



City of the Village of Clarkston
375 Depot Rd
Clarkston, Michigan 48346
City Council Regular Meeting
08 23 2021

-

-

-

1. Call To Order
2. Pledge Of Allegiance
3. Roll Call
Mayor Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie
4. Approval Of Agenda - Motion
5. Public Comments:
Individuals have the opportunity to address the City Council on subjects not on the Agenda, limiting their comments to three minutes. Alternatively, public comments may be emailed to City Manager Jonathan Smith @ smithj@villageofclarkston.org or City Clerk Jennifer Speagle @ speaglej@villageofclarkston.org and they will be read out loud during this time. If preferred, comments may be stated or submitted anonymously.
6. Recognitions
CJ Savik

Jason Kneisc
7. FYI:
 - 7.a. CIDL Best In Library Public Reception
Documents:

[FYI CIDL BEST IN LIBRARY PUBLIC RECEPTION 08 23 201.PDF](#)
 - 7.b. Labor Day Fair And Classic Car Show
Documents:

[FYI LABOR DAY FAIR AND CLASSIC CAR SHOW 08 23 2021.PDF](#)
 - 7.c. Lake Improvement Board Mtg Mill Pond
Documents:

8. City Manager Report

Documents:

[CITY MGR REPORT 08 23 2021.PDF](#)

9. Motion Acceptance Of The Consent Agenda As Presented
Minutes and Treasurer's Report

Minutes

Final 07 26 2021

Draft 08 09 2021

Treasurer's Report 08 23 2021

Documents:

[08 23 2021 CONSENT AGENDA.PDF](#)

10. Old Business

10.a. Motion: Depot Duck Food Dispenser

Documents:

[MOTION DEPOT PARK DUCK FOOD DISPENSER 08 23 2021.PDF](#)

10.b. Resolution/Second Read: Short Term Rental

Documents:

[RESOLUTION AMEND ZONING ORD - SHORT-TERM RENTALS 08 23 2021.DOC.PDF](#)

10.c. Resolution/Second Read: Residential Planned Development District (RPDD)

Documents:

[RESOLUTION AMEND ZONING ORDINANCE NO 129 - RESIDENTIAL PLANNED DEVELOPMENT DISTRICT.DOC.PDF](#)

10.d. Resolution: Depot Park Gazebo Painting

Documents:

[RESOLUTION DEPOT PARK GAZEBO PAINTING 08 23 2021.PDF](#)

11. Resolution: Council Seat Nomination

Documents:

BRUCE FULLER LETTER OF INTENT TO FILL COUNCIL SEAT 08 23 2021.PDF
CHRIS MOORE LETTER OF INTENT TO FILL COUNCIL SEAT 08 23 2021.PDF

12. New Business

12.a. Motion: PC Modification Of Ordinance

Planning Commission Site Plan Review Ordinance Change Recommendation

Documents:

MOTION PC SITE PLAN REVIEW ORDINANCE CHANGE
RECOMMENDATION 08 23 2021.PDF

12.b. Resolution: Depot Park Pathway Paving Bid

Documents:

RESOLUTION DEPOT PARK PATHWAY PAVING 08 23 2021.PDF

13. Adjourn

Only those matters that are on the agenda are to be considered for action.

CIDL

CLARKSTON INDEPENDENCE
DISTRICT LIBRARY

Innovate. Enrich. Educate.

VOTE 4 THE BEST FIRST PLACE WINNER

Best Library in Metro Detroit



PUBLIC RECEPTION @ LIBRARY

Sponsored by the Friends of the Clarkston Independence District Library

Monday, August 30

4:00-6:00 pm

JOIN US FOR DESSERT & CELEBRATION

VOTE
4 THE BEST
— 2021 —

**1ST PLACE
WINNER!**

PRESENTED BY:

Wallside Windows
WE CAN DO THAT. WE ARE THE FACTORY.

FIRST CONGREGATIONAL CHURCH
5449 CLARKSTON ROAD

27th
ANNUAL

LABOR DAY FAIR
AND

Classic
CAR SHOW

MONDAY, SEPTEMBER 6
9:00 TO 4:00 PM

RAFFLES

**FOOD
TRUCKS**

**SILENT
AUCTION**

**MUSIC
& DJ**

**COLLECTIBLES
&
ANTIQUES**

**INFLATABLE
PLAY
GROUND**

**RUMMAGE
SALE**

**FCC
BOUTIQUE**

**BAKE
SALE**

**CRAZY
CRAIG**

No. L-21-32Hearing of Practicability
And Assessment

**NOTICE OF MEETING OF THE
LAKE IMPROVEMENT BOARD
FOR
CLARKSTON MILL PONDS**

A meeting of the Lake Improvement Board for Clarkston Mill Ponds
will be held on Tuesday, September 14th at 6:00 p.m.

at the Independence Township Hall, 1st Floor Meeting Room
6483 Waldon Center Dr. Clarkston, MI 48346

Posted: 08/13/2021

2:30 p.m.

City of the Village of Clarkston
City Manager Report
August 23, 2021

Continuing City Sign Work

After a short break, the DPW staff has returned to the task of replacing sign poles in the City not replaced as part of the first phase of sign installations. A resolution to utilize the proceeds from the used-sign auction to purchase the additionally needed poles will be brought to the September 13th Council meeting.

City Hall Tree Planting

This week the Tree Committee planted four new trees on City property, two on North Holcomb, one on Buffalo and one in front of City Hall. With other vacancies in the City easements, the Tree Committee is working with a new volunteer to prepare a broad proposal covering all needed trees. Regarding the new City Hall tree, this is being paid for by a donor who recently contacted the City Office offering to pay for the new City Hall tree and other landscaping planned for the front of the building.

Main Street Aprons

When MODT repaved Main Street in 2001, brick pavers were installed in six (6) business driveway aprons. These paver aprons also act as the sidewalk for pedestrians. Unfortunately, the paver blocks have not held up well to delivery truck traffic, with several hundred pavers now broken or disintegrating. Heavy rains this summer have effectively washed out the loose paver pieces, quickly revealing several trip hazards for pedestrians. Over the next two weeks I will be working closely with City Engineer HRC to identify possible solutions as well as temporary steps to minimize the risk of pedestrians tripping. A full recommendation will be brought to the September 13th Council meeting.

Busy September!

Weekends in September will be busy in the City! After the Labor Day holiday weekend, on the 4th, 5th and 6th, we will be hosting the Bowties Concourse Car Show in Depot Park on the 11th, followed by a revamped and expanded Art in the Village on the 18th and 19th and then Taste of Clarkston on the 26th. Mark your calendars and please pray for nice weather!

Respectfully submitted, **Jonathan Smith, City Manager, August 19, 2021**



City of the Village of Clarkston
Artemus M. Pappas Village Hall
375 Depot Road
Clarkston, Michigan 48346
City Council Regular Meeting Minutes
07 26 2021 **Final Minutes**

7/26/2021 - Minutes

1. Call To Order

@ 7:02pm By Mayor ProTem Wylie

2. Pledge Of Allegiance

3. Roll Call

Wylie, Avery, Bonser, Kneisc, Luginski Present. Haven & Casey Absent.

4. Approval Of Agenda - Motion

Motion By Avery Second by Kneisc to approve the Agenda as presented. All Aye Motion Carries.

Due to Council attendance The RPDD Proposal has been postponed until the August 9th, 2021 Council Meeting.

5. Public Comments:

By Chet Pardee and Ed Bonser.

6. FYI:

7. Sheriff Report For June 2021

8. City Manager Report

9. Motion Acceptance Of The Consent Agenda As Presented

Motion by Luginski Second by Bonser to accept the Consent Agenda as presented. All Aye Motion Carries.

10. Old Business

10.a. Discussion: November 2, 2021 Election Update

Update from Clerk Jennifer Speagle Three seats up for Election, Ed Bonser, Gary Casey, Jason Kneisc. Current Candidates: Gary Casey, Paul Angelini and Steve McLean

Deadline for petitions to place proposals on ballot is **July 27th by 5:00pm**. We have received a Petition from Oakland Cars Coalition for initiation of a charter amendment to end the City's prohibition of medical marijuana facilities, to assist medical marijuana patients with critical medical conditions, and to create a City Department of Medical Marijuana with local regulatory authority.

August 10th by 4:00pm – Ballot wording of proposals qualified to appear on ballot certified to county and local clerks.

October 22nd – Write-in candidates file Declaration of Intent forms for election.

11. New Business

11.a. Motion: Duck Food Dispenser

Postponed until next meeting after Friends of Depot Park have a chance to look at the proposal. .

12. Adjourn

Motioned by Kneisc Second by Luginski to adjourn at 7:42pm All Aye motion carried.

Respectfully Submitted by Jennifer Speagle, City Clerk.



City of the Village of Clarkston
Artemus M. Pappas Village Hall
375 Depot Road
Clarkston, Michigan 48346
City Council Regular Meeting Minutes
08 09 2021 Draft Minutes

8/9/2021 - Minutes

1. Call To Order

@ 7:00pm By Mayor Haven

2. Pledge Of Allegiance

3. Roll Call

Avery, Bonser, Casey, Haven, Luginski - Present. Wylie - Absent. Kneisc - Resigned.

4. Approval Of Agenda - Motion

Motion by Avery Second by Casey to approve the Agenda as presented. All Aye - Motion Carries.

5. Public Comments:

By Chet Pardee regarding City Infrastructure and Budget.

Ann Clifton requesting Council to give more attention to speed and safety of S. Main.

6. FYI:

Mayor Haven thanked all the volunteers that showed up on Friday August 6th to plant the rain garden extension.

Mayor Haven would also like to congratulate the Clarkston Farm and Garden Club along with the Clarkston Independence Library in receiving the Michigan Nurserymen and Landscape Community Landscape Beautification Award.

7. Sheriff Report For July 2021

8. City Manager Report

9. Motion Acceptance Of The Consent Agenda As Presented

Motion by Avery Second by Luginski to approve the Consent Agenda as presented. All Aye - Motion carries.

