding for businesses and with starting and growing businesses)
- Parks
- Home Repair Program

## Keys to Remember

1. You are partnering with the community not the City of Pontiac. (Municipality)
2. Community Benefits should be developed in partnership with community stakeholders.
3. Explain who benefits from your pledges and how do they benefit.
4. Explain how your partnership is managed.
5. The partnership needs to be community driven not government managed.
6. Naming rights can be community benefits if they meet the scoring guide criteria.

**The problem with naming rights is it is difficult to show who benefits from the pledge. If you want to do it, then you would have to show the following:**

- What does the sponsorship include?
- Did you satisfy the scoring criteria requirements?
- Is this a one time or recurring gift?
- Do your naming rights pledge contribute to the sustainability of the institution (The Building or Program that is to be named in your honor)?
- How does the naming benefit the community (i.e. neighborhood or community at-large)?

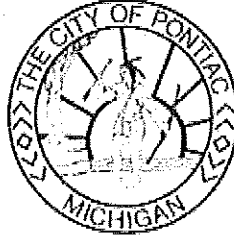


The Members of the Scoring Team and any city staff or contractor that reviews any portion of the application will have to sign both of the following:

- 1) Conflict of Interest
- 2) Confidentiality and Non-Disclosure Form

# CONFLICT OF INTEREST

## Pontiac City Council Resolution



19-64      **Resolution Adopting a Conflict of Interest Policy for the Review of Medical Marihuana Permit Applications.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

WHEREAS, the City of Pontiac has adopted Ordinance 2357B ("City of Pontiac Medical Marihuana Facilities Ordinance") ("Ordinance") to allow medical marihuana facilities to operate in the City of Pontiac;

WHEREAS, the City of Pontiac City Clerk is responsible for administering the medical marihuana facility permit application process pursuant to the Ordinance;

WHEREAS, upon receipt of a completed medical marihuana facility permit application ("Medical Marihuana Application") the City Clerk is responsible for forwarding the Medical Marihuana Application to the Fire, Building and Safety, and Planning Departments/Divisions, and the City Clerk may forward the Medical Marihuana Application or certain parts thereof to any other relevant department/division of the City (including contractors of the City) to review the Medical Marihuana Application for compliance with certain requirements of the Ordinance;

WHEREAS, any employees, agents or contractors in such departments or divisions asked to review a Medical Marihuana Application or any part thereof will be required to disclose any conflict of interest to the City Clerk in accordance with the conflict of interest policy in the form of Exhibit A attached hereto ("Conflict of Interest Policy");

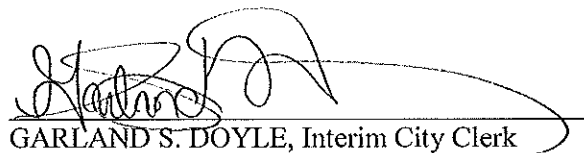
NOW BE IT THEREFORE RESOLVED, that the City of Pontiac adopts the Conflict of Interest Policy in relation to the review of Medical Marihuana Applications.

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

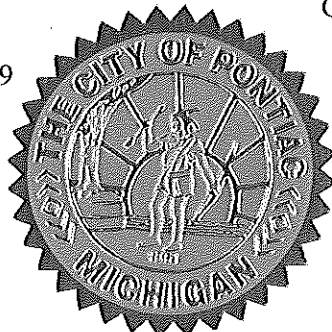
No: None

**Resolution Passed.**

I, Garland S. Doyle, Interim City Clerk of the City of Pontiac, hereby certify that the above Resolution is a true and accurate copy of the Resolution passed by the City Council of the City of Pontiac on February 26, 2019.

  
GARLAND S. DOYLE, Interim City Clerk

Dated: August 9, 2019



## **EXHIBIT A**



### **CITY OF PONTIAC**

## **MEDICAL MARIHUANA PERMIT REVIEWER CONFLICT OF INTEREST POLICY**

### **Purpose**

The City of Pontiac (the "City") has approved an ordinance to allow medical marihuana facilities to operate in the City. After receipt of a completed application, the Pontiac City Clerk is responsible for forwarding the application to the Fire, Building and Safety, and Planning Departments/Divisions, and the Pontiac City Clerk may forward the application or certain parts thereof to any other relevant department/division of the City (including contractors of the City) to confirm compliance with certain requirements of the City of Pontiac Medical Marihuana Facilities Ordinance ("Ordinance").

The City provides this Conflict of Interest Policy to ensure that there is full disclosure in connection with approval/review of any medical marihuana facility permit application ("Medical Marihuana Application") or inspection of any proposed medical marihuana facility that may provide an economic or other personal benefit to an employee, agent or contractor, or to any person or entity with whom they are related or have a financial interest. This will help to ensure that decisions are based entirely on merit. This policy is intended to supplement but not replace any applicable City, state or federal laws relating to conflicts of interest.

### **Definitions**

1. Interested Person. An "Interested Person" is an individual who is in a position to review, inspect and/or approve components of an applicant's Medical Marihuana Application or proposed medical marihuana facility on behalf of the Fire, Building and Safety, or Planning Departments/Divisions or any other relevant department/division of the City (including contractors of the City) tasked with reviewing, inspecting and/or approving any components of Medical Marihuana Applications or proposed medical marihuana facilities.
2. Family Member. A "Family Member" includes: the spouse of, or a brother, sister, in-law, ancestor (including parents and grandparents), child, grandchild or great grandchild of an Interested Person, or the spouse of any child, grandchild, or great grandchild of an Interested Person.
3. Financial Interest. An Interested Person has a "Financial Interest" if:
  - (a) such Interested Person, or any Family Member or Related Entity of such Interested Person, is directly or indirectly involved in any transaction or exchange with an entity or individual that has submitted or plans to submit a Medical Marihuana Application to operate a medical marihuana facility in the City (other than retail purchases of medical marihuana at a provisioning center in compliance with applicable laws); or
  - (b) such Interested Person, or any Family Member or Related Entity of such Interested Person, has a compensation arrangement or a potential compensation arrangement of any form, direct or indirect, with any entity or individual that has submitted or plans to submit a Medical Marihuana Application to operate a medical marihuana facility in the City.



4. Related Entity. A “Related Entity” means: any corporation, partnership, limited liability company, estate, trust or other entity or organization in which any Interested Person or any Family Member of such Interested Person, directly or indirectly, owns or controls or is negotiating to own or control (including through other entities or organizations) 1% or more of the voting power, 1% or more of the profits or economic interest or 1% or more of the ownership interest of such entity or organization.

### **Acceptance of Benefit**

Employees, agents and contractors reviewing, inspecting and/or approving components of an applicant’s Medical Marihuana Application or proposed medical marihuana facility (and their Family Members and Related Entities) shall not solicit, accept or retain any direct or indirect gift, gratuity, compensation, payment or other benefit (collectively, “Benefit”) from any individual or entity operating or seeking to operate a medical marihuana facility in the City.

### **Procedures for Conflicts of Interest**

1. Duty to Disclose. Each year, promptly after the release of the Medical Marihuana Application by the City Clerk and on each anniversary thereafter (and in any case prior to any review by such Interested Person of any Medical Marihuana Application), each Interested Person shall complete and submit to the City Clerk the Conflict of Interest Disclosure Statement/Affidavit For Medical Marihuana Facility Permit Applications attached hereto (“Conflict of Interest Disclosure Statement”). Even if an Interested Person has completed a Conflict of Interest Disclosure Statement, if the Interested Person receives a Medical Marihuana Application in which such Interested Person has a Financial Interest or other actual or potential conflict of interest, before such Interested Person may review the Medical Marihuana Application, such Interested Person shall disclose to the City Clerk the existence of such Financial Interest or conflict together with a statement of facts that describe and explain such Financial Interest or conflict.

2. Reappointment. Upon receipt of the Interested Persons’ disclosure of Financial Interest or other actual or potential conflict (or any other discovery of the same), the City Clerk shall report such Financial Interest or conflict to the respective head of the department or division and another employee, agent or contractor shall be assigned to the particular Medical Marihuana Application.

3. Violations.

(a) If the City Clerk or head of the respective department or division has reasonable cause to believe that an Interested Person has failed to disclose any actual or potential conflict of interest (including without limitation any Financial Interest) or has directly or indirectly solicited, accepted or retained a Benefit from any individual or entity operating or seeking to operate a medical marihuana facility in the City, the City Clerk or such department/division head shall inform the Interested Person of the basis for such belief and afford him/her an opportunity to explain the alleged failure to disclose or explain the improper Benefit.

(b) If, after hearing the response of the Interested Person and making such further investigation as may be warranted under the circumstances, the City Clerk or respective department/division head determines that the Interested Person has in fact failed to disclose an actual or potential conflict of interest or directly or indirectly solicited, accepted or retained a Benefit, the City Clerk or respective department/division head shall take appropriate disciplinary and corrective action, and may forward the matter to the appropriate law enforcement agency to investigate.

Approved by City of Pontiac:

February 26, 2019

Date

**CITY OF PONTIAC ("CITY")  
CONFLICT OF INTEREST DISCLOSURE STATEMENT/AFFIDAVIT  
FOR MEDICAL MARIHUANA FACILITY PERMIT APPLICATIONS**

**Name:** \_\_\_\_\_ (Interested Person)

1. As an Interested Person, please list any Related Entity (as defined in the City's Conflict of Interest Policy) that has or plans to submit an application to the City to operate a medical marihuana facility.

<b>Entity</b>	<b>Percentage Interest</b>	<b><u>Date</u> From</b>	<b><u>(Yrs)</u> To</b>	<b>Person Involved (relationship)</b>

2. As an Interested Person, please list any organization or entity (profit or nonprofit) that you or a Family Member (as defined in the City's Conflict of Interest Policy) or Related Entity currently (or plan to) serve as an employee, contractor, agent, manager, director, officer or similar position or receive or are entitled to any form of compensation, that has or plans to submit an application to the City to operate a medical marihuana facility.

<b>Organization/Business</b>	<b>Position/Involvement</b>	<b>Person Involved (Relationship)</b>

3. As an Interested Person, please list any other organization, entity, involvement, relationship, conditions or circumstances that place or may place you in a conflict or potential conflict regarding the review, inspection or approval of any medical marihuana facility permit application for the City, including without limitation any Financial Interest (as defined in the City's Conflict of Interest Policy).

Organization or Circumstance	Conflict or Potential Conflict

4. Neither myself nor any of my Family Members or Related Entities have solicited, accepted or retained any direct or indirect gift, gratuity, compensation, payment or other benefit from any individual or entity operating or seeking to operate a medical marihuana facility in the City.

Under penalties of perjury, I declare that: (i) I have completed this Disclosure Statement/Affidavit and that to the best of my knowledge and belief it is true, correct and complete; and (ii) I will update this Disclosure Statement/Affidavit within one (1) business day after any relevant circumstances change by notifying the City Clerk of such change.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 )SS  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, by \_\_\_\_\_.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, County, Michigan  
My commission expires: \_\_\_\_\_

**CONFIDENTIALITY  
AND  
NON-DISCLOSURE  
FORM**



**ACKNOWLEDGEMENT REGARDING CONFIDENTIALITY  
AND NON-DISCLOSURE OF INFORMATION OBTAINED DURING  
MEDICAL MARIHUANA PERMIT APPLICATION SCORING PROCESS**

I, \_\_\_\_\_, by signing below, hereby acknowledge the following:

1. That the City of Pontiac (the "City") has approved an ordinance to allow medical marihuana provisioning centers to operate in the City.
2. That I am in a position to review and score one or more components of an applicant's medical marihuana facility permit application or proposed medical marihuana facility for a provisioning center on behalf of relevant departments/divisions of the City (including contractors of the City) tasked with reviewing and scoring medical marihuana applications or proposed medical marihuana facilities for provisioning centers.
3. That any and all information contained in an applicant's medical marihuana facility permit application for a provisioning center or obtained or reviewed in relation to the same by the City and/or any of its departments, divisions, officers, agents, employees, or contractors during the review and scoring of that application or proposed facility is considered confidential ("Confidential Information").
4. That I will have access to such Confidential Information as part of the process of reviewing and scoring one or more components of an applicant's medical marihuana facility permit application or proposed medical marihuana facility for a provisioning center.

By signing below, the undersigned hereby agrees as follows:

- A. That I will not share or disclose Confidential Information with any person or entity who is not in a position to review and score the applicable permit application for such provisioning center applicant;
- B. That I will take reasonable measures to maintain and preserve the confidential nature of the Confidential Information; and
- C. That I will return all Confidential Information and related materials to the City Clerk at the conclusion of the review and scoring process and will not retain a copy of any Confidential Information.

SIGNATURE: \_\_\_\_\_ TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_

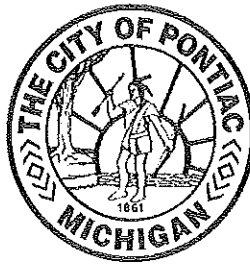
STATE OF \_\_\_\_\_ )  
 )SS  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, by  
\_\_\_\_\_.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, County, Michigan  
My commission expires: \_\_\_\_\_

**#7**

# **RESOLUTION**



**DR. DEIRDRE WATERMAN**  
**MAYOR**  
**CITY OF PONTIAC**

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

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

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

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

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

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

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

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

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

Attachment

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

# Dan Ringo, J.D.

## Chief Executive Officer

**Name of Firm:**  
Ringo Services, Inc.

**Years of Experience:**  
20 years' experience in Operations Management

**Education:**  
Juris Doctor - Wayne State University  
Law School

Bachelor of Technology and  
Interdisciplinary Studies - Wayne State  
University

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

**Licenses / Certifications:**  
City of Detroit Stationary Engineer First  
Class

Detroit Unlimited Refrigeration  
Journeyman

City of Dearborn Chief Engineer License

State of MI Mechanical Contractor's  
License

### Background:

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

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

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

### Professional Experience:

**Ringo Services, Inc**

*Chief Executive Officer* (March 2016 – Present)

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

### REDICO / Continuum Services / American House

*Chief Operating Officer* (Aug 2015 – June 2016)

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

### Sodexo / SodexoMAGIC

*VP – Facility Operations* (Aug 2012 – Aug 2015)

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



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

#### **Powerlink Facility Management Services**

*Director of Operations (Mar 2011 - Aug 2012)*

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

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

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

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

#### **Detroit Public Schools**

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

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

#### **United States Air Force, Maxwell Air Force Base Alabama**

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

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

**#8**

# **RESOLUTION**



**CITY OF PONTIAC**  
**Department of Building Safety & Planning**  
**Planning Division**

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

*Mayor Deirdre Waterman*

**TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL**  
**FROM: VERN GUSTAFSSON – PLANNING MANAGER**  
**DONOVAN SMITH – CITY PLANNER**  
**THROUGH THE OFFICE OF DEPUTY MAYOR, JANE BAIS-DISESSA**  
**SUBJECT: FILMORE 13 BREWERY - RESOLUTION FOR APPROVAL OF REDEVELOPMENT LIQUOR**  
**'BISTRO' LICENSE**  
**DATE: JANUARY 16, 2020**

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*Whereas*, the City of Pontiac City Council chooses to engage in PA 58, 1998, MCL 436.1521a(1)(b) for the issuance of New On-Premises Development District License and establishment of Redevelopment Liquor Licenses in the Tax Increment Finance Authority Act (TIFA) District under Part 3 of Public Act 57 of 2018.

*Whereas*, Filmore 13 Brewery, 7 S. Saginaw St. Suite D, has made petition for a Specially Designated Distributer (SDD) Class C 'Bistro' License, and whom meets eligibility requirements for licensure issuance under the MCL 436.1521a(1)(b),

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

*Whereas*, Filmore 13 Brewery, shall comply with the City of Pontiac Ordinance 2366 to Allow for Redevelopment Liquor Licenses and Conditions for Issuance and Operations of the petitioned Specially Designated Distributer (SDD) Class C 'Bistro' License and the MCL 436.1521a(1)(b),

*Therefore it be resolved*, that on January 21<sup>st</sup>, 2020, at the regularly schedule City Council meeting, City Council voted to approve the acceptance of the Specially Designated Distributer (SDD) Class C 'Bistro' License on behalf of the petitioner Fillmore 13 Brewery, and recommends this application be considered for approval by the Michigan Liquor Control Commission.

## Agenda Item 6: Filmore 13 Brewery Redevelopment (Bistro) Liquor License Ordinance

### **What is a Redevelopment Bistro Liquor License?**

The Bistro License is a Specialty Category of Liquor Licensing used as an Economic Development tool to promote designated areas within a community.

### **What types of Liquor Licenses are permitted?**

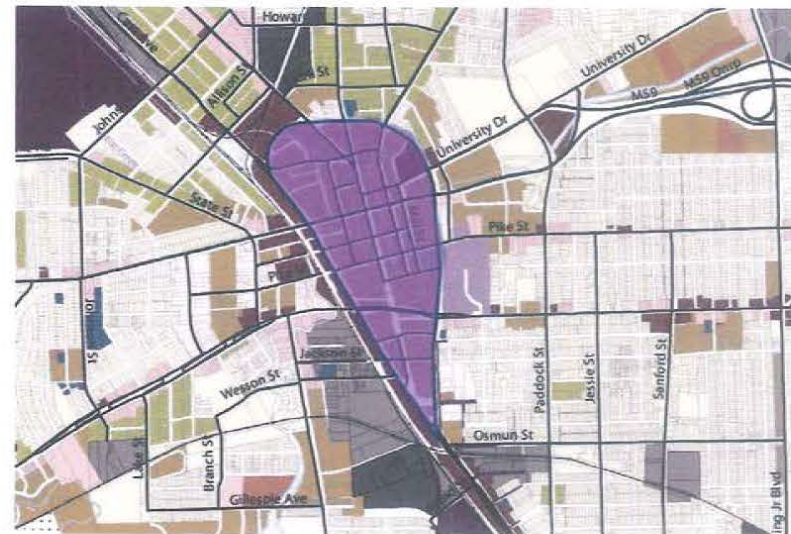
Beer, Wine, & Spirits

### **Where are Bistro Licenses permitted?**

Licenses will be permitted in the C-2 Downtown District.

### **Redevelopment Liquor License Ordinance**

City Council approved August 6, 2019





City of Pontiac  
**Redevelopment Liquor License**  
Planning Division Staff Review Assessment

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

Donovan Smith

10/25/2019

Printed Staff Reviewer Name

Date

Donovan Smith

10/25/2019

Signed Staff Reviewer Name

Date

6)

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

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

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



CITY OF PONTIAC APPLICATION FOR  
NEW LICENSES

Date: 9-15-19

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

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

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

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

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

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

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

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



## CITY OF PONTIAC REDEVELOPMENT LIQUOR LICENSE PRE-APPLICATION QUESTIONNAIRE

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

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

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

Complete name and address of business to be licensed FILLMORE 13 BREWERY L.L.C.  
7 NORTH SAGINAW STE 1D, PONTIAC, MI 48342  
Personal Property ID (for existing businesses) 64 94-00-017-055

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

Laith R. Roumaya  
Signature of Applicant

Date

LAITH ROUMAYA  
Printed Name

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

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

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



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

Name of Partners	Home Address	Telephone Number
LARIA ROUMAYA	20378 VINE DR. MACOMB TOWNSHIP, 48044	(586) 260-7701
HOWARD WILLIAMS	24611 SANDSCOT TRAIL SOUTHFIELD MI, 48033	(248) 362-8997
LINDA WILLIAMS	SEE ABOVE	SEE ABOVE

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

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

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

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

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

CHARGE	DATE	PLACE	DESCRIPTION

List your former occupations for the past 3 years:

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

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

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

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

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

☒ Yes

☐ No

Date authorized: 01/14/2015

10. Corporate & Limited Liability Company Applicants Only -

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

Corporate/LLC Name:

FILLMORE 13 BEERERY L.L.C.

Incorporation/Organization date:

01/14/2015

Incorporated/Organized in what State?

MICHIGAN

Michigan Authorization date:

01/14/2015

Name, Address, Phone Number of Resident Agent:

LATH ROUMAYG

20378 VINCEN

MACOMB, MI 48044

586-260-7701

(Check one of each)  
Corporation

☒ Profit or

☐ Nonprofit

☒ Public or

☐ Private Corporation

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

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

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

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

**12. Denial of Application/Revocation of License**

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

☐ Yes ☒ No

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

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

☐ Yes ☒ No

If yes, please explain.

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

☐ Yes ☒ No

If yes, please state reason.

**13. Financial Details - All applicants**

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

Name	Address	Amount
HUNTINGTON BANK	47047 ROMEO PLANK RD, MALEMB MI 48044	\$ 650,000.00
		\$
		\$

(B) Attorney or representative

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

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

**(A) New Construction**

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

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

If no, when do you plan to get them?

If yes, when do you expect construction will begin?

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

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

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

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

**(B) Existing Facility-No Renovation**

Is the facility currently occupied? ☒ Yes ☐ No

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

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

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

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

If yes, in what capacity are you associated? OWNER

If no, will you be purchasing the premises?

**(C) Existing Facility-Renovation**Do you plan to renovate an existing facility? ☐ Yes ☒ No

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

If yes, when do you expect construction will begin? \_\_\_\_\_

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

When is your anticipated occupancy date/open for business date? \_\_\_\_\_

Is the facility currently occupied? ☐ Yes ☐ NoIf yes, are you currently associated with the business operation on site? ☐ Yes ☐ No

If yes, in what capacity are you associated? \_\_\_\_\_

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

If yes, how long will the facility be closed? \_\_\_\_\_

Are you going to renovate the facility if you do not get a license? ☐ Yes ☐ No**15. Employment – (All applicants must complete either A or B section)****(A) Existing Business**

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

Number	Full	or	Part-time	Position
<u>1</u>	<u>0</u>		<input type="checkbox"/>	<u>MANAGER</u>
<u>2</u>	<u>0</u>		<input type="checkbox"/>	<u>BREWER</u>
<u>8</u>	<u>0</u>		<input type="checkbox"/>	<u>SERVER/BAR</u>
<u>5</u>	<u>0</u>		<input type="checkbox"/>	<u>COOKS</u>
_____	<input type="checkbox"/>		<input type="checkbox"/>	_____
_____	<input type="checkbox"/>		<input type="checkbox"/>	_____

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

EXPANDING DUE TO EXPECTED INCREASE IN SALES**(B) New Business**

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

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

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

Please see Attached.

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

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

Please see Attached

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

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

Attested to:

\_\_\_\_\_  
Date of Application

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

\_\_\_\_\_  
Name of person completing this  
form if not the applicant

16)

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

Monday: 3PM – 10PM

Tuesday: 11AM – 11PM

Wednesday: 11AM – 11PM

Thursday: 11AM – 11PM

Friday: 11AM – 12AM

Saturday: 11AM – 12AM

Sunday: 12PM – 9PM

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

17)

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

## ORDINANCE NO. #2366

### THE CITY OF PONTIAC ORDAINS:

#### I. BISTRO RESTAURANTS

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

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

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

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

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

(9) Approval Procedures and Requirements;

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



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

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

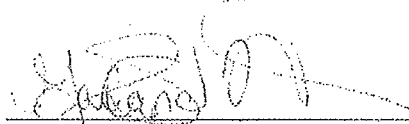
Ayes: Pictila, Taylor-Burks, Waterman and Williams

No: None

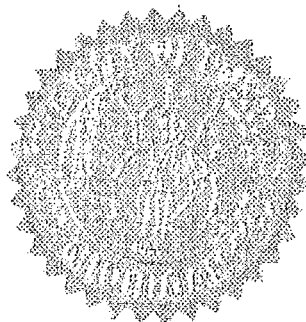
**Ordinance Passed.**

Councilwoman Miller was absent during the vote.

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



Garland S. Doyle, Interim City Clerk



**#9**

# **RESOLUTION**



**CITY OF PONTIAC**  
**Department of Building Safety & Planning**  
**PLANNING DIVISION**

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

*Mayor Deirdre Waterman*

**TO: HONORABLE MAYOR, COUNCIL PRESENT, AND CITY COUNCIL**

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

**SUBJECT: GLENWOOD PLAZA REVIEW PROCESS SUMMARY**

**DATE: JANUARY 15, 2020**

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

The process began in mid-2019:

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

**Proposed Resolution and Conditional Rezoning Agreement will be submitted following meeting with Applicant, Monique and Tony Chubb.**



**CITY OF PONTIAC**  
**Department of Building Safety & Planning**  
**PLANNING DIVISION**

47450 Woodward Ave • PONTIAC, MICHIGAN 48342  
TELEPHONE: (248) 753-2800

*Mayor Deirdre Waterman*

**TO: HONORABLE MAYOR, COUNCIL PRESENT, AND CITY COUNCIL**

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

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

**DATE: JANUARY 15, 2020**

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

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

**Proposal/Process**

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

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

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

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

#### Existing Development Pattern

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

#### Existing Zoning Pattern

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

#### Master Plan

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

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

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

#### Rezoning Criteria

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **Conditional Rezoning Agreement**

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

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

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

## ZMA 19-08 Site Context





## ZMA 19-08 Future Land Use

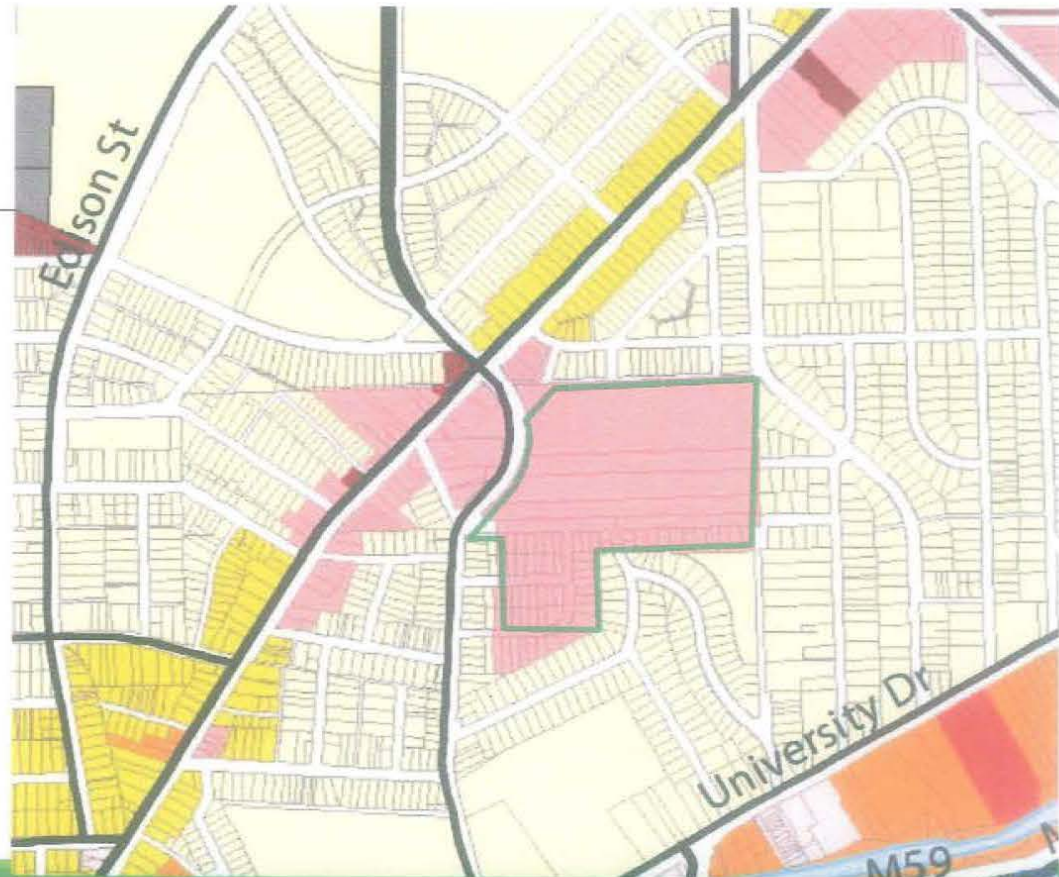
Entrepreneurial:  
Industrial,  
Commercial and  
Green  
Land Use Category

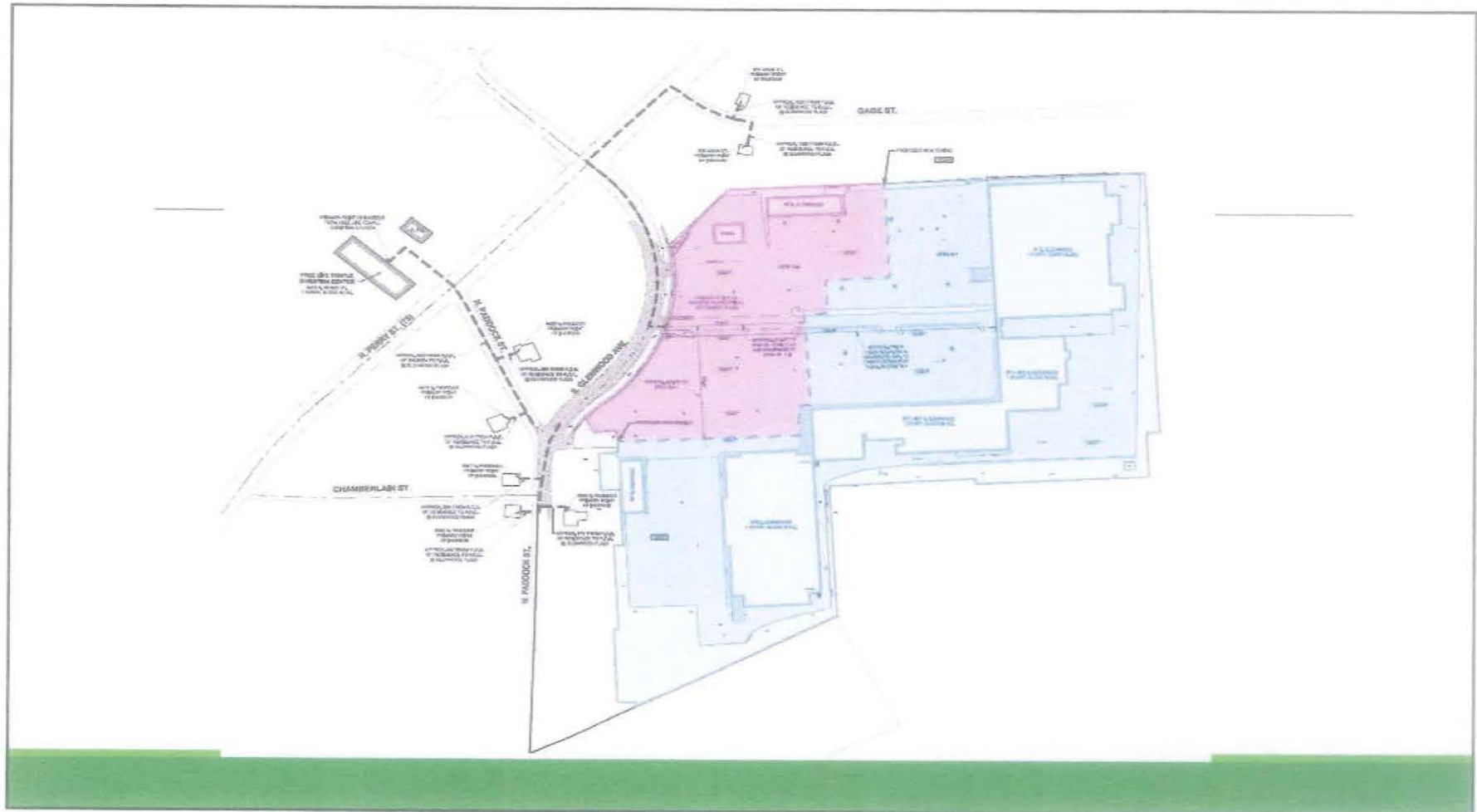


## ZMA 19-15 Zoning District

### **C-1 Local Business**

Intent: Mixed Use District to accommodate residential units and goods and service businesses that cater to the needs of the surrounding neighborhood.









# Application for Zoning Map Amendment

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

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

Office Use Only

PF Number: \_\_\_\_\_

Sidwell Number: 14-01-02-001, 14-01-02-002, 14-01-02-003, 14-01-02-004, 14-01-02-005

Date: 07/03/2019

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

Applicant (please print or type)

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

## Project and Property Information

Name of Proposed Development: Rubicon Capital, LLC

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

The property is zoned: C1

Proposed Zoning District: C3 & M1

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

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

Please see attached

**Property Owner Information**

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

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


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

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

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

This proposed zoning amendment will bring the property inline with the use/tenants that have been utilizing the now dislocated shopping center. For the last 25 plus years the shopping center has struggled to have any real meaningful tenants or improvements made to it. By allowing this Zoning Map Amendment the City will enable the property to be redeveloped into a new age commerce park. The redevelopment calls an entire overhaul of the site along with new construction. This new development coupled with the mix of proposed tenants will greatly benefit the not only the area residents in the vicinity of the site but the entire city by bring living wages jobs, a safe and secure development, additional tax revenue and large investment dollars. See attached proposed site plan and renderings for details.

  
Signature of Owner

  
Signature of Applicant

State of Michigan  
County of Oakland

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

Notary Public, Oakland County, Michigan  
My Commission Expires: \_\_\_\_\_

## ZMA 19-08...Proposed Development Plan





## ZMA 19-08 – Development Images



## ZMA 19-08 – Development Images





## ZMA 19-08 – Development Images



## ZMA 19-08 – Development Images



## ZMA 19-08 – Development Images



## Resolution

ZMA 19-08 - Zoning Map Amendment

Address: 7 & 9 S. Glenwood Avenue

Parcel No: 64-14-21-383-011 & 012

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

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

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

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

Now Therefore, Be it Resolved, That the City of Pontiac City Council approve the Planning Commission recommendation for the Zoning Map Amendment (ZMA 19-08) request for 7 & 9 Glenwood Avenue also known as Parcel Numbers 64-14-21-383-011 & 012, to amend the current site zoning C-1 Local Business to C-3 Corridor Commercial and M-1 Light Manufacturing with CR Conditional Zoning and ~~create a Medical Marihuana Overlay District [MIVIOD]~~ to allow medical marihuana provisioning and non-provisioning facilities to locate within the M-1 Light Manufacturing zoned area of the site. Additionally, the CR Conditional Rezoning requires the applicant may only occupy up one hundred thousand square feet of space for medical marihuana non-provisioning facilities until such time that grocery tenant that is a minimum of fifteen thousand square feet receives a certificate of occupancy and is open to the public for business. ~~g is effective for a period not less than twenty years.~~



## **CONDITIONAL REZONING AGREEMENT**

This Conditional Rezoning Agreement (the "Agreement") is made this 21st day of January, 2020, by and between the City of Pontiac, a Michigan City, with its offices located at 47450 Woodward Ave, Pontiac, Michigan, 48342 (the "City"), and Rubicon Capital LLC, a Michigan Limited Liability Company, (the "Developer") with its principal offices located at 4234 Bald Mountain Rd, Auburn Hills, Michigan, 48326.

### **THE PARTIES RECITE THAT:**

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

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

**WHEREAS**, the Developer is looking to develop certain parcels of real property located within the City of Pontiac, specifically parcel numbers; 14-21-383-004, 14-21-383-005, 14-21-383-006, 14-21-383-007, 14-28-126-047 \_\_\_\_\_ in Pontiac, 48326 which is currently zoned C-1 Local Business (as specifically listed and legally described on EXHIBIT A) (the "Property"), and desires to proceed with creating a mixed use development which would allow cannabis manufacturing and processing facilities; and

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

**WHEREAS**, the City Planning Commission on December \_\_\_\_ 18th \_\_\_\_ 2019 held a Public Hearing reviewing the conditional rezoning application; and

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

**WHEREAS**, the City, on December 18<sup>th</sup> \_\_\_\_ 2019, held a Public Hearing on the request for Conditional Rezoning and proposed amendment to the City's Zoning Map; and

**WHEREAS**, the City Planning Commission, on December 18<sup>th</sup> \_\_\_\_, 2019, voted to recommend approval of the request for Conditional Rezoning and proposed amendment to the City's Zoning Map Ordinance based upon this Agreement and the attached Exhibits; and

**WHEREAS**, the City Planning Commission, on December 18<sup>th</sup> \_\_\_\_, 2019, voted to approve the request for Conditional Rezoning and adopted Ordinance No. \_\_\_\_\_ to amend the City's Zoning Map Ordinance based upon the conditions set forth in this Agreement and the attached Exhibits; and

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

## **1. THE DEVELOPMENT PROJECT**

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

## **2. TIMING**

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

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

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



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

### 3. DEFAULT

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

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

**4. CHANGE IN USE.** Any change to the use of the structure to a use other than what has been specified in this Agreement may be administratively approved by the City Planning, and Zoning Official and/or the Mayor if it meets the following standards:

- a. The change to the use would not increase by more than five percent (5%) any or all of the following characteristics of the property: "The City may include conditions such as:" the total number of parking spaces required or provided; or the expected traffic generation; and
- b. The use is allowed in the M1 and or C-3 zoning districts. Any change to the use of the structure other than what has been specified in this Agreement that does not meet the standards above shall be treated as a new application for the use and must be approved in accordance with the procedures and standards of the City's Zoning Ordinance, the Special Use Permit approval, a variance approval or for amendment or rezoning, as applicable.