10. Old Business

10.a. Discussion: M15 Speed Data Update

By CJ Savik

10.b. First Read: Short Term Rental

Presented by Planning Commission Chair Rich Little.

10.c. First Read: Residential Planned Development District (RPDD)

Presented by Planning Commission Chair Rich Little. Motion by Luginski Second by Avery to omit the 10% commercial use out of RPDD. Haven, Bonser, Casey - No. Avery, Luginski - Yes. Motion defeated.

11. New Business

11.a. Motion: Acceptance Of Jason Kneisc 08 05 2021 Resignation

Motion by Haven Second by Avery to accept the resignation of City Council Member Jason Kneisc. All Aye Motion Carries.

12. Adjourn

Motion by Haven Second by Avery to adjourn @ 8:27pm. All Aye Motion Carries.

Respectfully Submitted by Jennifer Speagle, City Clerk.

Treasurer's Report

- I. Revenue/Expenditure Actual vs. Budget as of 07/31/2021 General Fund 101
 II. Revenue/Expenditure Actual vs. Budget as of 07/31/2021 Major Roads Fund 202
 III. Revenue/Expenditure Actual vs. Budget as of 07/31/2021 Local Roads Fund 203
 IV. Revenue/Expenditure Actual vs. Budget as of 07/31/2021 Capital Projects Fund 401

TREASURER'S DOCUMENTS FOR MEETING - NEW BUSINESS:*VI. Invoices for review*

Carlisle Wortman -

Monthly Retainer (July 2021)

\$ -

2021 Planning Consultation

\$ -

Sub Total

\$ -

HRC -

MS4 Permit Assistance

\$ -

Professional

\$ -

Sub Total

\$ -

Tom Ryan-

Court/Prosecution

\$ -

Professional Services

\$ -

\$ -**Sub total Invoices for review**

\$ -

VII. Other Checks for Review

I T Right

\$ 3,840.00

Howard & Howard

\$ 595.00

\$ -

\$ -

Total Other Checks for Review

\$ 4,435.00**Grand Total**

\$ 4,435.00

08/18/2021

REVENUE AND EXPENDITURE REPORT FOR CITY OF THE VILLAGE OF CLARKSTON
 PERIOD ENDING 07/31/2021

GL NUMBER	DESCRIPTION	2021-22		YTD BALANCE 07/31/2021	AVAILABLE BALANCE	% BDGT USED
		ORIGINAL BUDGET	2021-22 AMENDED BUDGET			
Fund 101 - GENERAL						
Revenues						
Dept 000 - GENERAL						
101-000-402.000	CURRENT TAX REVENUES	554,000.00	554,000.00	0.00	554,000.00	0.00
101-000-445.000	INTEREST & PENALTY REVENUES	1,120.00	1,120.00	0.00	1,120.00	0.00
101-000-452.000	CABLE TV REVENUES	13,511.00	13,511.00	0.00	13,511.00	0.00
101-000-452.001	IN-KIND FEES/PEG FEES AT&T	6,073.00	6,073.00	1,203.65	4,869.35	19.82
101-000-477.000	PERMIT FEES	28,593.00	28,593.00	1,910.00	26,683.00	6.68
101-000-478.000	DOG LICENSES REVENUE	1,000.00	1,000.00	293.25	706.75	29.33
101-000-501.000	COMM DEV BLOCK GRANT - CDBG	8,000.00	8,000.00	0.00	8,000.00	0.00
101-000-502.000	P- GRANTS	2,000.00	2,000.00	0.00	2,000.00	0.00
101-000-573.000	LOCAL COMMUNITY STABILIZATION SHARE-PP	1,173.00	1,173.00	0.00	1,173.00	0.00
101-000-574.001	STATE REVENUE SHARING/SALES TAX	83,594.00	83,594.00	0.00	83,594.00	0.00
101-000-574.002	STATE LIQUOR CONTROL COMM	3,565.00	3,565.00	0.00	3,565.00	0.00
101-000-580.000	ENHANCED ACCESS REVENUE SHARING	626.00	626.00	103.57	522.43	16.54
101-000-606.000	DISTRICT COURT REVENUE	4,500.00	4,500.00	234.30	4,265.70	5.21
101-000-626.000	BANNER REVENUES	2,458.00	2,458.00	200.00	2,258.00	8.14
101-000-664.000	INTEREST EARNED	1,577.00	1,577.00	56.20	1,520.80	3.56
101-000-666.000	DIVIDENDS AND REBATES	1,000.00	1,000.00	0.00	1,000.00	0.00
101-000-667.000	GAZEBO RENTALS	1,557.00	1,557.00	500.00	1,057.00	32.11
101-000-668.000	EQUIPMENT RENTAL	25,329.00	25,329.00	0.00	25,329.00	0.00
101-000-671.000	MISCELLANEOUS INCOME	2,000.00	2,000.00	4,936.15	(2,936.15)	246.81
101-000-671.001	SPECIAL EVENTS REVENUE	929.00	929.00	0.00	929.00	0.00
101-000-699.390	TRANSFER IN FROM FUND BALANCE	70,707.00	70,707.00	0.00	70,707.00	0.00
Total Dept 000 - GENERAL		813,312.00	813,312.00	9,437.12	803,874.88	1.16
TOTAL REVENUES		813,312.00	813,312.00	9,437.12	803,874.88	1.16
Expenditures						
Dept 101 - COUNCIL						
101-101-703.000	COUNCIL & MAYOR SALARIES	7,750.00	7,750.00	0.00	7,750.00	0.00
101-101-955.000	MISC EXPENSE	308.00	308.00	0.00	308.00	0.00
101-101-958.000	DUES & CONFERENCES	4,100.00	4,100.00	803.00	3,297.00	19.59
Total Dept 101 - COUNCIL		12,158.00	12,158.00	803.00	11,355.00	6.60
Dept 215 - CLERK						
101-215-703.001	CLERK SALARY	30,000.00	30,000.00	3,384.62	26,615.38	11.28
101-215-726.000	SUPPLIES	75.00	75.00	0.00	75.00	0.00
101-215-901.000	PUBLICATIONS	2,150.00	2,150.00	0.00	2,150.00	0.00
101-215-958.000	DUES & CONFERENCES	200.00	200.00	0.00	200.00	0.00
Total Dept 215 - CLERK		32,425.00	32,425.00	3,384.62	29,040.38	10.44
Dept 223 - AUDIT						
101-223-805.000	AUDIT FEES	10,800.00	10,800.00	0.00	10,800.00	0.00
Total Dept 223 - AUDIT		10,800.00	10,800.00	0.00	10,800.00	0.00
Dept 247 - BOARD OF REVIEW						
101-247-900.000	BOARD OF REVIEW PUBLICATIONS	50.00	50.00	0.00	50.00	0.00
Total Dept 247 - BOARD OF REVIEW		50.00	50.00	0.00	50.00	0.00
Dept 253 - TREASURER						
101-253-703.002	TREASURER SALARY	25,000.00	25,000.00	2,884.62	22,115.38	11.54
101-253-726.000	SUPPLIES	1,200.00	1,200.00	0.00	1,200.00	0.00

101-253-800.000	BANK FEES	400.00	400.00	25.00	375.00	6.25
101-253-853.000	COMPUTER SUPPORT	3,500.00	3,500.00	2,170.00	1,330.00	62.00
Total Dept 253 - TREASURER		30,100.00	30,100.00	5,079.62	25,020.38	16.88
Dept 257 - ASSESSOR						
101-257-804.000	ASSESSING - OAKLAND COUNTY	8,000.00	8,000.00	7,979.33	20.67	99.74
Total Dept 257 - ASSESSOR		8,000.00	8,000.00	7,979.33	20.67	99.74
Dept 262 - ELECTIONS						
101-262-701.000	ELECTION FEES/PER DIEM	1,620.00	1,620.00	0.00	1,620.00	0.00
101-262-726.000	SUPPLIES	760.00	760.00	0.00	760.00	0.00
101-262-901.000	PUBLICATIONS	343.00	343.00	0.00	343.00	0.00
Total Dept 262 - ELECTIONS		2,723.00	2,723.00	0.00	2,723.00	0.00
Dept 264 - ADMINISTRATIVE						
101-264-701.002	ADMIN ASSISTANT SALARY	15,000.00	15,000.00	1,368.50	13,631.50	9.12
101-264-703.003	CITY MANAGER SALARY	40,000.00	40,000.00	4,538.46	35,461.54	11.35
101-264-727.000	OFFICE SUPPLIES	4,000.00	4,000.00	71.96	3,928.04	1.80
101-264-727.001	POSTAGE	500.00	500.00	0.00	500.00	0.00
101-264-805.001	PROFESSIONAL & CONTRACTUAL SERVICES	2,000.00	2,000.00	0.00	2,000.00	0.00
101-264-850.000	TELEPHONE EXPENSE	8,500.00	8,500.00	659.13	7,840.87	7.75
101-264-851.000	WEBSITE MAINTENANCE	350.00	350.00	0.00	350.00	0.00
101-264-852.000	TECHNOLOGY/INTERNET EXPENSE	12,500.00	12,500.00	1,199.30	11,300.70	9.59
101-264-860.000	MILEAGE/CONFERENCE	600.00	600.00	310.24	289.76	51.71
101-264-941.000	RICOH COPIER LEASE	2,500.00	2,500.00	202.65	2,297.35	8.11
101-264-955.000	DOG LICENSES FEES	1,000.00	1,000.00	0.00	1,000.00	0.00
Total Dept 264 - ADMINISTRATIVE		86,950.00	86,950.00	8,350.24	78,599.76	9.60
Dept 265 - BUILDING AND GROUNDS						
101-265-705.000	BUILDING MAINTENANCE LABOR	6,000.00	6,000.00	278.50	5,721.50	4.64
101-265-705.001	BUILDING MAINTENANCE O/T LABOR	1,000.00	1,000.00	0.00	1,000.00	0.00
101-265-706.000	VILLAGE GROUNDS PARK LABOR	27,400.00	27,400.00	4,182.63	23,217.37	15.27
101-265-706.001	DPW-VILL GROUNDS OT PARK LABOR	1,200.00	1,200.00	622.13	577.87	51.84
101-265-726.004	SUPPLIES-VH BUILDING	3,400.00	3,400.00	0.00	3,400.00	0.00
101-265-728.000	PARK MATERIALS	19,000.00	19,000.00	0.00	19,000.00	0.00
101-265-818.000	RUBBISH COLLECTION	700.00	700.00	0.00	700.00	0.00
101-265-920.000	DETROIT EDISON-VH	2,196.00	2,196.00	0.00	2,196.00	0.00
101-265-921.000	CONSUMERS ENERGY-VH	1,621.00	1,621.00	0.00	1,621.00	0.00
101-265-923.000	DTE UPPER PARKING LOT	2,346.00	2,346.00	0.00	2,346.00	0.00
101-265-923.001	DTE DEPOT PARK	250.00	250.00	0.00	250.00	0.00
101-265-924.000	SEWER & WATER-VH	850.00	850.00	0.00	850.00	0.00
101-265-931.000	BUILDING MAINTENANCE-VH	500.00	500.00	41.00	459.00	8.20
101-265-934.000	MILL POND ASSESSMENT	117.00	117.00	0.00	117.00	0.00
101-265-935.000	STORM WATER DISCHARGE PERMIT	10,000.00	10,000.00	0.00	10,000.00	0.00
101-265-956.000	WATER LEVEL CONTROL	128.00	128.00	0.00	128.00	0.00
101-265-957.000	CDBG DISBURSEMENTS	8,000.00	8,000.00	0.00	8,000.00	0.00
101-265-961.001	PROPERTY INSURANCE	998.00	998.00	725.00	273.00	72.65
101-265-961.003	GENERAL LIABILITY INSURANCE	4,740.00	4,740.00	3,999.00	741.00	84.37
101-265-961.004	PROPERTY INSURANCE-OPEN SPACES	955.00	955.00	672.00	283.00	70.37
Total Dept 265 - BUILDING AND GROUNDS		91,401.00	91,401.00	10,520.26	80,880.74	11.51
Dept 266 - ATTORNEY						
101-266-803.000	LEGAL FEES	30,000.00	30,000.00	0.00	30,000.00	0.00
Total Dept 266 - ATTORNEY		30,000.00	30,000.00	0.00	30,000.00	0.00
Dept 281 - WATERSHED COUNCIL						
101-281-956.002	CLINTON RIVER WATERSHED EXPENSES	825.00	825.00	0.00	825.00	0.00
Total Dept 281 - WATERSHED COUNCIL		825.00	825.00	0.00	825.00	0.00
Dept 301 - POLICE						
101-301-802.000	LAW ENFORCEMENT	133,749.00	133,749.00	0.00	133,749.00	0.00
Total Dept 301 - POLICE		133,749.00	133,749.00	0.00	133,749.00	0.00

Dept 336 - FIRE						
101-336-802.001	FIRE PROTECTION - IND TWP	158,439.00	158,439.00	0.00	158,439.00	0.00
Total Dept 336 - FIRE		158,439.00	158,439.00	0.00	158,439.00	0.00
Dept 370 - CODE ENFORCEMENT OFFICER						
101-370-703.010	ENFORCEMENT OFFICER SALARY	6,800.00	6,800.00	0.00	6,800.00	0.00
101-370-729.000	SUPPLIES	200.00	200.00	0.00	200.00	0.00
Total Dept 370 - CODE ENFORCEMENT OFFICER		7,000.00	7,000.00	0.00	7,000.00	0.00
Dept 371 - BUILDING INSPECTION						
101-371-703.004	BLDG INSPECTORS' SALARIES	11,000.00	11,000.00	0.00	11,000.00	0.00
101-371-809.000	BLDG DEPT PROFESSIONAL FEES	18,000.00	18,000.00	0.00	18,000.00	0.00
Total Dept 371 - BUILDING INSPECTION		29,000.00	29,000.00	0.00	29,000.00	0.00
Dept 441 - DPW						
101-441-709.000	HEALTH INSURANCE	5,000.00	5,000.00	344.32	4,655.68	6.89
101-441-710.000	DPW LEAVE & HOLIDAY PAY	3,500.00	3,500.00	168.00	3,332.00	4.80
101-441-711.001	DPW WAGES FOR TASTE OF CLARKSTON	1,200.00	1,200.00	0.00	1,200.00	0.00
101-441-711.006	DPW WAGES FOR CONCERTS IN THE PARK	300.00	300.00	0.00	300.00	0.00
101-441-711.007	DPW WAGES FOR ART IN THE VILLAGE	200.00	200.00	0.00	200.00	0.00
101-441-720.000	PHYSICAL EXPENSE	300.00	300.00	0.00	300.00	0.00
101-441-750.000	DPW SUPPLIES	2,400.00	2,400.00	0.00	2,400.00	0.00
101-441-850.001	TELEPHONE EXPENSE - DPW	900.00	900.00	75.00	825.00	8.33
101-441-932.001	EQUIPMENT MAINTENANCE	1,200.00	1,200.00	0.00	1,200.00	0.00
101-441-940.004	NEW LEASE SPACE	21,637.00	21,637.00	0.00	21,637.00	0.00
Total Dept 441 - DPW		36,637.00	36,637.00	587.32	36,049.68	1.60
Dept 446 - HIGHWAY, STREETS, BRIDGES						
101-446-704.001	DPW LABOR-PICKUP TRUCK	550.00	550.00	31.00	519.00	5.64
101-446-704.002	DPW LABOR-DUMP TRUCK	1,100.00	1,100.00	73.00	1,027.00	6.64
101-446-704.003	DPW LABOR-LOADER	200.00	200.00	42.00	158.00	21.00
101-446-704.004	DPW LABOR-TRACTOR	500.00	500.00	0.00	500.00	0.00
101-446-704.007	DPW LABOR-LIFT	100.00	100.00	0.00	100.00	0.00
101-446-726.005	SUPPLIES	200.00	200.00	0.00	200.00	0.00
101-446-817.001	TREE TRIMMING & MAINTENANCE	5,000.00	5,000.00	0.00	5,000.00	0.00
101-446-860.001	MILEAGE/CONFERENCE/TRAINING	400.00	400.00	0.00	400.00	0.00
101-446-861.001	MATERIAL & OUTSIDE LABOR-PICKUP TRUCK	250.00	250.00	0.00	250.00	0.00
101-446-861.003	MATERIAL & OUTSIDE LABOR-LOADER	375.00	375.00	0.00	375.00	0.00
101-446-861.004	MATERIAL & OUTSIDE LABOR-LIFT	375.00	375.00	0.00	375.00	0.00
101-446-861.007	MATERIAL & OUTSIDE LABOR-DUMP TRUCK	800.00	800.00	0.00	800.00	0.00
101-446-862.000	FUEL & OIL FOR EQUIPMENT	4,500.00	4,500.00	0.00	4,500.00	0.00
101-446-961.005	EQUIPMENT INSURANCE	3,175.00	3,175.00	3,189.00	(14.00)	100.44
101-446-970.001	DPW EQUIPMENT	4,200.00	4,200.00	0.00	4,200.00	0.00
Total Dept 446 - HIGHWAY, STREETS, BRIDGES		21,725.00	21,725.00	3,335.00	18,390.00	15.35
Dept 448 - STREET LIGHTING						
101-448-926.000	DTE STREET LIGHTING	12,200.00	12,200.00	0.00	12,200.00	0.00
Total Dept 448 - STREET LIGHTING		12,200.00	12,200.00	0.00	12,200.00	0.00
Dept 721 - PLANNING						
101-721-717.000	PLANNING COMMISSION	2,000.00	2,000.00	0.00	2,000.00	0.00
101-721-810.001	ENGINEERING SERVICES	13,500.00	13,500.00	0.00	13,500.00	0.00
101-721-811.000	PLANNER FEES	9,500.00	9,500.00	0.00	9,500.00	0.00
Total Dept 721 - PLANNING		25,000.00	25,000.00	0.00	25,000.00	0.00
Dept 723 - HISTORIC DISTRICT						
101-723-956.003	HISTORIC DIST COMMISSION EXP	2,500.00	2,500.00	150.00	2,350.00	6.00
Total Dept 723 - HISTORIC DISTRICT		2,500.00	2,500.00	150.00	2,350.00	6.00
Dept 851 - INSURANCES						
101-851-961.002	ERRORS & OMISSIONS INSURANCE	7,628.00	7,628.00	7,714.00	(86.00)	101.13

Total Dept 851 - INSURANCES	7,628.00	7,628.00	7,714.00	(86.00)	101.13
Dept 862 - EMPLOYER MEDICARE AND SOCIAL SECURITY					
101-862-715.000 CITY FICA EXPENSE	11,880.00	11,880.00	1,344.38	10,535.62	11.32
Total Dept 862 - EMPLOYER MEDICARE AND SOCIAL SECURITY	11,880.00	11,880.00	1,344.38	10,535.62	11.32
Dept 870 - UNEMPLOYMENT INSURANCE					
101-870-719.000 CITY SUTA MESC EXPENSE	3,000.00	3,000.00	67.33	2,932.67	2.24
Total Dept 870 - UNEMPLOYMENT INSURANCE	3,000.00	3,000.00	67.33	2,932.67	2.24
Dept 871 - WORKERS COMPENSATION					
101-871-722.000 WORKMAN'S COMPENSATION	2,817.00	2,817.00	0.00	2,817.00	0.00
Total Dept 871 - WORKERS COMPENSATION	2,817.00	2,817.00	0.00	2,817.00	0.00
Dept 999 - TRANSFERS OUT					
101-999-999.203 TRANSFER OUT TO LOCAL STREETS	1,305.00	1,305.00	0.00	1,305.00	0.00
101-999-999.401 TRANSFER OUT TO CAPITAL PROJECT FUND	55,000.00	55,000.00	0.00	55,000.00	0.00
Total Dept 999 - TRANSFERS OUT	56,305.00	56,305.00	0.00	56,305.00	0.00
TOTAL EXPENDITURES	813,312.00	813,312.00	49,315.10	763,996.90	6.06
Fund 101 - GENERAL:					
TOTAL REVENUES	813,312.00	813,312.00	9,437.12	803,874.88	1.16
TOTAL EXPENDITURES	813,312.00	813,312.00	49,315.10	763,996.90	6.06
NET OF REVENUES & EXPENDITURES	0.00	0.00	(39,877.98)	39,877.98	100.00