**5. ENTIRE AGREEMENT.** This Agreement, the exhibits attached hereto, if any, and the instruments which are to be executed in accordance with the requirements hereof set forth all the covenants, agreements, stipulations, promises, conditions, and understandings between the City and the Developer concerning the Project as of the date hereof, and there are no covenants, agreements, stipulations, promises,

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

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

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

{Signature Page Follows}

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

WITNESSED:

SIGNED:

\_\_\_\_\_

\_\_\_\_\_  
For: City of Pontiac  
By:

\_\_\_\_\_

\_\_\_\_\_  
For: City of Pontiac  
By:

Notary Public

\_\_\_\_\_ County, \_\_\_\_\_

Acting in \_\_\_\_\_ County, \_\_\_\_\_

My Commission Expires \_\_\_\_\_

WITNESSED:

SIGNED:

\_\_\_\_\_

\_\_\_\_\_  
For: Rubicon Capital LLC  
By: Manuel Ferraiuolo

Notary Public

\_\_\_\_\_ County, \_\_\_\_\_

Acting in \_\_\_\_\_ County, \_\_\_\_\_

My Commission Expires \_\_\_\_\_

**#10**

**RESOLUTION**



**Department of Building Safety & Planning**  
**PLANNING DIVISION**

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

*Mayor Deirdre Waterman*

**TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL**

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

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

**DATE: JANUARY 9, 2020**

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

**Summary**

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

### Master Plan

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

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

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

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

### Medical Marihuana Overlay District

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

### Existing Zoning Districts

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

### Rezoning Criteria

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### Resolution

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

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

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

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

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

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



## ZMA 19-12 Zoning Map Amendment

PARCEL NO: 64-14-18-351-017  
PROPERTY ADDRESS: Vacant  
APPLICANT: OO Cesar Chavez LLC  
CURRENT ZONING: C-4 Suburban Commercial  
PROPOSED ZONING: C-3 Corridor Commercial  
INTENDED USE: Medical Marihuana  
Provisioning Center





**Department of Building Safety & Planning**  
**PLANNING DIVISION**

47450 Woodward Ave | PONTIAC, MICHIGAN 48342-5009  
TELEPHONE: 248.758.2300 | FAX: 248.758.2327

*Mayor Deirdre Waterman*

**TO: PONTIAC PLANNING COMMISSION**

**FROM: VERN GUSTAFSSON, PLANNING MANAGER**  
**PLANNING DIVISION**

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

**DATE: DECEMBER 30, 2019**

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

**Summary**

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

### Master Plan

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

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

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

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

### Medical Marihuana Overlay District

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

### Existing Zoning Districts

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

### Rezoning Criteria

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Recommendation

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

**Zoning Map Amendment Site Assessment**

Name of Development : TBD

Name of Applicant: 00 Cesar Chavez LLC

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

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

Proposed Zoning Change: C-3 Corridor Commercial

Proposed Use: Medical Marijuana Facilities

Adjacent Property Zoning: \_\_\_\_\_

North: C-4 Suburban Commercial

South: C-3 Corridor Commercial

East: C-4 Suburban Commercial

West: C-4 Suburban Commercial

**Proposal 1 Buffer Measurements**

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

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

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

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

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

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

**ZMA 19-12**

ZMA Technical Site Assessment







# Application for Zoning Map Amendment

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

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

Sidwell Number: 14-18-351-017

Date: July 26, 2019

Office Use Only

PF Number: ZMA 19-12

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

**Applicant (please print or type)**

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

**Project and Property Information**

Name of Proposed Development: Unknown at this time.

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

The property is zoned: C-4

Proposed Zoning District: C-3

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

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

Please see attached legal description, and site plans.

**Property Owner Information**

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

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

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

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

Alternatively, retail development.

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

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

Jesh Shkreli

Signature of Owner

Jesh Shkreli

Signature of Applicant

State of Michigan  
County of Oakland Genesee

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

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

[Signature]  
Notary Public, Oakland County, Michigan  
My Commission Expires: 3-5-25



EXHIBIT A

PARCEL 14-18-351-017

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

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

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

*Lesh Shkreli*

**#11**

**RESOLUTION**



**Department of Building Safety & Planning  
PLANNING DIVISION**

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

*Mayor Deirdre Waterman*

**TO: HONORABLE MAYOR COUNCIL PRESIDENT AND CITY COUNCIL**

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

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

**DATE: JANUARY 9, 2020**

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

**Summary**

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



### Master Plan

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

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

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

### Medical Marihuana Overlay District

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

### Existing Zoning Districts

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

### Rezoning Criteria

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

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

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

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

2. *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*  
The site has been cleared so it's geological, hydrological, and other environmental features are no longer present on the site.
3. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning.*  
The existing site itself is not conducive to develop as a local business use. It is clear that the small parcel could not provide a reasonable return on investment.
4. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*  
The development of a Medical Marihuana Provisioning Center is compatible with uses allowed within the C-3 zoning district and should not negatively impact density, traffic or property values.
5. *The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City.*  
The City's utilities does have capacity and services will be sufficient to accommodate the proposed Medical Marihuana Provisioning Center and not compromise the City's health, safety, and welfare.
6. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*  
Cesar Chavez [Business Route 24] is a Trunkline owned by the Michigan Department of Transportation. The proposed development will not impact the ability of this state Trunkline and adjoining roads to handle potential traffic.
7. *The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*  
The boundaries of the rezoning are reasonable in relationship to surroundings and zoning district dimensional requirements.
8. *If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.*  
With all the previous findings of fact, the boundaries of the proposed C-3 zoning district are reasonable from the City's perspective and comply with the vision found in the City's Master Plan.
9. *If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*  
It would be inappropriate to amend the zoning text for C-1 Local Business zoning district with its primary goal to create settings for commercial development to allow a Medical Marihuana Provisioning Center, retail facilities within the C-1 zoning district.



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

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

### Resolution

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

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

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

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

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

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

## ZMA 19-13 Zoning Map Amendment

PARCEL NO: 64-14-19-429-013  
PROPERTY ADDRESS: 676 Cesar Chavez  
APPLICANT: Steven Ori  
CURRENT ZONING: C-1 Local Business  
PROPOSED ZONING: C-3 Corridor Commercial  
INTENDED USE: Medical Marihuana  
Provisioning Center





Department of Building Safety & Planning  
**PLANNING DIVISION**

47458 Woodward Ave | PONTIAC, MICHIGAN 48342-5009  
TELEPHONE: 248.758.2300 | FAX: 248.758.2827

*Mayor Deirdre Waterman*

TO: PONTIAC PLANNING COMMISSION

FROM: VERN GUSTAFSSON, PLANNING MANAGER  
PLANNING DIVISION

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

DATE: DECEMBER 26, 2019

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

Summary

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



### Master Plan.

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

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

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

### Medical Marihuana Overlay District

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

### Existing Zoning Districts

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

### Rezoning Criteria

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Recommendation

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

**Zoning Map Amendment Site Assessment**

Name of Development: Pure Life Solutions

Name of Applicant: Steven Ori

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

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

Proposed Zoning Change: C-1 Local Commercial

Proposed Use: Medical Marijuana Facilities

Adjacent Property Zoning: \_\_\_\_\_

North: C-1 Local Commercial

South: C-3 Corridor Commercial

East: R-1 Residential Dwelling

West: M-2 Heavy Manufacturing

**Proposal 1 Buffer Measurements**

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

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

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

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

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

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

**ZMA 19-13**

ZMA Technical Site Assessment



# Application for Zoning Map Amendment

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: 676 Cesar E Chavez Ave.

Office Use Only

PF Number: \_\_\_\_\_

Sidwell Number: \_\_\_\_\_

Date: 08/15/2019

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

**Applicant (please print or type)**

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

**Project and Property Information**

Name of Proposed Development: Pure Life Solutions

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

The property is zoned: C1

Proposed Zoning District: C3

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

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

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



**Property Owner Information**

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

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

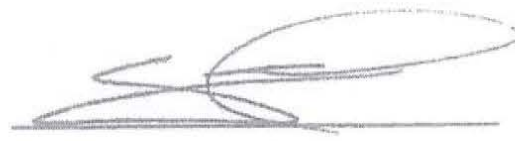
The proposed will be used for the following purpose (provide as much detail as possible with photographs, sketches, site plans, written documents, etc.).

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

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

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

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

  
Signature of Owner  
Signature of Applicant

State of Michigan  
County of Oakland

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

Notary Public, Oakland County, Michigan  
My Commission Expires: \_\_\_\_\_

## **ADDENDUM FOR APPLICANT STEVEN ORI – PURE LIFE SOLUTIONS**

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

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

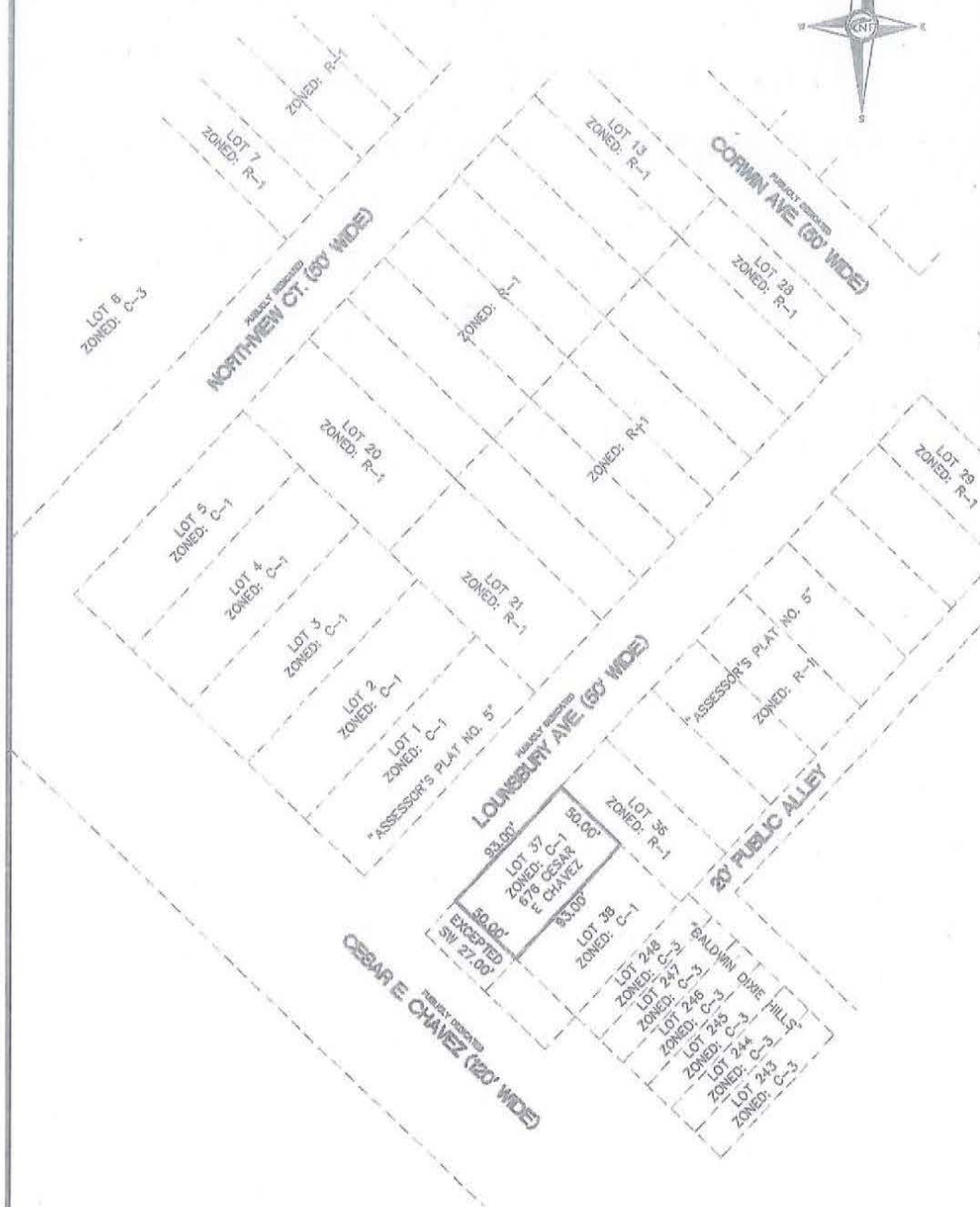
**State the reason for the Zoning Map Amendment, particularly the manner in which the City will benefit if the amendment is approved and why such change will not be detrimental to the public welfare and/or the property rights of other persons located in the vicinity of the site.**

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

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

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





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

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



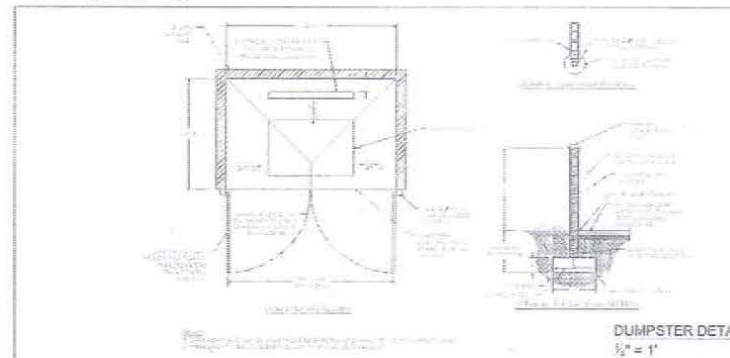
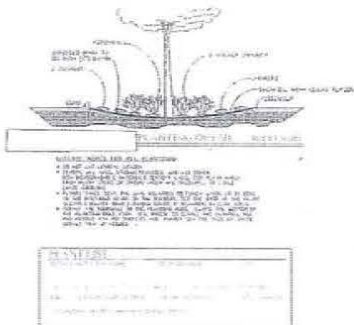
SCALE	DATE	DRAWN	JOB NO.	SHEET
1" = 80'	12-30-2019	AJE	L455	1 of 1



## ADJACENT BUILDING



**SITE PLAN**  
SCALE: 1" = 20'



DUMPSTER DETAIL  
1/4" = 1'



- 43 SITE PLAN AND GAT-4
- 42 FLOOR PLAN
- 43 ELEVATIONS
- 44 SECURITY AND WASTE PLAN
- 45 LIFE SAFETY PLAN

LOT 24 - PART OF THE SW/4 OF SECTION 10, TOWNSHIP 2 NORTH, RANGE 49  
EAST, ASSASSIN'S PLAT NO. 16 RECORDED IN BOOK 1 OF THE  
CITY OF PORTLAND, OREGON COUNTY, OREGON  
(PLAT NO. RECORDED 150)

LOT 27 - SE/4 OF THE SOUTHWESTERN 1/4 27TH TOWNSHIP,  
ASSASSIN'S PLAT NO. 16 WITH CORNER CHANGED ON

LOT 28 - SE/4 OF THE SOUTHWESTERN 1/4 27TH TOWNSHIP,  
ASSASSIN'S PLAT NO. 16 WITH CORNER CHANGED ON

2.24sq. Easted C2 PROPOSED C1  
 LOT 56 = 4,650.50 SQ FT  
 LOT 37 = 4,650.50 SQ FT  
 LOT 38 = 4,650.50 SQ FT  
 PROPOSED TOTAL = 13,951.50 SQ FT

EXISTING SLABING = 2,330 SQ FT  
 PROPOSED BUILDING = 1010 SQ FT  
 USE GROUP B  
 1) FLOOR 1 (100 sq ft) (1,000/100 = 10)  
 OCCUPANT LOAD = 10 PEOPLE

SPACES FOR 200 sq. ft. (600,000)  
PARKING REQUIRED AND SPACES  
PARKING PROVIDED = 16 SPACES

2016 CITY OF PORTLAND LOCAL ORDINANCES  
2016 WASHINGTON STATE LOCAL ORDINANCES  
FACILITY LOCATION PAGE



A1





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

**GEORGINA LAVIGNE**  
REGISTERED ACCOUNTANT

---

**VIGNE**

---

georgina@vigne.ca      514.342.1525

41000 WILLOWDALE AVE.  
SUITE 330 EAST  
BLOOMFIELD HILLS, MI 48304

800.242.1525

ISSUED FOR:  
 Kenneth S. Anderson 2-15-20

NOTES:

**PURE LIFE SOLUTIONS**  
MEDICAL MARIJUANA  
PROVISIONING CENTER  
675 Cesar Chavez  
Pontiac, MI

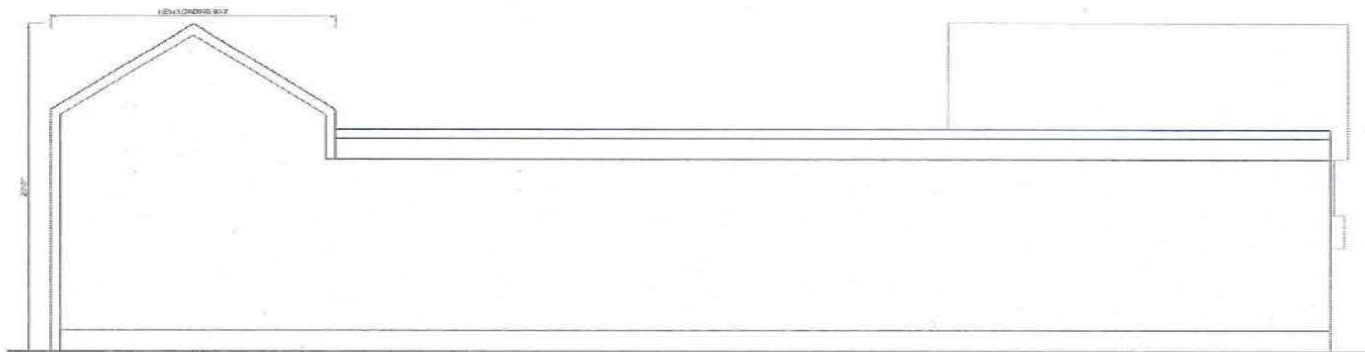
DRAWING TITLE

FLOOR PLAN

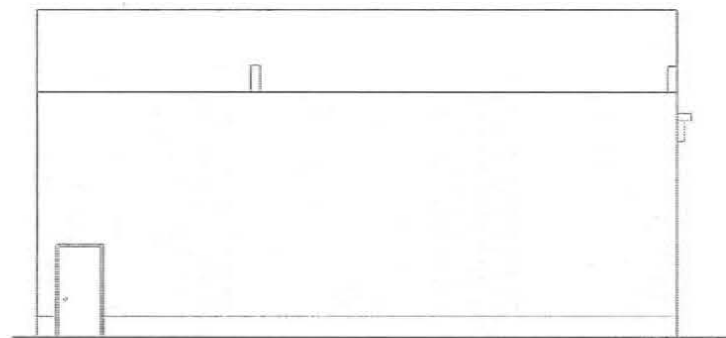
DRAWN BY:	89. 2. 24
CHECKED BY:	GL

SHEET No.

A2



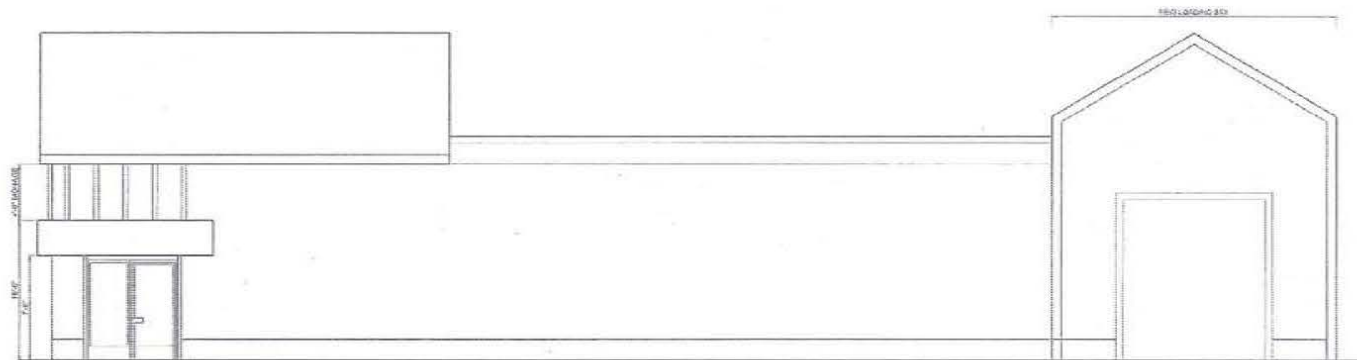
**North Elevation**  
SCALE: 1/4" = 1'-0"



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



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



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

LICENSE: 40247

EDWARD L. VIGNE

**VIGNE**

4100 WOODWARD AVE.  
SUITE 100 EAST  
BLOOMFIELD HILLS MI 48304

588-242-1925

ISSUED FOR:  
Residential Structural 8-14-19

NOTES:

PROJECT:

PURE LIFE SOLUTIONS  
MEDICAL MARIJUANA  
PROVISIONING CENTER

676 Cesar Chavez  
Pontiac, MI.

DRAWING TITLE:

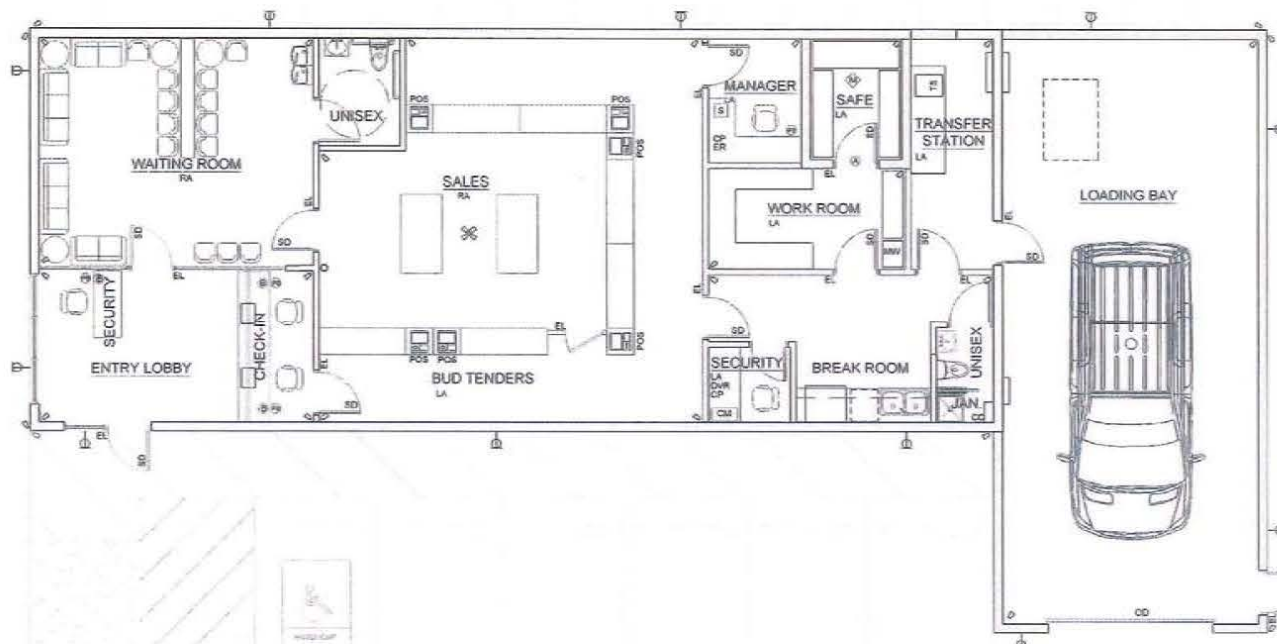
ELEVATIONS

DRAWN: A.A. JR.

CHECKED: G.

SHEET No.

A3



# FLOOR PLAN

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

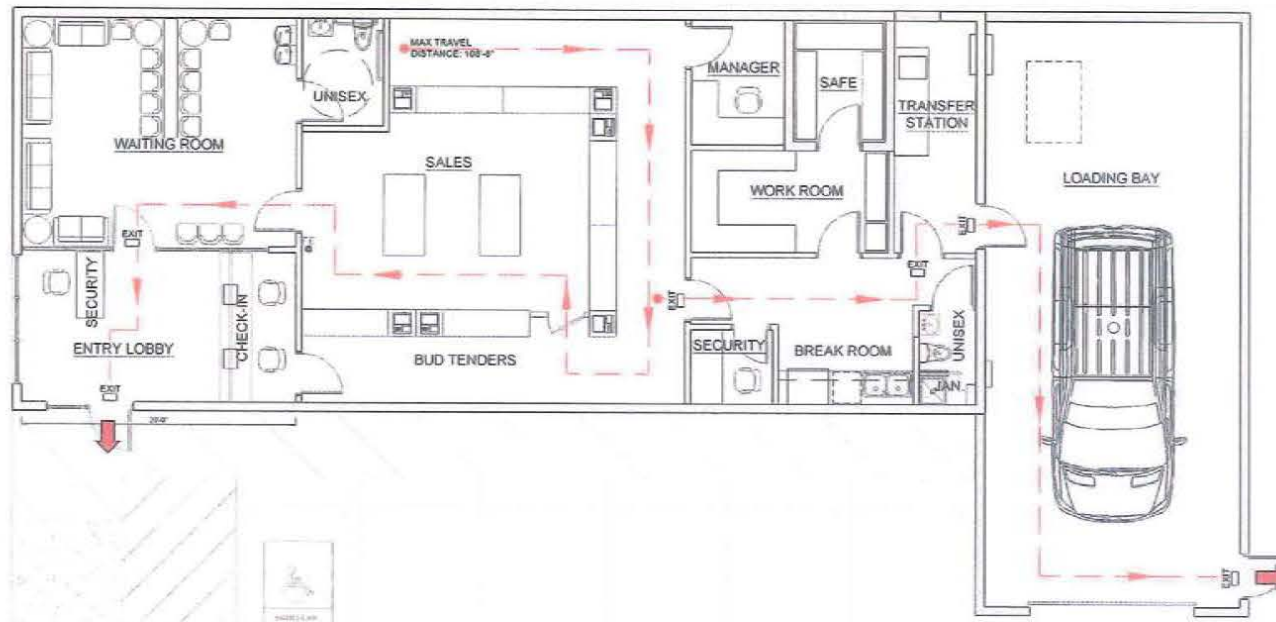
## DISPOSAL PLAN

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

## SECURITY PLAN:

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





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

**LIFE SAFETY LEGEND**

- RUE

NO

ROOM TAG
- ONE (1) HOUR RATED PARTITION
- TWO (2) HOUR RATED PARTITION w/ 50 MPH FIRE DOOR
- FIRE EXTINGUISHER
- EMERGENCY LIGHTING
- EMERGENCY LIGHTING
- DISCHARGE EXIT
- 25

HET OCCUPANT TAG
- 25

GRDS OCCUPANT TAG
- MAXIMUM TRAVEL DISTANCE

LICENSE 40247

DIORIAN LAUGHRE  
REGISTERED ARCHITECT

**VIGNE**

group inc.

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

888.242.1525

ISSUED FOR:

Revising Submittal 5-18-19

NOTES

PROJECT

PURE LIFE SOLUTIONS  
MEDICAL MARIHUANA  
PROVISIONING CENTER

676 Cesar Chavez  
Pontiac, MI

DRAWING TITLE

LIFE SAFETY  
PLAN

DRAWN: JA

CHECKED: GL

SHEET No.

A5

**#12**

**RESOLUTION**



**Department of Building Safety & Planning**  
**PLANNING DIVISION**

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

*Mayor Deirdre Waterman*

**TO:** HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL

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

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

**DATE:** JANUARY 9, 2020

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

**Summary**

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

### Master Plan

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

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

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

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

### Medical Marihuana Overlay District

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

### Existing Zoning Districts

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

### Rezoning Criteria

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### Resolution

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

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

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

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

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

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



## ZMA 19-14 Zoning Map Amendment

PARCEL NO: 64-14-08-380-027  
PROPERTY ADDRESS: 114 W. Walton Blvd  
APPLICANT: Ramon Dent  
CURRENT ZONING: C-1 Local Business  
PROPOSED ZONING: C-3 Corridor Commercial  
INTENDED USE: Medical Marihuana  
Provisioning Center





Department of Building Safety & Planning  
**PLANNING DIVISION**

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

*Mayor Deirdre Waterman*

TO: PONTIAC PLANNING COMMISSION

FROM: VERN GUSTAFSSON, PLANNING MANAGER  
PLANNING DIVISION

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

DATE: DECEMBER 26, 2019

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

Summary

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

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

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

### Medical Marihuana Overlay District

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

### Existing Zoning Districts

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

### Rezoning Criteria

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

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

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

The subject site conforms to the goals and objectives included in the City's Master Plan. The Master Plan created Entrepreneurial districts to redevelop and encourage adaptive re-use of properties to allow various intensity of commercial uses located within specific areas and foster the rebirth of the Walton Blvd Corridor.
2. *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*

The site is occupied by a commercial use; so it's geological, hydrological, and other environmental features are no longer present on the site.
3. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning.*

The applicant did not demonstrate an inability to receive a reasonable return on investment with the existing zoning.
4. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*

The development of a Medical Marijuana Provisioning Center is compatible with surrounding uses and in terms of land suitability, impact on the environment, density, traffic impacts, aesthetics, and infrastructure.
5. *The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City.*

The City's utilities have capacity and services will be sufficient to accommodate the proposed Medical Marijuana Provisioning Center and not compromise the City's health, safety, and welfare.
6. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*

Walton Boulevard is a Major Road under the jurisdiction of the City of Pontiac. The proposed development will not impact the ability of this Major Road and adjoining roads to handle potential traffic.
7. *The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*

The boundaries of the rezoning are reasonable in relationship to surroundings and zoning district dimensional requirements.
8. *If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.*

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

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

Recommendation

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

Technical Assessment of Site MMOD And Zoning Map Amendment

Zoning Map Amendment Site Assessment

Name of Development: Lucid Pontiac

Name of Applicant: Ramon Dent

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

Address & Zoning for Development 114 W. Walton Blvd.

Proposed Zoning Change: C-3 Corridor Commercial

Proposed Use: Medical Marijuana Facilities

Adjacent Property Zoning: \_\_\_\_\_

North: R-1 Residential Dwelling

South: M-1 Light Manufacturing

East: C-1 Local Commercial

West: C-1 Local Commercial

Proposal 1 Buffer Measurements

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

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

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

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

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

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

ZMA 19-14

ZMA Technical Site Assessment





# Application for Zoning Map Amendment

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: 114 W Walton Blvd

Sidwell Number: 14-08-380-027

Date: 8-15-19

Office Use Only

PF Number: 2MA 19-14

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

**Applicant (please print or type)**

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

**Project and Property Information**

Name of Proposed Development: Lucid Pontiac

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

The property is zoned: C1

Proposed Zoning District: C3 - (conditional) use

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

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

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

Property Owner Information

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

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


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

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

See attached documents

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.

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

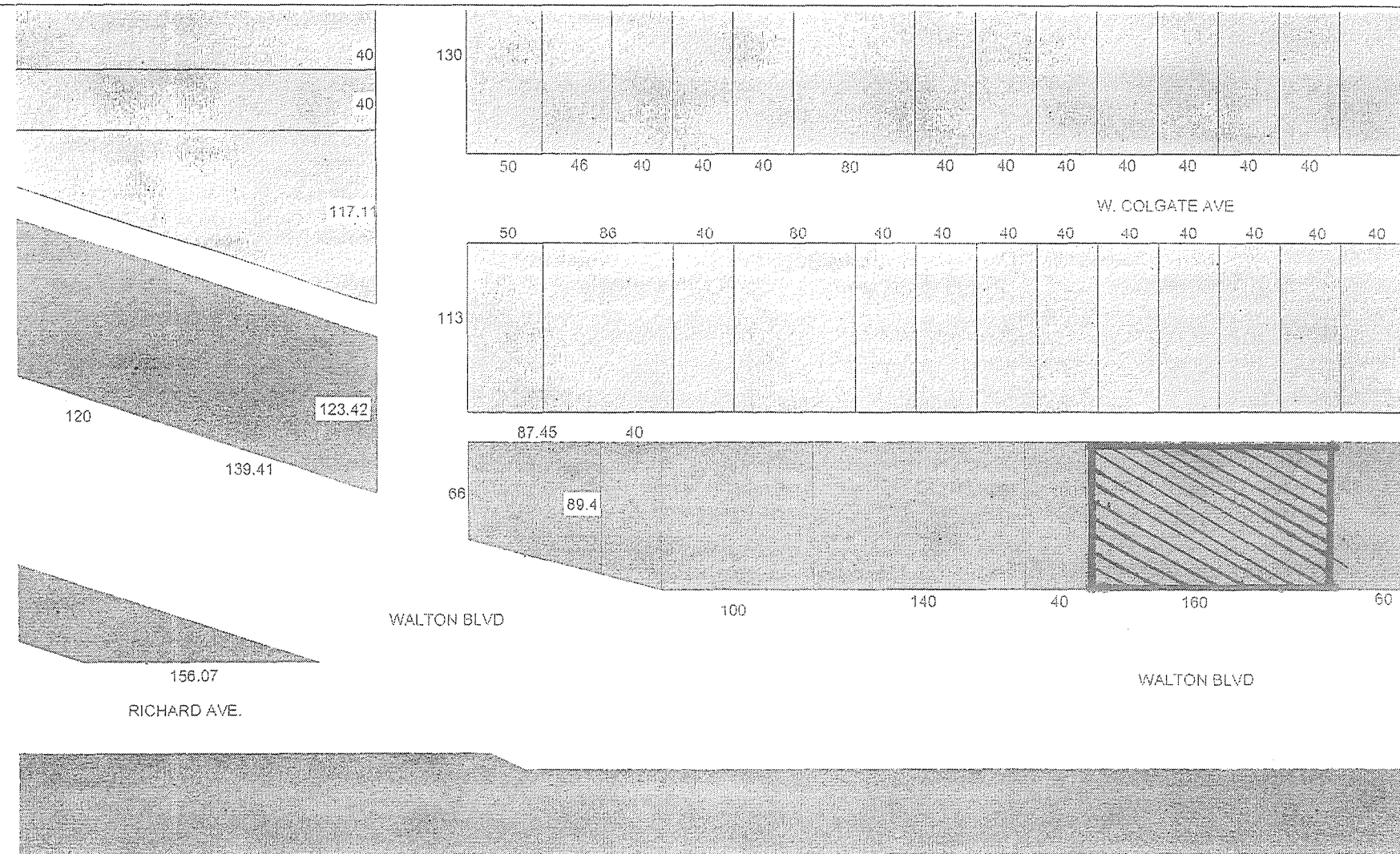
  
\_\_\_\_\_  
Signature of Owner

  
\_\_\_\_\_  
Signature of Applicant

State of Michigan  
County of Oakland

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

\_\_\_\_\_  
Notary Public, Oakland County, Michigan  
My Commission Expires: \_\_\_\_\_



**#13**

**RESOLUTION**



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

*Mayor Deirdre Waterman*

**TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND COUNCIL PRESIDENT**

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

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

**DATE: JANUARY 9, 2019**

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

**Summary**

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

### Master Plan

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

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

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

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

### Medical Marihuana Overlay District

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

### Existing Zoning Districts

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

### Rezoning Criteria

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Resolution

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

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

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

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

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

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

## ZMA 19-15 Zoning Map Amendment

PARCEL NO: 64-14-08-380-028  
PROPERTY ADDRESS: 108 W. Walton Blvd  
APPLICANT: Jose Grandados  
CURRENT ZONING: C-1 Local Business  
PROPOSED ZONING: C-3 Corridor Commercial  
INTENDED USE: Medical Marihuana  
Provisioning Center





Department of Building Safety & Planning  
**PLANNING DIVISION**

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

*Mayor Deirdre Waterman*

TO: PONTIAC PLANNING COMMISSION

FROM: VERN GUSTAFSSON, PLANNING MANAGER  
PLANNING DIVISION

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

DATE: DECEMBER 26, 2019

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

Summary

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

### Master Plan

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

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

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

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

### Medical Marihuana Overlay District

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

### Existing Zoning Districts

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

### Rezoning Criteria

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

#### Recommendation

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

Zoning Map Amendment Site Assessment

Name of Development: TBD

Name of Applicant: Joe Granados

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

Address & Zoning for Development 108 W. Walton

Proposed Zoning Change: C-3 Corridor Commercial

Proposed Use: Medical Marijuana Facilities

Adjacent Property Zoning: \_\_\_\_\_

North: R-1 Residential Dwelling

South: M-1 Light Manufacturing

East: C-1 Local Commercial

West: C-1 Local Commercial

Proposal 1 Buffer Measurements

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

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

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

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

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

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

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

ZMA-19-15



# Application for Zoning Map Amendment

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: 108 W Walton

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

Date: 11/11/2019

Office Use Only

PF Number: 2MA 19-15

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

Applicant (please print or type)

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

## Project and Property Information

Name of Proposed Development: \_\_\_\_\_

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

The property is zoned: C1

Proposed Zoning District: C3

It is proposed that the property will be used as: brochard energy center facility

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

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

Property Owner Information

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

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

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

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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.

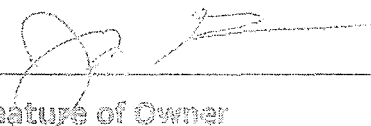
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\_\_\_\_\_  
Signature of Owner

  
\_\_\_\_\_  
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: \_\_\_\_\_



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

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

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

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

January 2, 2020

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

Re: Rezoning of 108 W Walton Blvd

Dear Mr. Gustafsson:

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

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

Thank you for your cooperation in this matter.