Fund 202 - MAJOR STREET

Revenues

Dept 000 - GENERAL

202-000-574.000	STATE SHARED REVENUES	76,330.00	76,330.00	5,777.53	70,552.47	7.57
Total Dept 000 - GENERAL		76,330.00	76,330.00	5,777.53	70,552.47	7.57

TOTAL REVENUES

76,330.00	76,330.00	5,777.53	70,552.47	7.57
-----------	-----------	----------	-----------	------

Expenditures

Dept 451 - NON-WINTER

202-451-703.005	SALARIES - NON-WINTER MAINTENANCE	11,000.00	11,000.00	2,562.66	8,437.34	23.30
202-451-703.008	SALARIES - NON-WINTER O/T MAINT	850.00	850.00	0.00	850.00	0.00
202-451-726.001	SUPPLY & MTLs - NON-WINTER MAINT	1,839.00	1,839.00	0.00	1,839.00	0.00
202-451-775.000	TOOLS - NON-WINTER MAINTENANCE	400.00	400.00	0.00	400.00	0.00
202-451-776.000	CRACK FILL - MAJOR RD - NON-WINTER	3,000.00	3,000.00	0.00	3,000.00	0.00
Total Dept 451 - NON-WINTER		17,089.00	17,089.00	2,562.66	14,526.34	15.00

Dept 452 - TRAFFIC

202-452-777.000	TRAFFIC SERVICES	2,000.00	2,000.00	0.00	2,000.00	0.00
202-452-945.000	EQUIPMENT RENTAL	7,500.00	7,500.00	0.00	7,500.00	0.00
202-452-966.000	STATE TRUNKLINE OVERHEAD	234.00	234.00	0.00	234.00	0.00
Total Dept 452 - TRAFFIC		9,734.00	9,734.00	0.00	9,734.00	0.00

Dept 453 - WINTER

202-453-703.006	SALARIES - WINTER MAINTENANCE	10,800.00	10,800.00	0.00	10,800.00	0.00
202-453-703.009	SALARIES - WINTER MAINT O/T	4,000.00	4,000.00	0.00	4,000.00	0.00
202-453-726.002	SUPPLIES & MTLs - WINTER MAINT	600.00	600.00	0.00	600.00	0.00
202-453-775.001	SMALL TOOLS - WINTER MAINT	200.00	200.00	0.00	200.00	0.00
202-453-778.000	SIDEWALK - SALT - WINTER	750.00	750.00	0.00	750.00	0.00
202-453-778.001	SALT - WINTER MAINTENANCE	7,000.00	7,000.00	0.00	7,000.00	0.00
202-453-945.001	EQUIPMENT RENTAL - WINTER	14,000.00	14,000.00	0.00	14,000.00	0.00
Total Dept 453 - WINTER		37,350.00	37,350.00	0.00	37,350.00	0.00

Dept 862 - EMPLOYER MEDICARE AND SOCIAL SECURITY

202-862-715.000	CITY FICA EXPENSE	2,100.00	2,100.00	196.03	1,903.97	9.33
Total Dept 862 - EMPLOYER MEDICARE AND SOCIAL SECURITY		2,100.00	2,100.00	196.03	1,903.97	9.33

Dept 870 - UNEMPLOYMENT INSURANCE

202-870-719.000	CITY SUTA MESC EXPENSE	500.00	500.00	0.00	500.00	0.00
Total Dept 870 - UNEMPLOYMENT INSURANCE		500.00	500.00	0.00	500.00	0.00

Dept 999 - TRANSFERS OUT

202-999-999.203	TRANSFER OUT TO LOCAL STREETS	9,557.00	9,557.00	0.00	9,557.00	0.00
Total Dept 999 - TRANSFERS OUT		9,557.00	9,557.00	0.00	9,557.00	0.00

TOTAL EXPENDITURES

76,330.00	76,330.00	2,758.69	73,571.31	3.61
-----------	-----------	----------	-----------	------

Fund 202 - MAJOR STREET:

TOTAL REVENUES		76,330.00	76,330.00	5,777.53	70,552.47	7.57
TOTAL EXPENDITURES		76,330.00	76,330.00	2,758.69	73,571.31	3.61
NET OF REVENUES & EXPENDITURES		0.00	0.00	3,018.84	(3,018.84)	100.00

Fund 203 - LOCAL STREET

Revenues

Dept 000 - GENERAL

203-000-574.000	STATE SHARED REVENUES	25,443.00	25,443.00	2,010.42	23,432.58	7.90
203-000-699.101	TRANSFER IN FROM GENERAL FUND	1,305.00	1,305.00	0.00	1,305.00	0.00
203-000-699.202	TRANSFER IN FROM MAJOR ROAD FUND	9,557.00	9,557.00	0.00	9,557.00	0.00
Total Dept 000 - GENERAL		36,305.00	36,305.00	2,010.42	34,294.58	5.54

TOTAL REVENUES

36,305.00	36,305.00	2,010.42	34,294.58	5.54
-----------	-----------	----------	-----------	------

Expenditures

Dept 451 - NON-WINTER

203-451-703.005	SALARIES - NON-WINTER MAINTENANCE	4,400.00	4,400.00	947.85	3,452.15	21.54
203-451-703.008	SALARIES - NON-WINTER O/T MAINT	300.00	300.00	0.00	300.00	0.00
203-451-726.001	SUPPLY & MTLs - NON-WINTER MAINT	800.00	800.00	0.00	800.00	0.00
203-451-775.000	TOOLS - NON-WINTER MAINTENANCE	200.00	200.00	0.00	200.00	0.00
203-451-776.001	LOCAL CRACK FILL	3,000.00	3,000.00	0.00	3,000.00	0.00
Total Dept 451 - NON-WINTER		8,700.00	8,700.00	947.85	7,752.15	10.89

Dept 452 - TRAFFIC

203-452-945.000	EQUIPMENT RENTAL	5,000.00	5,000.00	0.00	5,000.00	0.00
203-452-966.000	STATE TRUNKLINE OVERHEAD	100.00	100.00	0.00	100.00	0.00
Total Dept 452 - TRAFFIC		5,100.00	5,100.00	0.00	5,100.00	0.00

Dept 453 - WINTER

203-453-703.006	SALARIES - WINTER MAINTENANCE	4,800.00	4,800.00	0.00	4,800.00	0.00
203-453-703.009	SALARIES - WINTER MAINT O/T	1,700.00	1,700.00	0.00	1,700.00	0.00
203-453-726.002	SUPPLIES & MTLs - WINTER MAINT	120.00	120.00	0.00	120.00	0.00
203-453-775.001	SMALL TOOLS - WINTER MAINT	100.00	100.00	0.00	100.00	0.00
203-453-778.000	SIDEWALK - SALT - WINTER	750.00	750.00	0.00	750.00	0.00
203-453-778.001	SALT - WINTER MAINTENANCE	2,300.00	2,300.00	0.00	2,300.00	0.00
203-453-945.001	EQUIPMENT RENTAL - WINTER	12,000.00	12,000.00	0.00	12,000.00	0.00
203-453-955.001	MISC EXPENSE - WINTER MAINT	100.00	100.00	0.00	100.00	0.00
Total Dept 453 - WINTER		21,870.00	21,870.00	0.00	21,870.00	0.00

Dept 862 - EMPLOYER MEDICARE AND SOCIAL SECURITY

203-862-715.000	CITY FICA EXPENSE	375.00	375.00	72.51	302.49	19.34
Total Dept 862 - EMPLOYER MEDICARE AND SOCIAL SECURITY		375.00	375.00	72.51	302.49	19.34

Dept 870 - UNEMPLOYMENT INSURANCE

203-870-719.000	CITY SUTA MESC EXPENSE	260.00	260.00	0.00	260.00	0.00
Total Dept 870 - UNEMPLOYMENT INSURANCE		260.00	260.00	0.00	260.00	0.00

TOTAL EXPENDITURES

36,305.00	36,305.00	1,020.36	35,284.64	2.81
-----------	-----------	----------	-----------	------

Fund 203 - LOCAL STREET:

TOTAL REVENUES	36,305.00	36,305.00	2,010.42	34,294.58	5.54
TOTAL EXPENDITURES	36,305.00	36,305.00	1,020.36	35,284.64	2.81
NET OF REVENUES & EXPENDITURES	0.00	0.00	990.06	(990.06)	100.00

Fund 401 - CAPITAL PROJECT FUND

Revenues

Dept 000 - GENERAL

401-000-699.101	TRANSFER IN FROM GENERAL FUND	55,000.00	55,000.00	0.00	55,000.00	0.00
Total Dept 000 - GENERAL		55,000.00	55,000.00	0.00	55,000.00	0.00

TOTAL REVENUES

55,000.00	55,000.00	0.00	55,000.00	0.00
-----------	-----------	------	-----------	------

Expenditures

Dept 265 - BUILDING AND GROUNDS

401-265-727.000	CITY HALL / DPW BUILDING	7,800.00	7,800.00	0.00	7,800.00	0.00
401-265-728.000-FY17FRIEND	FRIENDS OF DEPOT PARK	5,000.00	5,000.00	0.00	5,000.00	0.00
Total Dept 265 - BUILDING AND GROUNDS		12,800.00	12,800.00	0.00	12,800.00	0.00