Very truly yours,  
AIELLO & ASSOCIATES, PLLC

**Aaron D. Geyer**

Aaron D. Geyer  
Attorney at Law

ADG/



**#14**

**RESOLUTION**



Department of Building Safety & Planning  
**PLANNING DIVISION**

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

*Mayor Deirdre Waterman*

**TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUCL**

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

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

**DATE: JANUARY 9, 2019**

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

**Summary**

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

### Master Plan

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

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

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

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

### Medical Marihuana Overlay District

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

### Existing Zoning Districts

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

### Rezoning Criteria

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### Resolution

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

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

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

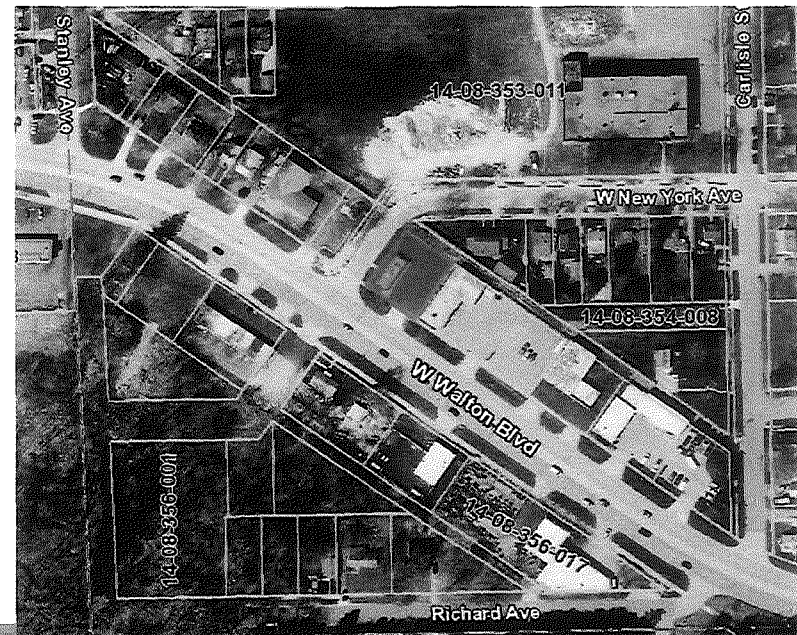
*Whereas*, In accordance with the procedures outlined in the Zoning Ordinance, Sections 6.802 as it relates to Zoning Map Amendments, the request has undergone the required: Technical Review, Public Hearing, and Planning Commission Recommendation; and

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

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

## ZMA 19-16 Zoning Map Amendment

PARCEL NO: 64-14-08-354-010  
PROPERTY ADDRESS: 228 W. Walton Blvd  
APPLICANT: William Moesta  
CURRENT ZONING: C-1 Local Business  
PROPOSED ZONING: C-3 Corridor Commercial  
INTENDED USE: Medical Marihuana  
Provisioning Center







Department of Building Safety & Planning  
**PLANNING DIVISION**

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

*Mayor Deirdre Waterman*

TO: PONTIAC PLANNING COMMISSION

FROM: VERN GUSTAFSSON, PLANNING MANAGER  
PLANNING DIVISION

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

DATE: DECEMBER 30, 2019

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

Summary

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

### Master Plan

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

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

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

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

### Medical Marihuana Overlay District

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

### Existing Zoning Districts

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

### Rezoning Criteria

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Recommendation

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

Zoning Map Amendment Site Assessment

Name of Development: Coney Cozy Cafe

Name of Applicant: William Moesta

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

Address & Zoning for Development 228 W. Walton

Proposed Zoning Change: C-3 Corridor Commercial

Proposed Use: Medical Marijuana Facilities

Adjacent Property Zoning: \_\_\_\_\_

North: R-1 Residential Dwelling

South: C-3 Corridor Commercial

East: C-1 Local Commercial

West: C-3 Corridor Commercial

Proposal 1 Buffer Measurements

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

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

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

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

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

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

ZMA 19-16



# Application for Zoning Map Amendment

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800 F: 248.758.2827

Property/Project Address: 228 West Walton

Sidwell Number: \_\_\_\_\_

Date: 12-6-19

Office Use Only  
PF Number: 2019-10

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

Applicant (please print or type)

Name	<u>William Mesta</u>		
Address	<u>228 W. Walton Blvd</u>		
City	<u>Pontiac, MI 48342</u>		
State	<u>Michigan</u>		
ZIP Code	<u>48342</u>		
Telephone	Main: _____	Cell: <u>444 425 2780</u>	Fax: _____
E-Mail	<u>WJMesta@out.com</u>		

## Project and Property Information

Name of Proposed Development: Coffee Cafe inc

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

The property is zoned: C-1

Proposed Zoning District: by C-1

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

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



Property Owner Information

Name	William Wiest		
Address	8379 Woodward Dr		
City	Waterford		
State	Michigan		
ZIP Code	48329		
Telephone	Main:	Cell: 248 425 2780	Fax:
E-Mail	WWWiest@aol.com		

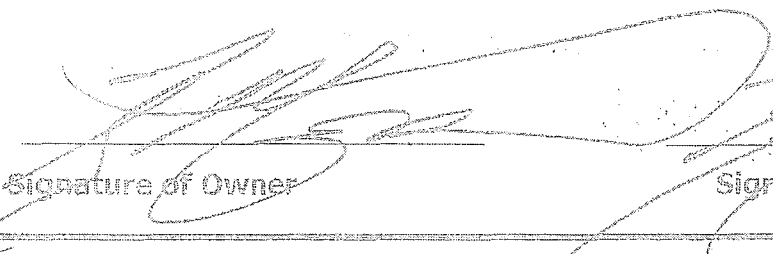
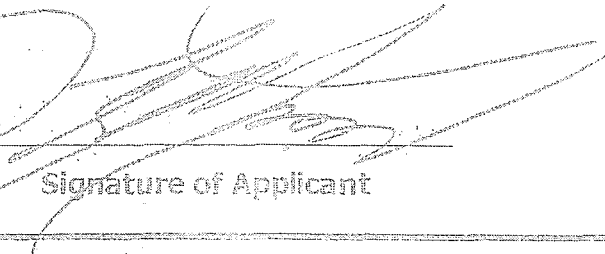
Are you the ☒ Owner ☐ Agent/rep. of the owner ☐ Other ☐

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

Restaurant - from the year 1991

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

City should have had it zoned C-3 all along

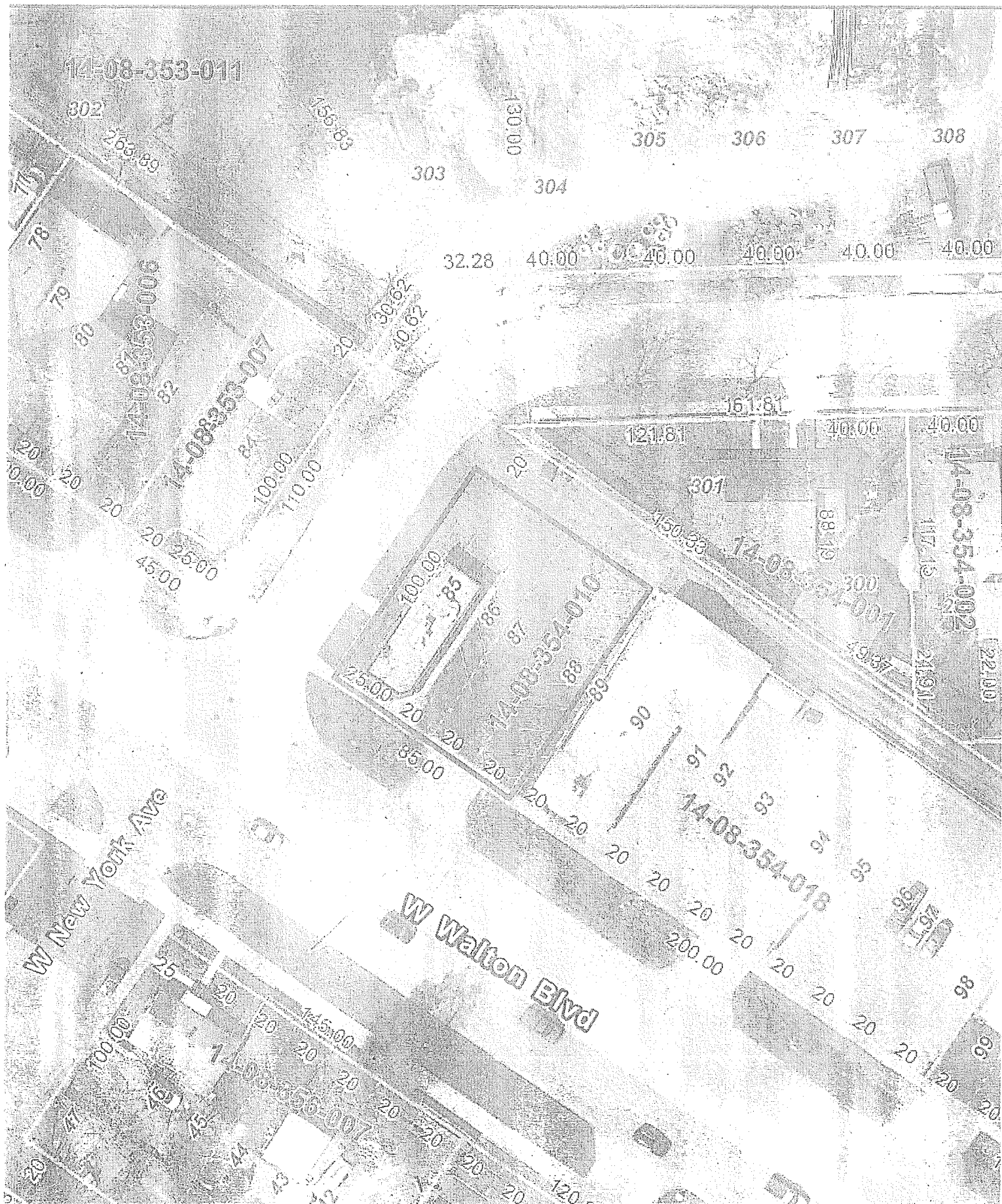
Signature of Owner  Signature of Applicant 

State of Michigan  
County of Oakland

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

Notary Public, Oakland County, Michigan  
My Commission Expires: \_\_\_\_\_

# 228 W WALTON BLVD

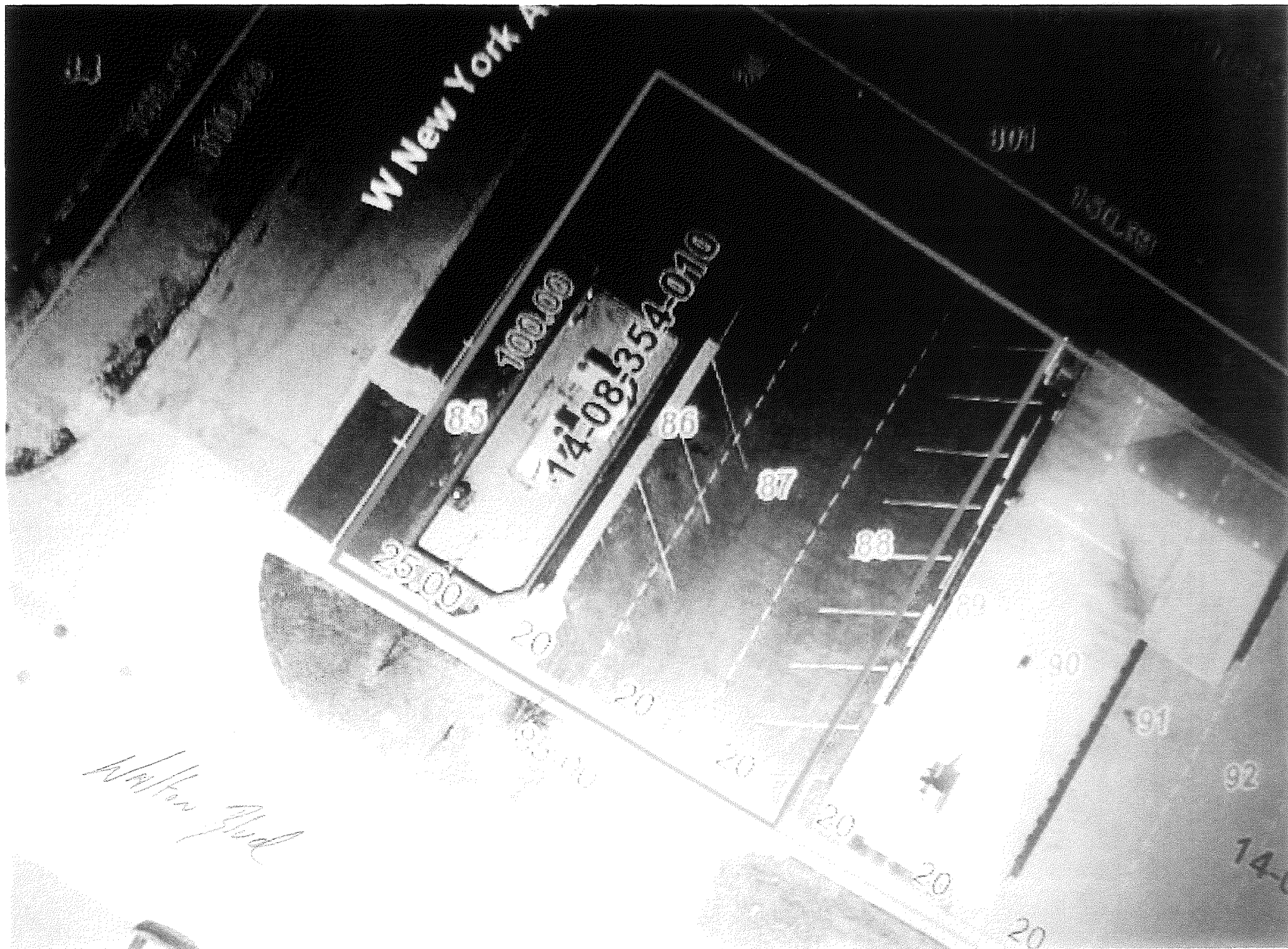


- 2 Foot Contours
- 5 Foot Contours
- FEMA Base Flood Elevations
- FEMA Cross Sections
- 100 yr - FEMA Floodplain
- 100 yr detailed - FEMA Floodplain
- 500 yr - FEMA Floodplain
- FLOODWAY - FEMA Floodplain

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

**OAKLAND**  
 ADVANTAGE  
 David Coulter  
 Oakland County Executive

Date Created: 1/3/2020  
  
 NORTH  
 1 inch = 50 feet



Walton Field

To Whom It May Concern,

As a condition to the receiving.

The received Parcel or property

will revert back to the Council

Caring district of a property licensed

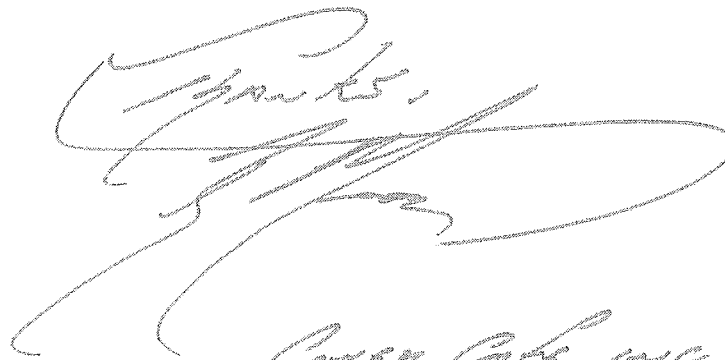
Cannabis Facility is not operating

and not open to the public

within three years from date of

Portage City Council approval Caring

the amendment.

Yours,  
 1/2/20

Corey Cole Inc.  
228 W. Walker Blvd.  
Portage, WI 54901

**#15**

**RESOLUTION**



**CITY OF PONTIAC**  
**Department of Building Safety & Planning**  
**Planning Division**  
47450 Woodward Ave • Pontiac, Michigan 48342  
Telephone: (248) 758-2800

*Mayor Deirdre Waterman*

**TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL**

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

**SUBJECT: RESOLUTION TO SCHEDULE PUBLIC HEARING**  
**2020-2024 CITY OF PONTIAC PARKS & RECREATION MASTER PLAN**

**DATE: JANUARY 16, 2020**

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In compliance with the Department of Natural Resources (DNR) requirements for Parks & Recreation Masterplan adoption, the City of Pontiac City Council on January 14<sup>th</sup>, passed a resolution to schedule a Public Hearing for the 2020-2024 Parks & Recreation Master Plan on January 21<sup>st</sup>, 2020 at 12:00pm. Immediately following the Public Hearing the Planning Division is requesting the Pontiac City Council vote to adopt the resolution for the provided 2020-2024 Parks & Recreation Master Plan, ensuring the Planning Division's ability to submit the final adopted plan to the Department of Natural Resources by February 1, 2020 deadline.

The current final draft of the 2020-2024 Parks & Recreation Masterplan can be viewed online at:  
[www.Pontiac.Mi.Us/P&RMasterPlan](http://www.Pontiac.Mi.Us/P&RMasterPlan)

The Planning Division request the following actions of City Council at the regular schedule meeting on January 21, 2020:

1. Public Hearing for comments related to 2020-2021 Parks & Recreation Master Plan
2. 2020-2021 Parks & Recreation Master Plan Resolution for adoption on January 21<sup>st</sup>





**CITY OF PONTIAC**  
**Department of Building Safety & Planning**  
**Planning Division**

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

*Mayor Deirdre Waterman*

**City of Pontiac Parks and Recreation Master Plan 2020-2024**  
**For the City of Pontiac, Oakland County, Michigan**

**Resolution for 2020-2024 Parks and Recreation Master Plan Adoption**

WHEREAS, the City of Pontiac has undertaken a planning process to determine the recreation and natural resource conservation needs and desires of its residents covering a five-year period for the years 2020 through 2024, and

WHEREAS, the City of Pontiac began the process of developing a citywide recreation plan in accordance with the most recent guidelines developed by the Department of Natural Resources that were made available to local communities, and

WHEREAS, residents of the City of Pontiac were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the parks and recreation plan, and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least 30 days, and

WHEREAS, a public hearing was held on January 21, 2020 at Pontiac City Hall to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the City of Pontiac Parks and Recreation Master Plan 2020-2024, and

WHEREAS, the City of Pontiac has developed the plan as a guideline for improving recreation and enhancing natural resource conservation for the City of Pontiac, and

WHEREAS, after the public hearing, the Pontiac City Council voted to adopt the City of Pontiac Parks and Recreation Master Plan 2020-2024.

NOW, THEREFORE BE IT RESOLVED the Pontiac City Council hereby adopts the City of Pontiac Parks and Recreation Master Plan 2020-2024.

**DRAFT**  
1/3/2020

# PARKS, RECREATION & SCHOOL FACILITY MAP

## City Park or Facility

1. Aaron Perry Park
2. Art Dunlap Park
3. Art Heaton Park
4. Baldwin Park
5. Beaudette Park
6. Bowens Senior Center
7. Charlie Harrison Park
8. Cherrylawn Park
9. Clinton River Trail
10. Crystal Lake Park
11. Dawson Pond Park
12. Ewall Center
13. Ferry Farms Park
14. Fisher Street Park
15. Galloway Lake Park
16. Hawthorne Park
17. Hidden River Park
18. Indian Village Park
19. Jaycee Park
20. Lakeside Park
21. Madge Burl Park
22. Mattie McKinney Hatchett Park
23. Motor & Montana Park
24. Murphy Park
25. North Kiwanis Park
26. North Spur Trail
27. Oakland Park
28. Oliver Playfield
29. Optimist Park
30. Richardson Park
31. Rotary Park
32. Ruth Peterson Community Center
33. Shirley & Willard Park
34. South Kiwanis Park
35. Steed Park
36. Trinity Missionary Baptist Church Park
37. Washington/Argyle Park
38. Youth Recreation & Enrichment Center

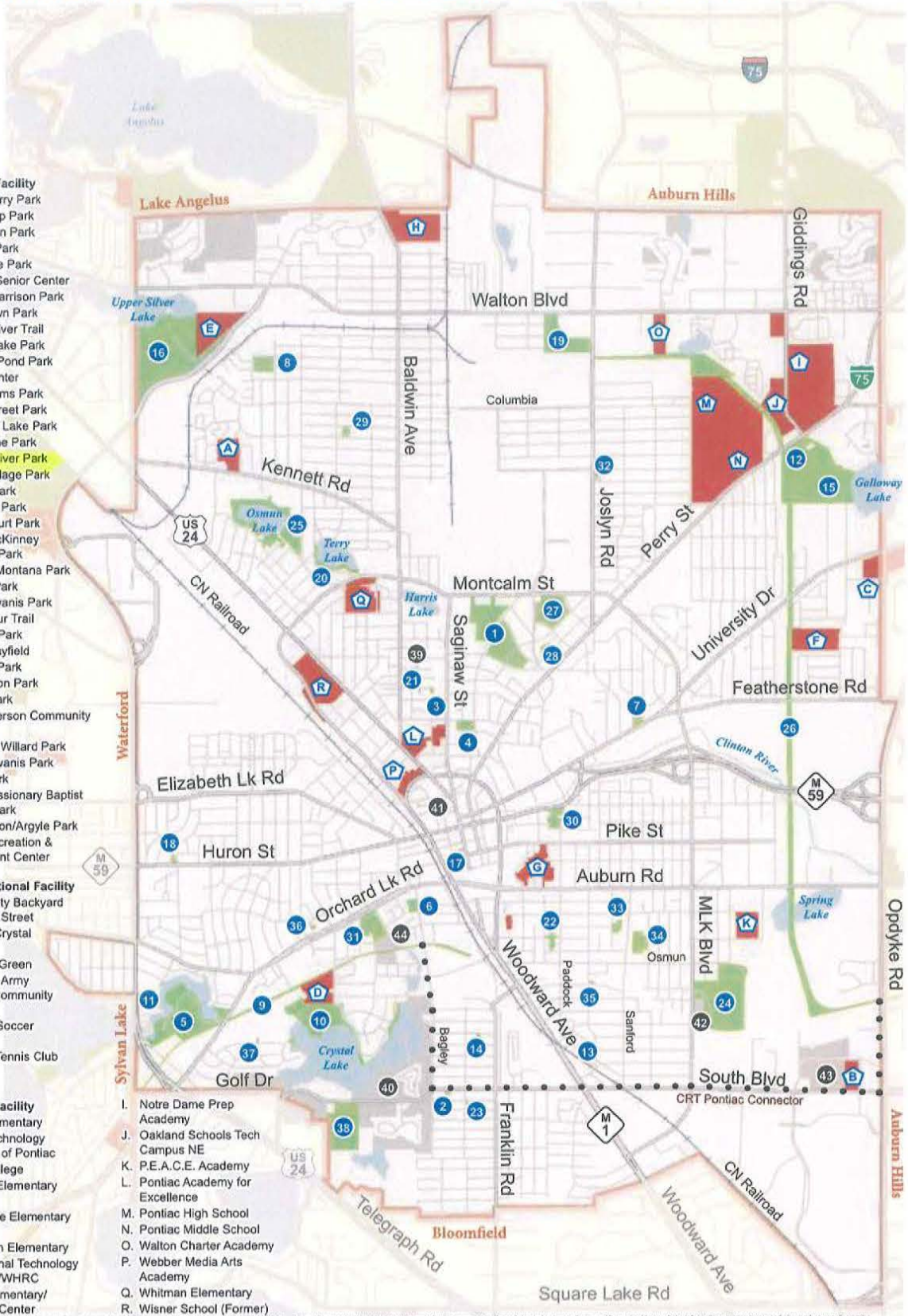
## Other Recreational Facility

39. Community Backyard on Home Street
40. Links at Crystal Lake
41. Saginaw Green
42. Salvation Army Pontiac Community Center
43. Ultimate Soccer Arenas
44. Wessen Tennis Club

## Educational Facility

- A. Alcott Elementary
- B. Arts & Technology Academy of Pontiac
- C. Baker College
- D. Bethune Elementary (Former)
- E. Hawthorne Elementary (Former)
- F. Herrington Elementary
- G. International Technology Academy/WHRC
- H. Owen Elementary/Kennedy Center
- I. Notre Dame Prep Academy
- J. Oakland Schools Tech Campus NE
- K. P.E.A.C.E. Academy
- L. Pontiac Academy for Excellence
- M. Pontiac High School
- N. Pontiac Middle School
- O. Walton Charter Academy
- P. Webber Media Arts Academy
- Q. Whitman Elementary
- R. Wisner School (Former)

The information provided herewith has been compiled from recorded deeds, plans, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise.





# CITY-OWNED RECREATION FACILITIES INVENTORY

DRAFT  
1/2/2020

Map No.	Park Name	Received DNR Grant	Park Classification	Park Acreage	Accessibility Rating	City Council District	Baseball/Softball Field	Basketball Court	Bike Parking (Y/N)	Boat Access	Cricket Field	Fishing Pier	Fitness Equipment (Y/N)	Grill (Y/N)	Horseshoe Pits (Y/N)	Parking (Y/N)	Picnic Shelter/Pavilion	Picnic Tables (Y/N)	Playground Equipment	Restrooms	Skate Park	Sledding Hill	Soccer Field	Tennis Court	Volleyball Court	Walking Path (Y/N)	
Community Parks																											
1	Aaron Perry Park	L	CP	33.49	2	6	2	-	Y	-	-	-	-	-	-	Y	-	Y	1	1	-	-	3	-	-	-	
5	Beaudette Park	L; C	CP	55.39	2	1;2	1	2	-	1	-	1	Y	Y	Y	Y	1	Y	1	1	-	-	-	1	-	-	
10	Crystal Lake Park	-	CP	42.93	1	1	-	-	-	-	-	1	-	-	-	Y	-	-	-	-	-	-	-	-	-	-	
15	Galloway Lake Park	L	CP	63.42	2	5	-	2	-	-	-	1	-	Y	-	Y	-	Y	1	1	-	-	1	4	-	-	
16	Hawthorne Park	L; M	CP	77.33	2	4	-	-	Y	1	-	1	-	Y	Y	Y	1	Y	1	1	-	-	-	-	-	-	
19	Jaycee Park	L	CP	18.22	2	4	5	-	Y	-	-	-	-	Y	Y	Y	-	Y	1	1	-	-	-	-	3	-	
24	Murphy Park	L; B	CP	45.75	3	7	1	-	Y	-	1	-	-	Y	Y	Y	1	Y	1	1	-	1	-	-	1	-	
27	Oakland Park	L	CP	14.43	3	6	1	2	Y	-	-	-	Y	-	-	Y	-	Y	1	1	1	-	-	2	-	Y	
Community Parks Subtotal				350.96	-	-	10	6	-	2	1	4	-	-	-	-	3	-	7	7	1	1	4	7	4	-	
Neighborhood Parks																											
4	Baldwin Park	-	NP	2.90	2	6	-	-	-	-	-	-	-	-	-	-	-	Y	1	-	-	-	1	-	-	-	
7	Charlie Harrison Park	-	NP	1.37	2	6	-	1	-	-	-	-	-	-	-	-	-	Y	1	-	-	-	-	-	-	Y	
8	Cherrylawn Park	L	NP	5.21	2	4	1	1	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1	-	-	
20	Lakeside Park	L	NP	4.35	2	3	-	-	-	-	-	-	-	-	-	-	-	Y	1	-	-	-	-	-	-	-	
22	Mattie McKinney Hatchett Park	-	NP	1.93	3	1	-	1	Y	-	-	-	-	-	-	-	1	Y	1	-	-	-	-	-	-	Y	
25	North Kiwanis Park	L	NP	26.95	2	3	1	-	-	-	-	1	-	-	-	-	-	-	1	-	-	-	-	-	-	-	
30	Richardson Park	L	NP	4.15	2	7	-	1	Y	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	
31	Rotary Park	L	CP	7.06	2	1	-	2	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	
33	Shirley & Willard Park	-	NP	1.78	2	7	-	1	-	-	-	-	-	-	-	-	1	Y	1	-	-	-	-	-	-	-	
34	South Kiwanis Park	L	NP	5.36	2	7	-	1	-	-	-	-	-	Y	-	-	-	Y	1	-	-	-	1	-	-	-	
Neighborhood Parks				61.06	-	-	2	8	-	0	0	1	-	-	-	-	2	-	10	0	0	0	2	1	0	-	
Mini Parks																											
2	Art Dunlap Park	-	MP	0.43	2	1	-	2	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	
3	Art Heaton Park	-	MP	0.31	2	6	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
11	Dawson Pond Park	-	MP	0.19	2	2	-	-	-	-	-	1	-	Y	-	-	-	Y	-	-	-	-	-	-	-	-	
13	Ferry Farms Park	-	MP	0.17	3	1	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	
14	Fisher Street Park	L	MP	0.43	2	1	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	
17	Hidden River Park	-	MP	0.20	3	1	-	-	Y	-	-	-	-	-	-	-	-	Y	-	-	-	-	-	-	-	-	
18	Indian Village Park	L	MP	0.67	2	2	-	-	-	-	-	-	-	-	-	-	-	Y	1	-	-	-	-	-	-	-	
21	Madge Burt Park	-	MP	0.18	2	6	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	
23	Motor & Montana Park	-	MP	0.19	2	1	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	
28	Oliver Playfield	-	MP	0.80	0	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
29	Optimist Park	L	MP	1.26	2	3	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	
35	Steed Park	-	MP	0.31	2	7	-	1	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	
36	Trinity Missionary Baptist Church Park	-	MP	0.25	2	2	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	
37	Washington/Argyle	-	MP	0.24	2	1	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	
Mini Parks Subtotal				5.63	-	-	0	4	-	0	0	1	-	-	-	-	0	-	10	0	0	0	0	0	0	-	
Community Center																											
6	Bowens Senior Center	-	CC	2.23	3	1	-	-	Y	-	-	1	-	-	Y	Y	-	-	-	-	-	-	-	-	-	Y	
12	Ewalt Center	-	CC	1.26	3	5	-	-	-	-	-	-	-	-	-	Y	-	-	-	-	-	-	-	-	-	-	
32	Ruth Peterson Community Center	-	CC	0.66	3	6	-	-	Y	-	-	-	-	-	-	Y	-	-	-	-	-	-	-	-	-	-	
38	Youth Recreation & Enrichment Center	-	CC	11.95*	3	1	-	1	-	-	-	-	-	-	-	Y	-	Y	1	-	-	-	-	-	-	-	
Community Centers				4.15	-	-	0	1	-	0	0	1	-	-	-	-	0	-	1	0	0	0	0	0	0	-	
Linear Parks																											
9	Clinton River Trail	M	LP	15.03	2	1;7	-	-	-	-	-	-	-	-	-	Y	-	-	-	-	-	-	-	-	-	Y	
26	North Spur Trail	M	LP	93.63	2	5;7	-	-	-	-	-	-	-	-	-	Y	-	-	-	-	-	-	-	-	-	Y	
Linear Parks Subtotal				108.66	-	-	0	0	-	0	0	0	-	-	-	-	0	-	0	0	0	0	0	0	0	-	
All Parks Totals				530.46			12	19	-	2	1	7	-	-	-	5	-	28	7	1	1	6	8	4	-		

Legend: CP = Community Park; NP = Neighborhood Park; MP = Mini-Park; CC = Community Center; LP = Linear Park; Y = Yes  
 L = Land & Water Conservation Fund; B = Bond Fund; M = Michigan Natural Resources Trust Fund; C = Clean Michigan Initiative  
 \* The Youth Recreation & Enrichment Center is a leased facility and the acreage is not included



**HIDDEN RIVER PARK**

13 N Saginaw Street

Accessibility Rating  <b>3</b>	Acreage  <b>0.20</b>	Classification  <b>MINI PARK</b>	Park Identity  <b>PASSIVE RECREATION PICNIC</b>	Council District  <b>1</b>
---	----------------------------	--	---	-------------------------------------

**DESCRIPTION**

Hidden River Park is located on Saginaw Street in Downtown Pontiac. This mini-park is now owned and maintained as a city park since the Pontiac Downtown Development Authority was dissolved.

**POTENTIAL PARK UPGRADES**

- Outdoor café tables and chairs
- Overhead outdoor patio globe string lights
- Repair steps
- Consider adding fitness equipment and offer fitness classes/programs in the park

**RECENT PARK IMPROVEMENTS**

- Converted water fountain to a decorative planter
- Installed Motor Cities interpretive wayside

**GRANTS AWARDED**

- None



DRAFT  
1/3/2020

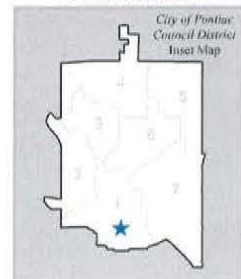
## HIDDEN RIVER PARK



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

2017 Aerial Photo

### 1 Decorative Planter





## NATIONAL PLANNING STANDARDS

In the process of determining and prioritizing needs, it is not only important to understand the national trends in terms of participation levels and popularity, but it is also imperative to compare the provision of local recreation facilities to published standards. This comparison of existing facilities to standard acreage and facility recommendations is another tool to assist in determining needs within the City of Pontiac. However, it should be noted that the latest available national standards were developed in the 1980s and 1990s and may not fully reflect today's needs and trends.

## Acreage Standards

The National Recreation and Park Association provides a recommended park classification system which recognizes that open space has various functions. The system categorizes open space as either mini parks, neighborhood parks or community parks. The desirable characteristics relative to size, function, amenities and acreage provisions per 1,000 people (where available) are identified in the *Recreation Facility Classification Standards Table*.

**RECREATION FACILITY CLASSIFICATION STANDARDS TABLE**

PARK CLASSIFICATION	NRPA GUIDELINE MINIMUM ACRES/1,000 RESIDENTS <sup>1</sup>	RECOMMENDED ACREAGE FOR PONTIAC <sup>2</sup>	CITY PARK ACREAGE	SURPLUS OR DEFICIENCY
<b>Mini Park**</b>	5.0 to 8.0 acres	15-30 acres <sup>2</sup>	5.63 acres	Deficiency**
<b>Neighborhood Park</b>	1.0 to 2.0 acres	60-120 acres <sup>2</sup>	61.06 acres	Within Range
<b>Community Park</b>	0.25 to 0.5 acres	300-479 acres <sup>2</sup>	350.96 acres	Within Range
<b>All Parks</b>	6.25 to 10.25 acres	375-614 acres	417.65 acres	Within Range

Adapted from:

<sup>1</sup> Lancaster, R. A., Ed. *Recreation, Park and Open Space Standards and Guidelines*. Alexandria, VA: National Recreation and Park Association, 1983.; Mertes, J. D. and J. R. Hall. *Park, Recreation, Open Space and Greenway Guidelines*. Alexandria, VA: National Recreation and Park Association, 1995.

<sup>2</sup> Based on American Community Survey 2016 5-Year Estimate; 59,920

\*\* It should be noted that a school or other recreational provider may offer these types of facilities in the City.



**#16**

**RESOLUTION**



# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

*Executive Branch*

---

**TO:** Honorable Council President and City Council Members

**FROM:** Dr. Deirdre Waterman, Mayor

**DATE:** November 14, 2019

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

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

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

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

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

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

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

Attachments

jbd

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

Good afternoon, City Council Members -

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

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

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

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

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

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

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

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

Mona Parlove 1

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

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

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

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

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

I believe I can be more effective in helping Pontiac succeed by being a Planning Commissioner. I am extremely proud of what I have contributed to the City, thus far. I have done so by conducting myself in a very fair and respectful way, while in the Planning Commission chambers, as well as in all aspects of my life. I believe we all lead by example, and I think it is critical to treat every single person with dignity.

I very much look forward to continuing my work as a Planning Commissioner. Additionally, I hope we can all find a time to sit together, as a collective group -- the Mayor, City Council Members, Zoning Board Members, the Planning Commissioners, and anyone else within our City Hall who wants to see the City of Pontiac succeed -- so we can not only learn a bit more about each other, but all work together in moving Pontiac forward with the same cohesive plan and positive outcome in mind.

Thank you -

Mona Parlove  
Associate Broker  
Hall & Hunter, Realtors  
248.514.0685 cell

Mona Parlove 2

**Interests/Reasons/Qualifications:**

I am extremely passionate about being a part of the positive momentum that is underway in Pontiac. My belief is the level of integrity in our City needs to be simultaneously raised and embraced as a realistic expectation for our community. As a long-time resident, I feel I have a responsibility to help make a difference. It is a fallacy to think that "someone else" is going to suddenly show up and "fix" everything. Rather, those who are going to make the needed corrections and improvements are people just like myself...the ones who are trying to be good neighbors, while going through their day. Understanding that we are all responsible for where we live, and how we are each the face and the fabric of our community is a core belief of mine, and an important attribute which I would bring to the Planning Commission.

**Boards/Commissions/Committees on which I have served:**

Pontiac Master Plan Steering Committee, from March 2014 to present

District 2 Advisory Group, co-chair, from January 2014 to present

**Elective offices I have held:**

None

**Other organizations, Pertinent Education, Hobbies/Interests**

I have been a licensed real estate agent since 1987 (27 years, and a broker for 10 years), practicing my profession on a full time basis the entire time. I have acquired an expansive (mental) database of information, as it pertains to construction and materials used in residential, and sometimes, commercial applications. While serving on the Planning Commission, I will be able to readily access this acquired information while making the important decisions presented to the City by various petitioners.

Also, I have been in virtually every community in Oakland County, as well as scores in Wayne, Macomb, Livingston & Washtenaw Counties. The "real time" experiences of transacting real estate in these communities affords me the opportunity to see how the various neighboring municipalities function on a daily basis, as well as with an overall longer view.

I am a member of the Pontiac Women's Round Table, focusing on positive interaction and change in the City of Pontiac.

Interests are expansive -- food (cooking & enjoying); running, biking, interacting with people, art, reading, writing, music of all types, travel, volunteering, photography, independent films, baseball, trying to learn something about everything, being a good person that makes a small difference every day if possible.

To be asked to be a Planning Commissioner is an honor beyond my greatest dreams. If confirmed, I will do all I can to help move Pontiac forward and in a direction the residents can all be proud of.



Click here to print the completed form for mailing to the City Clerk.

pg 180

CANDIDATE QUESTIONNAIRE  
BOARDS & COMMISSIONS

EMAIL

COUNCIL DISTRICT \_\_\_\_\_

DATE September 30, 2014

NAME Mona Parlove

ADDRESS \_\_\_\_\_ ZIP 48341

PHONE (home) \_\_\_\_\_ PHONE (business or cell) \_\_\_\_\_

EMAIL \_\_\_\_\_

The City of Pontiac wishes to thank you for your interest in serving as a Citizen Representative on a Board or Commission. Your Candidate Questionnaire will be kept on file and entered for consideration for posted openings on any Board or Commission that you expressed an interest in for a period of two years. Please feel free to submit an updated Candidate Questionnaire at any time.

Please be advised that the information contained in this Questionnaire is not confidential, and will be reviewed by the Mayor, City Council and other appropriate personnel as vacancies or openings occur on the various Boards or Commissions. Page 2 of this Candidate Questionnaire may also be included in any City Council Meeting Agenda Packet which is published and made available for public inspection in print and on the Internet. Your address, phone numbers and e-mail, contained here on Page 1 will not be published in an Agenda Packet.

Information relative to the below boards or commissions can be found on the City's webpage at [www.pontiac.mi.us](http://www.pontiac.mi.us).