Dept 446 - HIGHWAY, STREETS, BRIDGES

401-446-817.000	TREE PLANTING	1,600.00	1,600.00	0.00	1,600.00	0.00
401-446-819.000	STREET SIGNS & POSTS	2,800.00	2,800.00	0.00	2,800.00	0.00
401-446-970.007	SAFETY CROSSWALK PAINT/TAPE	3,000.00	3,000.00	0.00	3,000.00	0.00
Total Dept 446 - HIGHWAY, STREETS, BRIDGES		7,400.00	7,400.00	0.00	7,400.00	0.00

Dept 901 - CAPITAL OUTLAY

401-901-805.001	PROFESSIONAL & CONTRACTUAL SERVICES	2,000.00	2,000.00	0.00	2,000.00	0.00
401-901-970.005	SIDEWALK REPAIR	8,000.00	8,000.00	0.00	8,000.00	0.00
401-901-970.006	RESURFACING OF ROADS	8,000.00	8,000.00	0.00	8,000.00	0.00
401-901-970.011	DPW TRUCKS & LARGE EQUIPMENT	2,000.00	2,000.00	0.00	2,000.00	0.00
401-901-970.012	NEW DEPOT PARK GAZEBO	6,000.00	6,000.00	0.00	6,000.00	0.00
401-901-970.013	OFFICE FURNITURE	2,000.00	2,000.00	0.00	2,000.00	0.00
401-901-970.014	SECURITY SYSTEMS AND CAMERA	6,800.00	6,800.00	0.00	6,800.00	0.00
Total Dept 901 - CAPITAL OUTLAY		34,800.00	34,800.00	0.00	34,800.00	0.00

TOTAL EXPENDITURES

55,000.00	55,000.00	0.00	55,000.00	0.00
-----------	-----------	------	-----------	------

Fund 401 - CAPITAL PROJECT FUND:

TOTAL REVENUES	55,000.00	55,000.00	0.00	55,000.00	0.00
TOTAL EXPENDITURES	55,000.00	55,000.00	0.00	55,000.00	0.00
NET OF REVENUES & EXPENDITURES	0.00	0.00	0.00	0.00	0.00

TOTAL REVENUES - ALL FUNDS	980,947.00	980,947.00	17,225.07	963,721.93	1.76
TOTAL EXPENDITURES - ALL FUNDS	980,947.00	980,947.00	53,094.15	927,852.85	5.41
NET OF REVENUES & EXPENDITURES	0.00	0.00	(35,869.08)	35,869.08	100.00

I.T. RIGHT

**Information Technology Solutions that
Work for Local Government**

Clarkston, Village-Oakland
375 Depot Rd
Clarkston, MI 48346
United States

Date: 7/1/2021
Due Date: 7/1/2021
Invoice #: 20169005
Terms:
P.O. #:

Description	Quantity	Rate	Amount
Service: Remote Backup [08/01/2021 - 07/31/2022] Contract Name: Clarkston, Village - Service Contract Bundle 08/01/2021 - 07/31/2022 1 Year Remote/Online Backup Service **Per Server Fee	1	0.00	0.00

101-264-852.000

Total Due By 7/1/2021 **\$3,840.00**

Thank you for your business

Please detach and submit this bottom portion with your payment

Clarkston, Village-Oakland
375 Depot Rd
Clarkston, MI 48346
United States

Payment Voucher			Amount enclosed: \$3,840.00
Invoice #	Invoice Date	Total Due	(if you are authorizing a different amount, cross out amount above and enter new amount)
20169005	7/1/2021	\$3,840.00	

Check enclosed VISA AMEX Mastercard

MAIL TO:

I.T. RIGHT
Bath, MI 48808

Credit Card No.

--	--	--	--	--	--	--	--	--	--

Exp.Date _____ / _____ CSC _____



Information Technology Solutions that Work for Local Government

Clarkston, Village-Oakland
375 Depot Rd
Clarkston, MI 48346
United States

Date: 7/1/2021
Due Date: 7/1/2021
Invoice #: 20169005
Terms:
P.O. #:

Table with 4 columns: Description, Quantity, Rate, Amount. Rows include Service: ITRight Service Contract, Service: Max Desktop, and Service: Max Server.

Handwritten number: 101 264 852 0000.00

Total Due By 7/1/2021

Thank you for your business

Please detach and submit this bottom portion with your payment

Clarkston, Village-Oakland
375 Depot Rd
Clarkston, MI 48346
United States

Payment Voucher form with fields for Invoice #, Invoice Date, Total Due, and Amount enclosed.

Check enclosed, VISA, AMEX, Mastercard

Credit Card No.

Credit card number input boxes

Exp. Date / CSC

MAIL TO:

I.T. RIGHT
Bath, MI 48808

Howard & Howard

law for business
EIN: 26-3880752

City of Clarkston
375 Depot Road
Clarkston, MI 48346

Invoice Date: August 05, 2021
Invoice Number: 692553
Matter Number: 120513.00001

Client: City of Clarkston
Matter: General Corporate

For professional services rendered through July 31, 2021

Currency: USD

Fees

595.00

Total Amount Due For This Invoice

\$595.00

~~101-266-803.000~~
101-266-803.000

Please Remit to:

Wire and ACH Instructions:

BMO Harris Bank
Chicago, IL
ABA Number: 071000288
Swift Code: HATRUS44
Account No: 2785749
Account Name: Howard & Howard Attorneys PLLC

Mail To:

Howard & Howard Attorneys PLLC
P.O. Box 95234
Chicago, IL 60694-5234

Please forward remittance advice to: accountsreceivable@h2law.com

City of the Village of Clarkston

375 Depot Road
Clarkston, Michigan 48346

Motion - Depot Park Duck Food Dispenser

In the July 26th City Council, a proposal from Krista Coventry was presented, on behalf of her daughters Alina, Adora and Aviva, for them to purchase, install and maintain a coin-operated Duck Food Dispenser in Depot Park, per the attached presentation. Council voted to table the matter, requesting the Friends of Depot Park Committee to review the proposal and make a recommendation.

The Friends of Depot Park Committee met on August 17th and, after discussion, voted to recommend to Council that the Duck Feeder be denied over concerns about encouraging the feeding of wild animals and the possibility of attracting geese. The Committee recommended that instead of a feeder, a permanent sign be installed asking visitors to not feed the ducks.

Motioned by _____ and Seconded by _____ to install permanent "Please do not feed the Ducks" signage in Depot Park rather than a coin-operated Duck Food Dispenser.

Avery	Bonser	Casey	Haven	Kneisc	Luginski	Wylie	Totals
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No
<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain
<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent

Motion is Adopted

Motion is Defeated

Jennifer Speagle, City Clerk

August 23, 2021

Date



Alina, Adora & Aviva PRESENTS



Fish / Duck

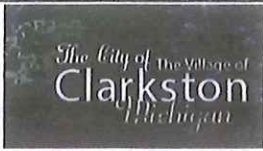


Food Feeders at DEPOT PARK

why.....



- A bread heavy diet to Ducks / Geese can make birds physically weaker
- Bread can cause illnesses and deformities in ducklings
- Bread has NO nutrient value and leftover soggy bread attracts rats and grows unhealthy algae, polluting the water and making it harmful to dogs and wildlife.
- Uneaten bread crumbs attract predators, grow mold that makes ducks and other riparian critters sick, and contribute to the growth of cyanobacteria and harmful algal blooms.
- Overcrowding
- Delayed Migration

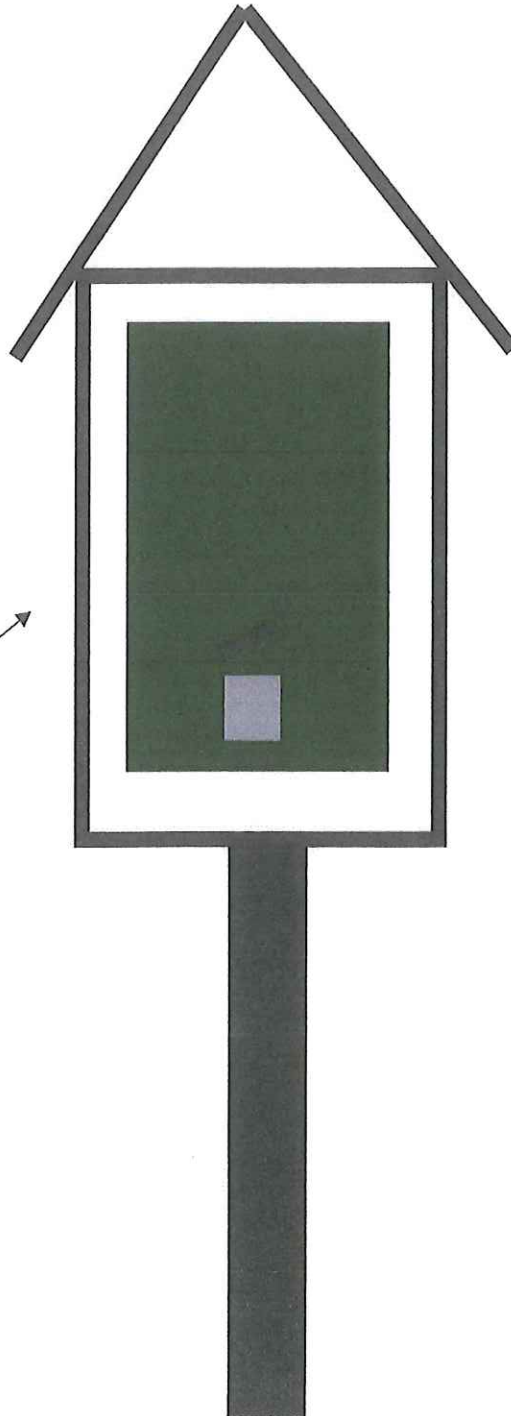


**Fish / Goose
Food**

.25

Please do not feed the Ducks/Geese Bread
Bread makes us ill, as it does not contain
the right nutrition or calories that we need
to keep us warm in winter.

Placed Inside the Fish Feeder



Approximate Design
Layout (Color
coordinated with Village
of Clarkston Depot Park
Hunter Green/Black
Colors





Approximate
Location

(TBD)

This Duck/Fish Feeder will be purchased by Alina, Adora and Aviva.

Fish/Duck Feeder to be Installed Neatly and Safely (permission to install small 2'x2' concrete pad. Can be removed and disposed of at any time)

Alina, Adora and Aviva promise to maintain Fish/Duck Feeder and always keep full

Proceeds to be distributed as follows:

- 20% gross sales to the Village of Clarkston Depot Park (to help maintain mulching, Gazebo painting, landscaping, clean-up and more)

CITY OF THE VILLAGE OF CLARKSTON
ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF THE VILLAGE OF CLARKSTON ZONING ORDINANCE, AS AMENDED, TO ADDRESS AND REGULATE SHORT TERMS RENTALS WITHIN THE CITY

The City of the Village of Clarkston Ordains:

Section 1.01. The City of the Village of Clarkston Zoning Ordinance is hereby amended to add the following language addressing Short Term Rentals within the City of the Village of Clarkston:

Section 2.01. Definition.

SHORT-TERM RENTAL: Any dwelling that is rented wholly or partly for compensation, for periods of 28 days or less, by persons other than the permanent resident or owner. Any property rented for greater than 28 consecutive days would not be considered a Short-Term Rental property and not subject to Short-Term Rental regulations.

Section 3.01. Amend Article X1, VC, Village Commercial District, to add (S) to read as follows:

Section 11.01: Principal permitted uses:

S. Short-Term Rental.

Section 4.01. Add Section 14.14: Short-Term Rental to read as follows:

Section 14.14: Short-Term Rental.

A. Intent. Regulation of short-term rentals is necessary to establish a community standard for the integration of short-term rental units in the city to ensure health, safety, and welfare of visitors and residents by re-affirming police, fire, and building safety guidelines.

B. Districts. Short-Term Rental are a permitted use in the VC, Village Commercial. Short-Term Rental are not a permitted or special use in any other zoning district.

C. Advertising. Any Short-Term Rental advertisement both on site and via online platform (Airbnb or other) must contain the City's assigned Short-Term Rental permit registration number for that property.

D. Occupancy. Occupancy is limited to two (2) times the number of bedrooms in the principal structure.

E. Safety Inspections. All short-term rental properties must have a Building Department “safety” inspection prior to obtaining a short-term rental license or renewal.

F. Length of Stay. A short-term rental property is limited to a total of 90 rental nights per calendar year (collective). The minimum stay is 2 nights.

G. Registration. All Short-Term Rental properties must be registered annually with the City to obtain an annual permit. Each property owner must pay an annual fee to the City to operate a Short-Term Rental. This fee will be collected during the permit application process.

H. Revocation. Short-term rental owners who do not adhere to these regulations are subject to loss of City Short-Term Rental License.

I. Sunset. Any existing rentals in the City that are defined as a Short-Term Rentals must be cease operations within twelve months, unless if the existing Short-Term Rental is located in VC, Village Commercial, the property owner of the Short-Term Rental may apply for a Short-Term Rental zoning approval and license.

Section 5:01. Repealer Clause.

All ordinances of the city in conflict with the provisions herewith are hereby repealed.

Section 6:01. Severability Clause.

Should any section, subdivision, clause or phrase of this Ordinance be declared by the courts to be invalid, the validity of this Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 7:01. Effective Date.

Public Hearing having been held by the Planning Commission for the City of the Village of Clarkston on July 19, 2021, the provisions of this Ordinance shall take effect 20 days after publication.

Made and passed by the City Council of the City of the Village of Clarkston this _____ day of _____, 2021.

ERIC HAVEN, Mayor

Jennifer Speagle, City Clerk

CERTIFICATE OF CLERK

I, Jennifer Speagle, being the duly appointed and qualified Clerk of the City of the Village of Clarkston, Oakland County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of the Village of Clarkston at a regular meeting thereof held on the _____ day of _____, 2021.

Jennifer Speagle, City Clerk



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

TO: Planning Commission, The City of the Village of Clarkston
Jonathon Smith, City Manager
Tom Ryan, City Attorney

FROM: Benjamin R. Carlisle, AICP

DATE: July 13, 2021

RE: Short Term Rentals

On May 17, 2021, the Planning Commission, based on the direction from the City Council, discussed short-term rental zoning ordinance and licensing regulations. After discussion, the Planning Commission voted 5-0 to forward the following draft regulation language to the City Council for the Council's consideration.

On June 14, 2021, the City Council considered the draft regulations forwarded by the Planning Commission. After discussion, the City Council directed the Planning Commission to hold a public hearing to consider draft zoning regulation language.

Zoning Regulations

New language to the existing zoning ordinance is in **red**:

Section 2.01: Definitions

SHORT-TERM RENTAL: Any dwelling that is rented wholly or partly for compensation, for periods of 60 consecutive days or less, by persons other than the permanent resident or owner. Any property rented for greater than 61 consecutive days would not be considered a Short-Term Rental property and not subject to Short-Term Rental regulations.

Section 11.01: principal permitted uses:

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance.

- A. Accessory structures, uses, and signs incidental customarily to the permitted uses in this district.
- B. Apartments. All public utilities must hook up to public water where available. All units shall have at least one (1) living room and one (1) bedroom, except that five percent (5%) of the units may be of an efficient apartment type, and not more than twenty-five percent (25%) may be of one bedroom units, or fifty percent (50%) in a mixed-use building. Business and office uses may occupy a building used for residential uses provided that no

such business or office use may be located on the same floor as used for residential purposes, and no floor may be used for business or office use on a floor located above a floor used for residential purposes. Further, where there is mixed business/office and residential use in a building there shall be provided a separate, private pedestrian entranceway for the residential use.

- C. Business schools and colleges.
- D. Business establishments which perform services on premises such as, but not limited to: banks, savings and loans, and credit unions (not including drive-thru branches), insurance offices, real estate offices and travel agencies. Pedestrian-oriented ATM facilities.
- E. Churches, temples, and similar places of worship.
- F. Clubs, fraternal organizations, and lodge halls.
- G. Dry cleaning establishments (not to exceed four thousand [4,000] square feet), or pick-up stations, dealing directly with the consumer. Central dry cleaning plants serving more than one (1) retail outlet shall be prohibited.
- H. Generally recognized retail businesses which supply commodities on the premise, (under ten thousand [10,000] square feet), such as but not limited to: groceries, meats, fruits and produce, dairy products, baked goods, and other specialty food products (excluding all restaurants); and stores selling drugs, dry goods, flowers, clothing, notions, furniture, and hardware. Retail sales may be conducted outdoors on sidewalks provided:
 - 1. At least five (5) feet of sidewalk width is unobstructed for pedestrian traffic.
 - 2. All equipment and merchandise is kept indoors during non-business hours.
- I. Medical offices including offices of doctors, dentists, and similar or allied professions, with up to ten thousand (10,000) square feet gross floor area.
- J. Indoor commercial recreational facilities such as health clubs, hard ball and racquetball facilities, pool and billiard establishments, tennis, archery, and other similar type facilities.
- K. Newspaper offices.
- L. Offices of an executive, administrative or professional nature, with up to ten thousand (10,000) square feet gross floor area.
- M. Outdoor theater, plazas, parks, and public gathering places.
- N. Personal service shops providing that each occupies a total usable floor area of not more than four thousand (4,000) square feet, including but not limited to such uses as: repair shops (watches, radio, television, shoe, etc.), tailor and dressmaking shops, beauty parlors, barber shops, and photographic studios.
- O. Public and quasi-public uses such as municipal offices, court houses, public off-street parking facilities, libraries, museums, public safety facilities and fraternal organizations.
- P. Retail sales in which both a workshop and retail outlet or showroom are required, such as plumbing, electrician, interior decorating, upholstering, printing, photographic reproducing, radio, and home appliance and similar establishments of similar character subject to the provision that not more than eighty percent (80%) of the total useable floor area of the establishment shall be used for servicing, repairing, or processing activities and further provided that such retail outlet or showroom activities area shall be provided in that portion of the building where the customer entrance is located.
- Q. Restaurants (except drive-throughs), taverns and bars where the patrons are served while seated within the building occupied by such establishment.

July 13, 2021

- R. Theaters, assembly halls, community centers, or similar places of assembly when conducted completely within enclosed buildings.
- S. **Short-term Rental**

Section 14.14: Short-Term Rental

- A. Intent. Regulation of short-term rentals is necessary to establish a community standard for the integration of short-term rental units in the city to ensure health, safety, and welfare of visitors and residents by re-affirming police, fire, and building safety guidelines.
- B. Districts. Short-Term Rental are a permitted use in the VC, Village Commercial. Short-Term Rental are not a permitted or special use in any other zoning district.
- C. Advertising. Any Short-Term Rental advertisement both on site and via online platform (Airbnb or other) must contain the City's assigned Short-Term Rental permit registration number for that property.
- D. Occupancy. Occupancy is limited to two (2) times the number of bedrooms in the principal structure.
- E. Safety Inspections. All short-term rental properties must have a Building Department "safety" inspection prior to obtaining a short-term rental license or renewal.
- F. Length of Stay. A short-term rental property is limited to a total of 90 rental nights per calendar year (collective). The minimum stay is 2 nights.
- G. Registration. All Short-Term Rental properties must be registered annually with the City to obtain an annual permit. Each property owner must pay an annual fee to the City to operate a Short-Term Rental. This fee will be collected during the permit application process.
- H. Revocation. Short-term rental owners who do not adhere to these regulations are subject to loss of City Short-Term Rental License.
- I. Sunset. Any existing rentals in the City that are defined as a Short-Term Rentals must be cease operations within twelve months, unless if the existing Short-Term Rental is located in VC, Village Commercial, the property owner of the Short-Term Rental may apply for a Short-Term Rental zoning approval and license.