BOARDS/COMMISSIONS ON WHICH YOU WANT TO SERVE:

Appointed by City Council

- ☐ Board of Appeals
- ☐ Income Tax Board of Review
- ☐ Zoning Board of Appeals
- ☐ Board of Review
- ☐ General Employee Retirement System

Appointed by Mayor,  
Confirmed by City Council

- ☐ Tax Incremental Financing Authority/Brownfield Redevelopment Authority
- ☐ Historic District Commission, No Council Confirmation
- ☐ Local Officers Compensation Commission
- ☐ Arts Commission
- ☐ Construction Code Board of Appeals, No Council Confirmation
- ☒ Planning Commission
- ☐ Housing Commission, No Council Confirmation



pg 2 of 3

PONTIAC RESIDENT FOR: over 21 years, 23 of them in Pontiac years

OCCUPATION: Residential Real Estate Sales

INTERESTS/REASONS/QUALIFICATIONS SEE ATTACHED

BOARDS/COMMISSIONS/COMMITTEES ON WHICH YOU HAVE SERVED (LIST MUNICIPALITIES AND DATES) X

ELECTIVE OFFICES THAT YOU HAVE HELD

None

OTHER ORGANIZATIONS PERTINENT EDUCATION HOBBIES/INTERESTS X

ADDITIONAL INFORMATION

Please return completed form to: City of Pontiac, Clerk's Office, 47450 Woodward Avenue, Pontiac, MI 48342 or fax to 248.756.3460 or click the e-mail tab on the first page to send form by e-mail.

#### DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST

In order to avoid any potential conflict of interest, I, the undersigned, agree not to be involved in any recommendations or decision making regarding any agency(ies) or entity(ies) for which I serve in the following capacity(ies) which may contract or subcontract with the City of Pontiac.

Agency: Does not apply  
Capacity in Which I Serve: None  
Signature: [Signature]  
Date: 10/2/14

July 31, 2018

Dear Honorable Mayor Waterman,

Thank you for the opportunity to serve the Pontiac Planning Commission.

As you know, I have served on the Planning Commission since 2011, and during my tenure as Chairman, I have presided over more than 400 planning proposals and in turn, the Planning Commission have approved some of the biggest developments in Pontiac history, including but not limited to:

- M-1 Concourse
- Ultimate Soccer
- Wessen Lawn Tennis Club
- Challenger Stamping
- Williams Aerospace
- GM Global Propulsion Systems (multiple expansions)
- Washington Junior High School repurposed as Senior Living

Indeed, during my tenure as Chair, the Pontiac Planning Commission have recommended for approval a glut of vacant industrial sites that were repurposed into viable, tax revenue producing enterprises for which the City of Pontiac can be proud.

Moreover, during my tenure the Planning Commission have approved hundreds of smaller commercial enterprises as well which are the lifeblood of any community, and altogether, large and small, it has resulted in hundreds of thousands of dollars of new tax revenue for the City of Pontiac.

I am especially proud of the fact that a multitude of business owners, large and small, have thanked me for the respect and dignity for which they were treated by our commissioners during their presentations to Planning Commission: I am proud of that, because as Chair I seek proper decorum and for the most part, my wishes have been fulfilled.

In closing, my professional background earned over 40 years in Marketing, Product Planning and Product Development with some of the largest corporations in the world has uniquely prepared me to Chair the Pontiac Planning Commission, so I think I am well suited to bring professional guidance and expertise to the Planning Commission for another term.

Thank you for the opportunity to serve you and the City of Pontiac.

Respectfully,

Dayne Thomas

Chair, Pontiac Planning Commission

Chair, GM Modern Housing Board of Directors

Personal Bio  
Dayne Thomas  
Chairman, Pontiac Planning Commission  
[REDACTED]  
Pontiac, MI 48342  
[dayne@daynethomas.net](mailto:dayne@daynethomas.net)  
[REDACTED]

Dayne Thomas was born and raised in Pontiac, Michigan but a business odyssey took him across the US and Asia Pacific...and then back!

He worked for companies as diverse as GM, BMW, AIG, Aon and Gulf States Financial Services and lived and worked in cities as diverse as Pontiac, Denver, Houston, LA, NY, Hong Kong, Tokyo and Melbourne (Australia).

Dayne Thomas was born and raised on Pontiac's near north side in the modest, historic neighborhood known as GM Modern Housing...a planned housing development conceived by Pierre DuPont, GM Chairman and largest shareholder of GM (at the time), as well as patriarch of DuPont Companies. It was Pierre DuPont who visualized and developed the 61 acre site circa 1919 to 1926.

Dayne Thomas family moved to Pontiac in the mid 1930's...his father worked at Baldwin Rubber Company (a major automotive supplier of the day), where he was responsible for Chemical Department and Salvage...while his mother worked at Pontiac Motor in Salary Payroll.

The family moved into their home on Oliver Street, (GM Modern Housing) in September 1945 and Dayne Thomas was born in November 1945.

The tragic death of Dayne's father in 1956 meant the family would not move from Oliver Street, so the modest house on Oliver Street, in GM Modern Housing is the only family home Dayne Thomas has known.

Dayne Thomas matriculated Pontiac Schools: McCarroll Elementary, Lincoln Jr. High School and Pontiac Northern High School where he played Football, Basketball and Tennis (as Captain) and graduated in 1963. Prior to his senior year, he was nominated by VFW to attend prestigious, Wolverine Boy State.

Dayne Thomas went on to study Communication Arts at Michigan State University where he graduated with a BA Degree in Advertising in 1972 after proudly serving 2<sup>nd</sup> Infantry Division in the Republic of Korea during the Viet Nam era. He earned the rank of Sergeant/SP5 and was awarded an Army Commendation Medal as well as an Expedition Medal awarded by Republic of Korea.

Next page...

Dayne Thomas commenced his professional career with GMC Truck & Coach in Pontiac, Michigan as a Sales Engineer in 1972.

In 1980, as the domestic auto industry was suffering thru major economic turmoil, Dayne Thomas accepted a post with BMW of North America as a District Sales Manager living in Denver and overseeing the Rocky Mountain Region.

Then in 1984, Dayne Thomas moved to Southern California (Orange County) and accepted a post with General Group of Companies as Sales Manager in the Automotive Financial Services sector, overseeing the contiguous US.

In 1996, Dayne Thomas accepted a post with AIG as Regional Director in Southeast Asia, based in Hong Kong, overseeing consumer financial service operations in Singapore, Malaysia, Indonesia, Thailand, Philippine's and Guam.

In 1998, after overseeing the successful launch of consumer financial service programs with AIG in Southeast Asia, Dayne Thomas accepted a post with Aon Corp as Regional VP based in Tokyo, successfully overseeing a consumer financial service program developed specifically for Best Denki, Japan's largest electronic retailer.

In 1999, Dayne Thomas took a post with Aon in Melbourne (Australia) as Regional VP overseeing consumer financial service program developed exclusively for Fisher-Paykel, New Zealand's premier Consumer Appliance Manufacturer.

In 2002, Dayne Thomas repatriated to the US and accepted a post with Gulf States Financial Services (an affiliate of Toyota Financial Services) as Sr. Manager, Product Development based in Houston, TX.

In the fall of 2009, Dayne Thomas came full circle and moved back into the modest boyhood home where he was raised in Pontiac. The neighborhood is listed upon the National Register of Historic Places, and he has set about to restore the home true to its historical character.

Dayne Thomas says: "So many people have helped me, so I came back...to give back. While others moved out...I moved back...to give back to the city that gave me a start".

Dayne Thomas is single (divorced, no children) and proudly serves as Chairman, Pontiac Planning Commission; serves as Chair, GM Modern Housing Board of Directors (an association he founded), and served upon Master Plan Advisory Committee

Dayne is also owner/proprietor of "Oliver Street Farms and Vineyards", a personal revitalization project founded to clean up Urban blight and repurpose abandon parcels and convert dust and blight into Community Gardens...Orchards...Vineyards...and Open Air Farmers Market!

Dayne Thomas is a proud son of Pontiac...and a proud Alumnus of Michigan State University!

## Personal Resume

Dayne Thomas

Pontiac, Michigan 48342  
[dayne@daynethomas.net](mailto:dayne@daynethomas.net)

### Professional Overview:

More than 40 years of experience in Marketing, Product Planning and Product Development domestically and internationally.

### Professional Skills:

Planning, development and execution

### Professional Experience:

GMC Truck & Coach (HQ, Pontiac, Michigan):

- Sales Engineer
- Market Research Analyst
- Government Sales
- Municipal Fleet Sales
- Government Sales
- District Mgr

BMW North America (HQ, Montvale, NJ):

- Sales Manager serving Rocky Mountain Region

General Group International (HQ, Harbor City, California-Automotive Financial Services):

- Sales Manager serving contiguous 48 states

American International Group (HQ, New York-Insurance & Financial Services):

- Regional VP (Southeast Asia Regional Office-Hong Kong, serving Singapore, Malaysia, Indonesia, Philippines' and Guam)

Aon Corp (HQ, Chicago, Illinois-Insurance & Financial Services):

- Regional Director (Tokyo, serving Japan and Korea)
- Regional Director (Melbourne, Australia, serving Australia and New Zealand)

Gulf States Financial Services (HQ, Houston, Texas-Automotive Financial Services):

- Senior Manager/Product Planning, serving US Gulf States)

### Civic Engagement:

- Chair, Pontiac Planning Commission (2011 to 2018)
- Chair (and founder), GM Modern Housing Board of Directors (2016 to 2018)
- Owner/Proprietor: Oliver Street Orchard/Vineyards/Community Gardens

**#17**

**RESOLUTION**





# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

*Executive Branch*

---

**TO:** Honorable Council President and City Council Members

**FROM:** Dr. Deirdre Waterman, Mayor

**DATE:** November 27, 2019

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

**RE:** **Resolution to Re-Appoint the following individuals to the City's Planning Commission: Lucy Payne for a term ending June 30, 2023 and Ashley Fegley to the Planning for a term ending June 30, 2022.**

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

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

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

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

*Now therefore, be it resolved that based upon the recommendation of the Mayor, that the City Council reappoint Lucy Payne to serve on the City's Planning Commission for a term ending June 30, 2023 and to reappoint Ashley Fegley to serve on the City's Planning Commission for a term ending June 30, 2022.*

Attachments

jbd

Lucy Payne

---

February 5, 2014

City of Pontiac Community Planning Commissioners  
47450 Woodward Ave.  
Pontiac, MI 48342

RE: City of Pontiac Planning Commissioners

To: The City of Pontiac Mayor and Planning Commissioners.

The attached resume will provide details of my previous and present qualifications and experience.

For the past 26 years, I have served as a Patient Relations Representative and Customer Service Trainer at Saint Joseph Mercy Oakland (SJMO). During that time, I have worked diligently to foster mutually beneficial relationships with not only the associates, administrative team, medical staff, nursing and ancillary personnel and the City of Pontiac community. In my past role, I engaged the hospital personnel, physicians in resolving/mediating challenging issues that often involved risk cases with multiple departments and services in meeting customers expectations and satisfaction. The scope of my work provided me with a unique perspective on the wants and needs of patients, their families, and the community needs as well.

I am proud to have been involved in a number of SJMO committees that were charged with orchestrating some of SJMO most successful quality improvement activities such as Customer Service Training, Emergency Department process improvement Task Force, Emergency Wait Time and Dress-Code initiatives. I was also very instrumental in collaborating with SJMO Buildings and Ground Department, SMART Transportation Services and the City of Pontiac Building Department in implementing and the building of a bus shelter for the comfort of patients and the community that use the public transportation system.

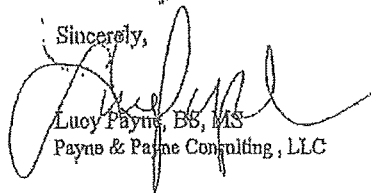
My area of experience include organizational management, problem solving, investigation, mediation, behavioral management, grief consulting, interaction with diverse groups and addressing concerns of the community. I have also gained experience through my work as a consultant of a broad spectrum of business exposures to case studies and best practices in a variety of industries as an independent business owner Payne & Payne Consulting, LLC.

My educational credentials include a Associate Degree in Liberal Arts from Oakland Community College, Bachelor of Science degree in Human Resource Development from Oakland University, Master of Arts degree in Organizational Management and a Certificate of Mediator Training from Oakland Medication Center.

It has been my experience that committees and boards are most effective with individuals that are diverse in areas of knowledge, skills and expertise. As a visionary, I am very interested in utilizing my skills in the revitalization of the City of Pontiac's future plans that promotes a healthy and safe environment for our city residents, while generating revenue for the city.

It has been my absolute pleasure and an honor to serve with the City of Pontiac Mayor and Planning Commissioners. I look forward to utilizing my experience in building and bridging gaps in communication, strategic planning, creative thinking, collaboration, negotiation, and customer service. I look forward to my continual servicing the community and collaborating with you in designing the future City of Pontiac.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Lucy Payne', is written over the typed name and company information.

Lucy Payne, BS, MS  
Payne & Payne Consulting, LLC

## LUCY PAYNE

### CAREER SUMMARY

An accomplished senior-level patient relations representative with 27+ years of experience managing customer grievances at St. Joseph Mercy-Oakland in Pontiac, Michigan, a 457-bed health system serving a diverse patient population in an urban setting. Collaborated with the CEO and C-level leadership team, physicians, risk management, nursing and others in resolving issues. Expertise in investigating and analyzing grievance data to proactively formulate strategies for preventing grievances and improving systems and processes. Grievance mitigation supported by achievement of a Master of Arts in Organizational Management, a Bachelor of Science in Human Resource Development, a certificate in Civil Mediator Training, and completion of a pre-licensing course in Life and Health Insurance.

### PROFESSIONAL EXPERIENCE

P & P Consulting, LLC, Bingham Farms, Michigan 2003 – present  
Consultant - Organizational Management / Problem Resolution / Mediation 2003 – present

- Consulted on management and customer relations for a wide variety of businesses as a principal with P & P Consulting, LLC
  - Analyzed business process flow for medical group practices, automobile dealerships, and financial services firms; recommended process improvements
  - Trained staffs in customer service improvement techniques

Saint Joseph Mercy-Oakland, Pontiac, Michigan 1984 – 8/2012  
Patient Relations Representative 1984 – 8/2012

#### *Patient Relations Management*

- Managed customer complaints within St. Joseph Mercy-Oakland health system; complaints involve a wide-range of issues/disciplines (e.g., staff, billing, food service, housekeeping, safety, parking, pharmacy services, physical plant, etc.)
  - Interviewed customers to determine nature of complaint; employed customer relationship management and mediation techniques to negotiate win-win resolutions to issues identified
  - Collaborated with physicians and nursing and ancillary department heads and staff to improve customer service as well as investigate and resolve customer service issues
  - Identified incidents with the potential for legal / risk management involvement; advised risk management department heads of complaint; collaborated with risk management on incident investigation; served as liaison between patient/family and risk management department
  - Documented all customer complaints on computer database; tracked resolution of issues
  - Analyzed billing issues and made determination regarding billing adjustments / reimbursement
  - Reviewed patient medical charts to determine validity of patient care issues / complaints; met with department heads, medical staff, nursing and ancillary staff to discuss issue resolution and future process improvement strategies
- Served as a liaison between customers/families and the Gift of Life and Michigan

- Eye Bank organizations, encouraging organ donation, providing grief counseling services, and educating patients and families on organ, tissue and eye transplants
- Responded to code calls and served as liaison between family members and physicians; provided grief/crisis counseling to patients and families
- Testified in court proceedings and assisted attorneys in lawsuit preparations
- Interviewed new hires for Patient Services Department; facilitated one-on-one and group interviews as well as candidate hiring discussions

#### Teaching

- Trained medical residents and all new employees in customer/patient service
- Managed Oakland University Internship Program for Patient Representatives

#### Process Improvement

- Analyzed all customer complaints to determine trends; met with department heads on an individual basis when trends were evident; followed-up to ensure problem resolution
- Reengineered the patient death process and fetal demise protocols
- Championed the installation of a bus shelter near the hospital grounds; managed project coordination between the hospital's Administration and Buildings and Grounds Dept., the City of Pontiac and SMART Transit
- Compiled and analyzed patient satisfaction data on Emergency Services; drafted report / presented findings to Process Improvement Team; worked with physicians and staff to improve response time and customer relations
- Resolved employee identification by customers challenge by instituting a color-coded uniform (by staff classification) policy
- Collaborated with security and risk management personnel to reengineer process for securing patient belongings; instituted policy debiting departmental budgets for patient reimbursement for lost items

<u>Waterford School District, Waterford, Michigan</u>	<u>1974-82 / 1988-97</u>
Substitute Teacher (Grades K-12)	1988 - 1997
Instructional Technician (Grades K-12),	1974 - 1982
Montgomery Developmental Training Center	

<u>Detroit College of Business, Ferndale, Michigan</u>	<u>1976 - 1980</u>
Dean of Students / Proctor (part-time position)	1976 - 1980
Pontiac Schools/Seniors Fitness Program (part-time)	1982-1982

#### EDUCATION

Master of Arts in Organizational Management	February 2004
University of Phoenix, Troy, Michigan Campus	

Bachelor of Science in Human Resource Development June 1985  
Oakland University, Rochester, Michigan

Civil Mediator Training, 40-Hour Course	November 2012
Oakland Mediation Center, Bloomfield Hills, MI	

#### Additional Professional Development:

- Certificate, Pre-Licensing Course in Life & Health Insurance, Financial Services Institute, Novi, MI, November 2013

#### APPOINTMENTS

- Planning Commissioner, City of Pontiac, MI, 11/2012 - present
- Board Member, Baldwin Center, Pontiac, MI, 2005 - 2013
- Committee Appointments at Saint Joseph Mercy-Oakland, Pontiac, MI
  - Member, Chief Executive Officer Advisory Committee, 2002
  - Member, Speaker's Bureau, 1991 - 8/2012
  - Founder and Chair, Hospital Grievance Committee, 2003 - 8/2012

#### HONORS/AWARDS

- Honored as one of the top donor facilitators, Michigan Eye Bank, 2000





# E Ashley Fegley

Pontiac, Michigan 48341

Objective Contribute to my community by volunteering for the Pontiac Planning Commission

## Education

- 2009-2012 Lawrence Technological University Southfield, MI  
Master of Architecture Professional Degree Program  
• Concentration in Sustainability Studies  
• GPA: 3.5
- 2007 New Horizons Computer Learning Center Troy, MI  
Certificate of Completion for Macromedia Classes  
• Web design with Dreamweaver and Flash
- 2001-2005 Lawrence Technological University Southfield, MI  
Bachelor of Science in Architecture  
• GPA: 3.5  
• Computer programs: AutoCAD 2005, 3dmax, Adobe Illustrator and Photoshop  
• Building Systems: commercial and residential  
• Structural Engineering  
• Landscape Design
- 1997-2001 Oakland Community College Oakland County, MI  
Associate in Applied Science: Computer Information Systems  
• GPA: 3.7  
• Networking  
• Web design

## Work Experience

- 2005-current Alexander Bogaerts + Associates, P.C. Bloomfield Hills, MI  
• Construction documentation  
• SPA, PDD, PUD documentation  
• Website design and implementation, [www.bogaerts.us](http://www.bogaerts.us) & [www.newtonniffes.com](http://www.newtonniffes.com)  
• Head of the ITT department  
• Code Research  
• Presentation work: rendering elevations and site plans  
• Specifications and materials research
- 2001-2006 Oakland Hills Equestrian Center Oakland Township, MI  
1999-2001 Riding Instructor (Self-employed) Macomb Township, MI  
1997-1999 Springbrook Stables Sterling Heights, MI  
• Taught all aspects of equine care  
• Evaluated and trained horses for sale or purchase  
• Job required extensive knowledge and communication skills  
• Taught classes containing 1-4 students ranging in ages from 6-60 years.  
• Competed and trained students in Hunter/Jumper shows within Midwest
- 2000-2001 Health Improvement Network Southfield, MI  
• Performed office and clerical tasks: typed dictations and filed paperwork
- 1999-2000 Goldner-Walsh Nursery Pontiac, MI  
• Provided friendly customer service  
• Helped propagate new plants and cared for existing
- 1996-1997 Racetrack Veterinary Services Livonia, MI  
• Performed office and clerical tasks: helped with billing and handled collections  
• Assisted veterinarians  
• Developed x-rays and sterilized equipment

E. Ashley Fegley  
[REDACTED]

Pontiac, MI 48341  
[REDACTED]  
[REDACTED]

August 3, 2018

Building, Safety and Planning Division  
City Hall  
47450 Woodward Avenue  
Pontiac, MI 48342  
248.758.2816

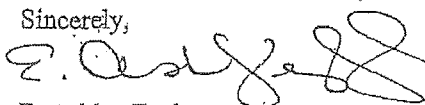
RE: City of Pontiac Planning Commissioner Appointment

Dear Mayor Waterman,

For the past fifteen years, I have called Pontiac home. I love the area, my neighbors and the community. I am invested in the City of Pontiac and would like to continue to serve the City as a member of the Pontiac Planning Commission.