Yours Truly,

July 13, 2021

Benjamin R. Carlisle

CARLISLE/WORTMAN ASSOC., INC.

Benjamin R. Carlisle, LEED AP, AICP

CITY OF THE VILLAGE OF CLARKSTON
ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF THE VILLAGE OF CLARKSTON
ZONING ORDINANCE NO. 129 TO AMEND ARTICLE VII – RPDD,
RESIDENTIAL PLANNED DEVELOPMENT DISTRICT

The City of the Village of Clarkston Ordains:

Section 1:01. To amend Article VIII – RPDD, Residential Planned Development District to read as follows:

**ARTICLE VIII
RPDD, RESIDENTIAL PLANNED DEVELOPMENT DISTRICT**

SECTION 8.00 PURPOSE

Residential Planned Development District (RPDD) standards are provided as a design option to permit flexibility in the regulation of land development; to encourage innovation in land use, form of ownership and variety in design, layout, and type of structures constructed; to preserve significant natural features and open space; to promote efficient provision of public services and utilities; to minimize adverse traffic impacts; to provide adequate housing and employment; to encourage development of convenient recreational facilities; and to encourage the use and improvement of existing sites when the uniform regulations contained in other zoning districts alone do not provide adequate protection and safeguards for the site or its surrounding areas. The RPDD standards are not intended to avoid the imposition of standards and requirements of other zoning classifications rather than to achieve the stated purposes herein set forth.

For properties approved for RPDD designation, these RPDD standards provide the residential developer with flexibility in design and permit variation of the specific bulk, area, and in some specified situations the density requirements of this Ordinance on the basis of the total RPDD plan, subject to the approval of the RPDD plan by the Planning Commission and City Council in accordance with the requirements as herein set forth.

SECTION 8.01 QUALIFYING CONDITIONS

The following provisions shall apply to all Residential Planned Development Districts:

- A. The RPDD site shall be under the control of one owner or group of owners and shall be capable of being planned and developed as one integral unit.
- B. A RPDD zoning classification may be initiated only by a petition.
- C. A minimum size of one (1) acre of contiguous land is required.
- D. The site shall have significant natural or historic features which will be preserved through development under the RPDD standards, as determined by the Planning Commission, or

the RPDD will provide a complementary mixture of uses, a variety of housing types or a design that preserves common open space, which is not possible under the standards of another zoning district.

- E. The site shall be served by a sanitary sewer system.
- F. The RPDD will create a more desirable environment than would be possible through the application of strict zoning requirements applied in other sections of this Ordinance.

SECTION 8.02 RESIDENTIAL RPDD ZONING DESIGNATION

A property meeting the qualifying conditions may be rezoned to a Residential RPDD District, based on the standards shown in the following table and appropriate standards contained elsewhere in this Zoning Ordinance. The rezoning shall be concurrent with the approval of a RPDD Conceptual Plan. The RPDD designation shall be noted in the application, and on the Official Zoning Map upon approval.

SECTION 8.03 CITY OF THE VILLAGE OF CLARKSTON RESIDENTIAL PLANNED DEVELOPMENT DISTRICT

District Name	Type of District	Permitted Uses	Special Land Uses	
Residential Planned Development District (RPDD)	Overlay of a residential district	<p>Detached single-family dwelling units: open space or cluster housing projects with one or more types of residential uses.</p> <p>For sites that are identified in the Future Land Use Plan of Master Plan as Village Commercial or Residential Mixed Use, non-residential uses may only account for 10% of the overall floor area.</p>	Same as underlying residential district	

- A. **Common Property in the Planned Development.** Common property in the RPDD District consists of a parcel or parcels of land, together with the improvements thereon, the use and enjoyment of which are shared by the owners and occupants of the planned development. When common property exists, the ownership of such common property may be either public or private. When common property exists in private ownership, satisfactory arrangements must be made for the improvement, operation, and maintenance of such common property and facilities, including private streets, drives, service and parking areas, and areas for recreation and open space.

SECTION 8.04 APPLICATION AND REVIEW PROCEDURE

The application process for a RPDD involves:

- A. Request for rezoning to appropriate RPDD designation and a conceptual (preliminary) site plan.
- B. A Final Site Plan(s), with a RPDD Contractual Agreement between the applicant and the City.
- C. A Final Site Plan review for each building or project phase, where appropriate.

SECTION 8.05 APPLICATION PROCEDURE AND ZONING APPROVAL PROCESS

Process for rezoning to appropriate RPDD designation and Conceptual RPDD Plan.

- A. General. Whenever any Planned Development District or an area plan for such District is proposed, before any building permit for the erection of a permanent building in such district shall be granted, and before any subdivision of any point thereof may be filed in the office of the City Clerk, the developer or his authorized agent shall apply for and secure approval of such RPDD District and the area plan for such District in accordance with the following procedures.
- B. An optional preapplication workshop with the Planning Commission may be requested by the applicant to discuss the appropriateness of a RPDD concept, solicit feedback and receive requests for additional materials supporting the proposal. An applicant desiring such a workshop shall request placement on the Planning Commission agenda.
- C. A petition for a RPDD district classification for a parcel of land may be made by the owner(s) of record or by any person(s) acting on behalf of the owner(s) of record of the subject parcel.
- D. The complete petition shall be filed with the City Clerk. Once determined that the petition is complete as set forth in Section 8.10, the City Clerk shall transmit the petition and the area plan to the Planning Commission.

- E. The applicant shall prepare and submit to the City Clerk a request for rezoning to the appropriate RPDD designation, including twelve (12) copies of a Conceptual RPDD Site Plan meeting the submittal requirements of Article XVII. The Conceptual RPDD Site Plan shall illustrate uses within each component lots, road layout, parking areas and open space. Materials shall be submitted at least thirty (30) days prior to the meeting at which the Planning Commission shall first review the request; at least fourteen (14) days for an applicant who has had a preapplication workshop session on the proposal within one hundred twenty (120) days of the Conceptual RPDD Site Plan submittal.
- F. The Planning Commission shall, at the meeting at which it receives the petition and area plan from the Clerk, establish a public hearing on the petition and area plan,] The Planning Commission shall give notice of the public hearing as required by P.A. 110 of 2006, as amended.
- G. The Planning Commission shall review the rezoning request, and the Conceptual RPDD Site Plan, conduct a public hearing, and make a recommendation to the City Council based on the review standards of this Article.
- H. After receipt of a recommendation from the Planning Commission, the City Council shall conduct a public hearing on the requested RPDD rezoning and the Conceptual RPDD Site Plan and either approve, deny or approve with a list of conditions made part of the approval. The City Council may require submittal of the Conceptual RPDD Site Plan reflecting the conditions for approval by the Code Officer (prior to submittal of a RPDD Final Site Plan).

SECTION 8.06 EXPIRATION

Approval of the Conceptual RPDD Site Plan by the City Council shall confer upon the owner the right to proceed through the subsequent planning phase for a period not to exceed two (2) years from date of approval. If application for Final RPDD Site Plan approval is not requested within this time period, resubmittal of the application shall be required. The City Council may extend the period up to an additional two (2) years, if requested in writing by the applicant prior to the expiration date.

SECTION 8.07 PROCESS FOR FINAL RPDD SITE PLAN(S)

- A. The applicant shall submit twelve (12) copies of a detailed Final Site Plan for the entire approved Conceptual RPDD Site Plan to the City Clerk at least thirty (30) days prior to the Planning Commission meeting at which the Planning Commission shall first review the request.
- B. Upon submission of all fees as established by the City Council and required materials required by Article XVII, the Planning Commission shall hold such hearings as may be required by law, and shall approve, deny, or approve with conditions in accordance with the standards and regulations of Article XVII, Site Plan Review.

- C. If the Final RPDD Site Plan was approved with conditions, the applicant shall submit a revised site plan to the City Clerk for approval prior to the issuance of any building permits.

SECTION 8.08 RPDD AGREEMENT

As part of the Final RPDD Site Plan, the applicant shall submit a written agreement setting forth the conditions upon which the RPDD approval was based, as specified, including a specific list of any approved deviations from the standards of this Ordinance. The Planning Commission shall review the agreement, with assistance from the City Attorney. The RPDD Agreement shall be approved as part of the Final RPDD Site Plan as set forth in Section 8.13. Once approved the RPDD Agreement shall be recorded in the office of Oakland County, Register of Deeds at the expense of the applicant.

SECTION 8.09 FINAL SITE PLANS

A Final Site Plan review for each building or project phase shall be submitted according to the procedures and standards contained within this Ordinance.

SECTION 8.10 CONCEPTUAL SUBMITTAL REQUIREMENTS

The purpose of the conceptual review is to provide a mechanism whereby the applicant can obtain a substantial review of the proposed project in order to prepare final site engineering and architecture plans, and to execute necessary agreements between the applicant and the City. Submittal requirements are listed below.

- A. Current proof of ownership of the land to be utilized or evidence of a contractual ability to acquire such land, such as an option or purchase agreement.
- B. A completed application form, supplied by the City Clerk and an application fee. A separate escrow deposit may be required for administrative charges to review the RPDD submittal.
- C. Sheet size of submitted drawings shall be twenty-four (24) inches by thirty-six (36) inches, with graphics at an engineer's scale.
- D. Cover Sheet providing:
 - 1. The applicant's name, address, telephone/fax number(s);
 - 2. The name of the development;
 - 3. The preparer's name and professional seal of architect, engineer, surveyor or landscape architect, indicating license in the State of Michigan;
 - 4. Date of preparation and any revisions;

5. North arrow;
 6. Property lines and dimensions;
 7. Complete and current legal description and size of property in acres;
 8. Small location sketch of the subject site and area within one-half mile; and scale;
 9. Zoning and current land use of applicant's property and all abutting properties and of properties across any public or private street from the RPDD site;
 10. Lot lines and all structures on the property and within one hundred (100) feet of the RPDD property lines;
 11. Location of any access points on both sides of the street within one hundred (100) feet of the RPDD site along streets where access to the RPDD is proposed.
- F. A Plan Sheet(s) labeled "Existing Site Conditions," including the location of existing buildings and structures, rights-of-way and easements, significant natural and historical features, existing drainage patterns (by arrow), surface water bodies, floodplain areas, wetlands, the limits of major stands of trees and a tree survey indicating the location, species and caliper of all trees with a caliper over eight (8) inches, measured four feet above grade. This sheet shall also illustrate existing topography of the entire site at two (2) foot contour intervals and a general description of grades within one hundred (100) feet of the site.
- G. A Conceptual RPDD Site Plan Sheet including:
1. Conceptual layout of proposed land use, acreage allotted to each use, residential density overall and by underlying zoning district (calculations shall be provided for both overall and useable acreage), building footprints, structures, roadways, parking areas, drives, driveways, pedestrian paths and identification signs.