I have been working in the building industry as a Project Manager at Alexander V. Bogaerts + Associates for over 13 years. The firm has a vast experience with a wide variety of building typologies for over 39 years. It has specializes in residential housing such as custom single family, production single family, condominiums, apartments, and senior housing but also takes on projects that are commercial, office and renovations. Being a small firm, I have been able to work on many of these types of projects. Currently, I have begun taking the ARE 5.0 NCARB tests to earn my Architectural License and hope to have it next year. I thoroughly enjoy my occupation and believe my experience is an asset to the commission and the City of Pontiac.

Sincerely,



E. Ashley Fegley



CITY OF PONTIAC

CANDIDATE QUESTIONNAIRE  
BOARDS & COMMISSIONS

PRINT

E-MAIL

COUNCIL DISTRICT \_\_\_\_\_

DATE August 3, 2018

NAME E. Ashley Fegley

ADDRESS [REDACTED] ZIP 48341

PHONE (home) [REDACTED] PHONE (business or cell) 248.334.5000

EMAIL [REDACTED]

The City of Pontiac wishes to thank you for your interest in serving as a Citizen Representative on a Board or Commission. Your Candidate Questionnaire will be kept on file and entered for consideration for posted openings on any Board or Commission that you expressed an interest in for a period of two years. Please feel free to submit an updated Candidate Questionnaire at any time.

Please be advised that the information contained in this Questionnaire is not confidential, and will be reviewed by the Mayor, City Council and other appropriate personnel as vacancies or openings occur on the various Boards or Commissions. Page 2 of this Candidate Questionnaire may also be included in any City Council Meeting Agenda Packet which is published and made available for public inspection in print and on the Internet. Your address, phone numbers and e-mail, contained here on Page 1 will not be published in an Agenda Packet.

Information relative to the below boards or commissions can be found on the City's webpage at [www.pontiac.mi.us](http://www.pontiac.mi.us).

BOARDS/COMMISSIONS ON WHICH YOU WANT TO SERVE:

Appointed by City Council

- ☐ Board of Appeals
- ☐ Income Tax Board of Review
- ☐ Zoning Board of Appeals
- ☐ Board of Review
- ☐ General Employee Retirement System

Appointed by Mayor,  
Confirmed by City Council

- ☐ Tax Increment Financing Authority/Brownfield Redevelopment Authority
- ☐ Historic District Commission, No Council Confirmation
- ☐ Local Officers Compensation Commission
- ☐ Arts Commission
- ☐ Construction Code Board of Appeals, No Council Confirmation
- ☒ Planning Commission
- ☐ Housing Commission, No Council Confirmation

PONTIAC RESIDENT FOR: +/- 15 years

OCCUPATION Project Manager at an Architectural Firm

INTERESTS/REASONS/QUALIFICATIONS

I have enjoyed applying my professional experience to serving on the Pontiac Planning Commission and would like to continue doing so.

BOARDS/COMMISSIONS/COMMITTEES ON WHICH YOU HAVE SERVED (LIST MUNICIPALITIES AND DATES)

Pontiac Planning Commission 2011 - current

ELECTIVE OFFICES THAT YOU HAVE HELD

None

OTHER ORGANIZATIONS PERTINENT EDUCATION HOBBIES/INTERESTS

2012-2016 - Pontiac Youth Assistance website design and implementation

2014-2017 - Destination Imagination team coach at Martell Elementary in Troy, MI

ADDITIONAL INFORMATION

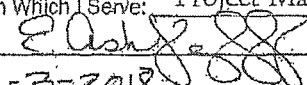
Please return completed form to: City of Pontiac, Clerk's Office, 47450 Woodward Avenue, Pontiac, MI 48342 or fax to 248.758.4744 or click the e-mail tab on the first page to send form by e-mail.

DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST

In order to avoid any potential conflict of interest, I, the undersigned, agree not to be involved in any recommendations or decision making regarding any agency(ies) or entity(ies) for which I serve in the following capacity(ies) which may contract or subcontract with the City of Pontiac.

Agency: Alexander V. Bogaerts + Associates, P.C.

Capacity in Which I Serve: Project Manager

Signature: 

Date: 8-3-2018

**#18**

**ORDINANCE**

CITY OF PONTIAC  
ORDINANCE NO. 7

AN ORDINANCE TO AMEND ORDINANCE 2363, TO INCLUDE MEDICAL MARIHUANA FACILITY USES IN DESIGNATED OVERLAY DISTRICTS TO INCLUDE:

ARTICLE 2, CHAPTER 1, SECTION 2.101, TABLE 1-ZONING DISTRICTS, SPECIAL PURPOSE ZONING DISTRICTS;

ARTICLE 2, CHAPTER 2, SECTION 2.203, TABLE 2-USSES PERMITTED BY DISTRICT;

ARTICLE 2, CHAPTER 5-DEVELOPMENT STANDARDS FOR SPECIFIC USES TO ADD SECTIONS 2.544, 2.545, 2.546, 2.547, AND 2.548;

ARTICLE 3-SPECIAL PURPOSE ZONING DISTRICTS TO ADD CHAPTER 11-MEDICAL MARIHUANA OVERLAY DISTRICTS, AND;

ARTICLE 7-DEFINITIONS TO ADD CHAPTER 2 AND CHAPTER 3, SECTIONS 7.202, 7.203 AND 7.301.

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 add:

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 I Chapter 2 - Section 2.203 Table 2 (Uses Permitted By District). Not more than five (5) Medical Marihuana Provisioning Center Facilities are to be located in any one of the three Medical Marihuana Overlay Districts [MMOD], described in Section 3.1106.

Commercial, Office, and Service Uses												
Residential Districts			Commercial Districts				Industrial Districts					
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								o	o	o	Section 2.544	
Medical Marihuana Processor								o	o	o	Section 2.545	
Medical Marihuana Provisioning Centers				*	o	o	*	*	o	o	Section 2.546	



Medical Marihuana Safety Compliance Facility	*	o	o	*	*	o	o	o	Section 2.547
Medical Marihuana Secure Transporter	*	o	o	*	*	o	o	o	Section 2.548

\* Special Exception Permit Uses outside the Medical Marihuana Overlay Districts

O Principal Permitted Uses in the Medical Marihuana Overlay Districts

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 defined in the Medical Marihuana Facility Licensing Act ("MMFLA"). 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, at all times, comply with the MMFLA and the rules and regulations of the Department of Licensing and Regulatory Affairs – Bureau of Marihuana Regulations ("LARA"), as 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 Oakland County Sherriff Department.

2. Any usable Medical Marihuana remaining on the premises of a Marihuana Grower while the Medical Marihuana Facility is not in operation shall be secured in a safe permanently affixed to the premises.

**C. Space Separation**

1. Unless permitted by the MMFLA, 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.
2. Medical Marihuana Grower uses are not permitted outside the Cesar Chavez and Walton Blvd Medical Marihuana Overlay Districts.
3. Medical Marihuana Growers are not permitted within the same facility with non-Medical Marihuana facility uses.

**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.

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 State and local laws and regulations.
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 conducted.

**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.
2. Multiple Class C licenses may be stacked in the same facility as defined by the MMFLA, and shall only be considered as one facility for the purposes of this subsection, provided that a separate application fee is paid for each Class C license.

**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 MMFLA, and the general rules of LARA, 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 product 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 not produce any products other than those marihuana-infused products allowed by the MMFLA and the rules promulgated thereunder.

### **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 Oakland County 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 MM FLA, as amended.

**C. Space Separation**

1. Unless permitted by the MMFLA, 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 MMFLA, 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.
2. Medical Marihuana Processor uses are not permitted outside the Cesar Chavez and Walton Blvd Medical Marihuana Overlay Districts.
3. Medical Marihuana Processors are not permitted within the same facility with non-Medical Marihuana facility uses.

**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 State and local laws and regulations.
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 Marijuana 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 Oakland County Sheriff 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 MMFLA 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 MMFLA, 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 MMFLA.

**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. Drive-Through**

1. Drive-through windows on the premises of a Medical Marihuana Provisioning Center shall not be permitted.

**F. 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.
3. No more than five (5) Provisioning Centers shall be established in each of the Medical Marihuana Overlay Districts including Cesar Chavez, Walton Blvd, and C-2 Downtown Overlay Districts.
4. No More than five (5) Provisioning Centers shall be established in the C-1, C-3, and C-4 zoned properties combined outside the Medical Marihuana Overlay Districts.
5. Within the Cesar Chavez and Walton Blvd Overlay Districts Provisioning Centers are located in the C-3, M-1, and M-2 zoning districts.
6. Medical Marihuana Provisioning Centers are not permitted within the same facility with non-Medical Marihuana facility uses.

**G. 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.

**H. 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.

**I. 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, and MMFLA, 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 Oakland County 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 MM FLA, as amended.

### **C. Space Separation**

1. Unless permitted by the MMFLA, 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 MMFLA, 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.
3. Medical Marihuana Safety Compliance uses are permitted in the Cesar Chavez, Walton Blvd, and C-2 Downtown Medical Marihuana Overlay Districts and in the C-1, C-3, C-4, M-1 and M-2 zoning districts outside the Medical Marihuana Overlay Districts.
4. Medical Marihuana Safety Compliance Facilities are not permitted within the same facility with non-Medical Marihuana facility uses.

**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 State and local laws and regulations.
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 MMFLA and the rules promulgated thereunder.

### **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 a 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 storage 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 MMFLA, 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 correct

**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:
2. 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.
3. 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.
4. The medical marihuana shall be transported by one or more sealed containers and not be accessible while in transit.
5. 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.

**G. Licensing**

1. The License required by this chapter shall be prominently displayed on the premise of a Medical Marihuana Secure Transporter use.
2. Medical Marihuana Secure Transporter uses are permitted in the Cesar Chavez, Walton Blvd, and C-2 Downtown Medical Marihuana and in the C-1, C-2, C-3, C-4, M-1 and M-2 zoning districts outside the Medical Marihuana Overlay Districts.
3. Medical Marihuana Secure Transporters are not permitted the same facility with non-Medical Marihuana facility uses.

**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 Uses**

The following Medical Marihuana uses in the Medical Marihuana Overlay Districts, provided the development also meets the Design & Building Standards set forth in Section 3.1112 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 Uses Requiring Site Plan Review**

All Medical Marihuana uses 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 obtain a State of Michigan & City of Pontiac License.

### **Section 3.1106 - Medical Marihuana Uses Requiring Planning Commission Special Exception Permit**

Medical Marihuana uses outside the Medical Marihuana Overlay Districts are subject to Planning Commission approval following the Standards for Approval of Section 6.303 for Special Exception Permits, and Article 2, Chapter 5, Development Standards for Specific Uses

### **Section 3.1107 - Standards for Special Exemption Approval**

For consideration of Medical Marihuana uses by the Planning Commission, the Commission shall review each application for the purpose of determining that each Medical Marihuana facility on its location will:

1. Not impact surrounding residential neighborhoods.
2. Provide easy access for patients with accessible parking.
3. Be adequately served by utilities with sufficient capacity.
4. Corridors and streets have the capacity to accommodate potential increases in traffic volumes.
5. Demonstrate a safe and security environment, and uphold the public welfare of the community.
6. Do not add unintended or impromptu costs to City and municipal services.
7. Comply with Section 6.303 Standards for Approval in the Pontiac Zoning Ordinance.

### **Section 3.1108 - MMOD Location Description**

Medical Marihuana Overlay District boundaries are established on the Medical Marihuana overlay district Maps. The Medical Marihuana Overlay District Maps may be a single sheet or composed of several map sheets and shall be kept on record in the City of Pontiac Clerk and Building safety offices.

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

**A. OVERLAY #1:** All properties along Walton Blvd and streets north of Walton Blvd, but not including areas north of Collier Road between the west side of Telegraph Road to Fuller Street including those contained within Overlay Map 1 for this MMOD.

- a. Not more than five (5) licenses to operate a Provisioning Center shall be awarded in this Overlay District #1.

**B. OVERLAY #2:** All properties along Cesar Chavez, starting from the Kennett Road Landfill and areas south to Cesar Chavez to W. Montcalm St

Not more than five (5) licenses to operate a Provisioning Center shall be awarded in this Overlay District #2. See Overlay Map #2 for this MMOD.



**C. OVERLAY #3:** All properties within C-2 Downtown zoned district.

- a. Not more than five (5) licenses to operate a Provisioning Center shall be awarded in this Overlay District #3.

The Overlay District is an effective regulatory tool to implement the establishment of Medical Marihuana businesses in the City of Pontiac. An Overlay District is applied over one or more previously established zoning districts, establishing additional or stricter regulations, standards and criteria for Medical Marihuana uses in addition to those of the underlying zoning district.

**Section 3.1109 - Permitted Uses in Commercial Districts (Non-Overlay)**

In addition to MMOD Locations as described in Section 3.1108, all medical marihuana uses, excluding Medical Marihuana Grower and Processor, are permitted in C-1, C-3, C-4, M-1 and M-2 districts subject to all requirements under this Chapter 11, including but not limited to Section 3.11010 - Buffer Distance Restrictions. There shall be no more than five (5) Medical Marihuana Provisioning Centers allowed in all of C-1, C-3, C-4, zoning districts combined, and shall be awarded based on the highest scoring applications received for those proposed qualifying locations that are not in one of the three Overlay Districts described in Section 3.1108 above.

**Section 3.11010 - 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 and registered with the State of Michigan Department of Health and Human Services or its successor agency;
  3. 500 feet from a public park with playground equipment;
  4. 500 feet from a religious institution that is defined as tax exempted by the Oakland County Assessor;
- and
5. Applicable only for properties located in a C-1, C-3, and C-4, M1 and M2 zoned properties located outside the Medical Marihuana Overlay Districts:
    - i. 250 feet from a residential-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 at right angles.
- 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, residential dwelling unit 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 street address building entrance.

1. Vacant residential-zoned lots shall be measured to the side yard setback as defined in Article 2, Chapter 3, and Section 2.301 Summary of Dimension Standards of the Pontiac Zoning Ordinance.

**Section 3.11011 - 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. Consistent with the MMFLA and rules promulgated by the department, applicants for Class C Growers permits shall be allowed to receive multiple such permits and operate under each permit in a single facility.
- C. 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 20% of the floor area of the total establishment;

**Section 3.1112 - Building Design, Area, Height, Bulk, and Placement**

- A. Building and design improvements must comply with the underlying zoning requirements of Article 2, Chapter 4 Private Frontage Design Standards 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.
- D. Odor shall be managed through the installation of activated carbon filters on exhaust outlets to the building exterior from any rooms used for the production, processing, testing, selling, research and warehousing. Negative air pressure shall be maintained within the rooms.
- E. An alternative odor control system may be approved by the Pontiac Building official based on a report by a registered Mechanical Engineer licensed by the State of Michigan, demonstrating that the alternative system will control odor equally or better than the required activated carbon filtration system.

- F. Generators must be installed to operate the air filter system in case of power outage or failure.
- G. Any lighting device with intermittent fading, flashing, blinking, rotating or strobe light illumination is prohibited on any Medical Marihuana building, structure or property located inside the Medical Marihuana overlay Districts or a Medical Marihuana building, structure or property located outside the Medical Marihuana Overlay Districts.
- H. Luminous tube lighting [e.g. neon, rope lighting] shall not be used to outline or frame doors and/or windows.
- I. Luminous tube and exposed bulb fluorescent lighting is prohibited as an architectural detail on all building/structures [e.g. along the roof line, eaves] and on all building facades.
- J. Exterior site lighting must be installed in site parking areas, egress, and ingress areas. Lighting must be compliant with Article 4, Chapter 5 of the Zoning Ordinance.
- K. It shall be prohibited to display any signs that are inconsistent with state or local law, and Article 5, of the Zoning Ordinance.
- L. It shall be prohibited to use the symbol or image of a marihuana leaf or the medical “green” cross symbol in any exterior building signage.
- M. The following sign language is not permitted on any Medical Marihuana facility use; Marihuana, Marijuana, cannabis, Ganja, Dope, Roach, Hash, Reefer or any other word/phrase with similar likeness.
- N. Window signs that occupy not more than 10 percent of the inside surface of the windows area of each floor level of a business or building are permitted.

### **Section 3.1113- Review Authority and Establishment**

- A. The Planning Commission shall be the Special Exception and Site Plan Review Authority for the permitted medical marihuana uses outside the Medical Marihuana Overlay Districts and Site Plan Review Authority for Medical Marihuana uses in the Medical Marihuana Overlay Districts.
- B. Medical Marihuana uses must be in accordance with the Special Exception Permit review standards contained in Article 6, Chapter 3 of the Zoning Ordinance.
- C. A Special Exception Permit for medical marihuana uses require Public Notice of 500 feet from the proposed medical marihuana facility;
- D. All permitted medical marihuana uses must be in accordance with the Uses Development Standards outlined in Chapter 2 of the Zoning Ordinance;
- E. 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 I Chapter 2**

**Section 7.202 Commercial, Office, and Service Uses**

**A.** Provisioning Center means a commercial entity that purchases medical 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.

1. 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 medical marihuana between medical marihuana facilities for a fee.

**Section 7.203 - Industrial Uses**

**A.** Walton Blvd Medical Marihuana Overlay District (see Map 1.)

**B.** Cesar Chavez Medical Marihuana Overlay District (see Map 2)

**C.** C-2 Downtown Medical Marihuana Overlay District (see Map 3)

**D.** 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.
- E. 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.
- F. 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.
- G. 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.
- H. 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 I 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. MMLFA 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 \_\_\_\_\_, 2019.

The City Clerk shall publish this Emergency Ordinance in a newspaper of general circulation. The Emergency Ordinance is effective after publication. Garland S. Doyle, Interim City Clerk

I hereby certify that the foregoing is a true copy of the Emergency Ordinance as passed by the City Council of the City of Pontiac at a regular Council Meeting held in the City Council Chambers in said City on-

\_\_\_\_\_

\_\_\_\_\_  
Garland S. Doyle, Interim City Clerk

I further certify that the foregoing was published in the Oakland Press, a newspaper of general circulation in the City of Pontiac, on \_\_\_\_\_

\_\_\_\_\_  
Garland S. Doyle, Interim City Clerk