Note: *Useable area* is total area less public road rights-of-way, year-round surface water bodies, and MDEQ regulated wetlands.
 2. Building setbacks and spacing.
 3. General location and type of landscaping proposed (evergreen, deciduous, berm, etc.) noting existing trees over eight (8) inches in caliper to be retained, and any woodlands that will be designated as "areas not to be disturbed" in development of the RPDD.
 4. A preliminary layout of contemplated stormwater drainage, detention pond location, water supply and wastewater disposal systems, any public or private easements, and a note of any utility lines to be removed.

5. A list of any requested deviations from the dimensional standards of the Zoning Ordinance that otherwise would apply (permitted deviations include: minimum lot width, area or setbacks; private road standards; and sign standards).
6. If a multi-phase Residential Planned Development District is proposed, identification of the areas included in each phase. For residential uses identify the number, type, and density proposed by phase.

SECTION 8.11 STANDARDS FOR APPROVAL OF CONCEPTUAL RPDD SITE PLAN

Based upon the following standards, the Planning Commission may recommend denial, approval, or approval with conditions, and the City Council may deny, approve, or approve with conditions the proposed Residential Planned Development District.

- A. The proposed development shall conform to the intent and all regulations and standards of the Residential Planned Development District.
- B. The uses proposed will have a beneficial effect, in terms of public health, safety, welfare, or convenience, on present and future potential surrounding land uses. The uses proposed will not adversely affect the public utility and circulation system, surrounding properties, or the environment. The public benefit shall be one which could not be achieved under the regulations of the underlying district alone, or that of any other zoning district.
- C. The proposed development is consistent to the adopted Master Plan, or represents land use policy which, in the Planning Commission's opinion, is a logical and acceptable change in the adopted Master Plan.
- D. Judicious effort has been used to preserve significant natural and historical features, surface and underground water bodies and the integrity of the land.
- E. Sewer facilities are available or shall be provided for by the developer as part of the site development.
- F. The proposed development shall be located and designed in a manner which will minimize the impact of traffic, taking into consideration: pedestrian access and safety; vehicle trip generation (i.e. volumes); types of traffic, access location, and design, circulation, and parking design; street capacity; and traffic operations at nearby intersections and access points. Efforts shall be made to ensure that multiple transportation modes are safely and effectively accommodated in an effort to provide alternate modes of access and alleviate vehicular traffic congestion. Review and approval by the Fire Chief is required.
- G. Any deviations from the applicable zoning regulations are reasonable and meet the intent of this Article.

- H. The mix of housing unit types and densities, and the mix of residential and non-residential uses, shall be acceptable in terms of convenience, privacy, compatibility and similar measures.
- I. Noise, odor, light, or other external effects which are connected with the proposed uses, will not adversely affect adjacent and neighboring lands and uses.

The City Council may impose additional reasonable conditions, 1) to ensure that public services and facilities affected by a Residential Planned Development District will be capable of accommodating increased service and facility loads caused by the Residential Planned Development District, 2) to protect the natural environment and conserve natural resources and energy, 3) to ensure compatibility with adjacent uses of land, and 4) to promote the use of land in a socially and economically desirable manner.

SECTION 8.12 APPROVAL OF CONCEPTUAL RPDD SITE PLAN

Upon approval of the Conceptual RPDD Site Plan by the City Council, the property shall be rezoned to an appropriate Residential Planned Development District Zoning District, with the underlying zoning district noted on the Official Zoning Map for a Residential Planned Development District.

SECTION 8.13 FINAL RPDD SITE PLAN SUBMITTAL PROCEDURES AND APPROVAL

The purpose of the RPDD final review is to consider the Final Site Plan for the entire RPDD which is consistent with the approved Conceptual RPDD Site Plan. Receipt of a building permit shall require final approval by the City Council.

The final submittal shall include the materials required by Article XVII, Site Plan Review, and the following:

- A. A proposed written agreement specifying all the terms and understanding of the RPDD development, in compliance with Section 8.08
- B. The Planning Commission may determine that a hydrologic impact assessment is needed describing the existing ground and surface water resources including, but not limited to, a description of the water table, direction of groundwater flow, recharge and discharge areas, lake levels, surface drainage, floodplains, and water quality as well as the projected impact of the proposed development on such resources, in particular impacts associated with water supply development, wastewater disposal, and storm water management.

For projects over ten (10) acres, the applicant may submit a schematic site plan illustrating general building footprints, parking lot areas, road alignments, open space and general landscaping; with more detailed site plans submitted for the first building or

project phase. Each detailed site plan shall be reviewed according to the procedures and standards of Article XVII, Site Plan Review.

The final site plan shall be reviewed by the Planning Commission, which shall make recommendations to City Council, according to the procedures outlined in Article XVII, Site Plan Review and Impact Assessment. The impact assessment for an individual phase or site may consist of minor modifications to the material submitted for the overall RPDD if the proposed uses are consistent with the approved RPDD Plan.

SECTION 8.14 CONDOMINIUM PROJECTS

For any condominium section of a RPDD, the applicant shall provide a copy of the Master Deed and Condominium Association Bylaws for approval by the City Council. The condominium documents shall provide limits on use of common areas or open space for accessory structures, such as swimming pools, decks, playground equipment and buildings. A plan shall be provided indicating the limits of such accessory structures within a defined envelope.

Following approval of the Final RPDD Site Plan, the applicant shall submit a written agreement to the City Attorney for review and approval by the City Council. The agreement shall:

- A. Set forth the conditions upon which the approval is based, with reference to the approved Final RPDD Site Plan.
- B. When open space or common areas are indicated in the RPDD plan for use by the residents, the open space or common areas shall be conveyed in fee or otherwise committed by dedication to an association of the residents, and the use shall be irrevocably dedicated for the useful life of the residences, and retained as open space for park, recreation or other common uses.
- C. Set forth a program and financing for maintaining common areas and features, such as walkways, signs, lighting and landscaping.
- D. Assure that trees and woodlands will be preserved as shown on the site plan, or replaced on a caliper-for-caliper basis.
- E. Assure the construction and maintenance of all streets and necessary utilities (including public water, wastewater collection and treatment) through bonds or other satisfactory means, for any and all phases of the RPDD. In the case of phased RPDDs this requirement shall be reviewed at the time of any final site plan approval.
- F. Address any other concerns of the City regarding construction and maintenance.

SECTION 8.15 SCHEDULE OF CONSTRUCTION

Final site plan approval of a RPDD, RPDD phase, or a building within a RPDD shall be effective for a period of three (3) years. Further submittals under the RPDD procedures shall be accepted for review upon a showing of substantial progress in development of previously approved phases, or upon a showing of good cause for not having made such progress.

In the development of a RPDD, the percentage of one-family dwelling units under construction, or lots sold, shall be at least in the same proportion to the percentage of multiple-family dwelling units under construction at any one time, provided that this Section shall be applied only if one-family dwelling units comprise twenty-five percent (25%) or more of the total housing stock proposed for the RPDD. Non-residential structures designed to serve the RPDD residents shall not be built until the RPDD has enough dwelling units built to support such non-residential use. The Planning Commission may modify this requirement in their conceptual or final submittal review process.

SECTION 8.16 AMENDMENTS AND DEVIATIONS FROM APPROVED CONCEPTUAL AND FINAL RPDD SITE PLAN

Deviations from the approved Conceptual or Final RPDD Site Plan may occur only when an applicant or property owner who was granted Conceptual or Final RPDD Site Plan approval notifies the Code Officer of the proposed amendment to such approved site plan in writing, accompanied by a site plan illustrating the proposed change. The request shall be received prior to initiation of any construction in conflict with the approved Final RPDD Site Plan.

- A. **Procedure.** Upon receipt of a request to amend the Conceptual or Final RPDD Site Plan, the Code Officer shall determine whether the change is major, warranting review by the Planning Commission, and City Council or minor, allowing administrative approval, as noted below.
- B. **Minor Changes.** The Code Officer may approve the proposed revision upon finding the change would not alter the basic design nor any conditions imposed upon the original plan approval by the Planning Commission. The Code Officer shall inform the Planning Commission of such approval in writing. The Code Officer shall consider the following when determining a change to be minor.
 - 1. For residential buildings, the size of structures may be reduced or increased by five percent (5%), provided the overall density of units does not increase and the minimum square footage requirements are met.
 - 2. Gross floor area of non-residential buildings may be decreased or increased by up to five percent (5%) or ten thousand (10,000) square feet, whichever is smaller.
 - 3. Floor plans may be changed if consistent with the character of the use.

4. Minor alterations to horizontal and/or vertical elevations that are consistent with approved elevations. Minor alterations cannot include any changes in material of lesser quality, architectural style, roof pitches, reduction in fenestration, or significant revisions as deemed by the Code Officer.
 5. Relocation of a building by up to five (5) feet, if consistent with required setbacks and other standards.
 6. Designated "areas not to be disturbed" may be increased.
 7. Plantings approved in the Final RPDD Landscape Plan may be replaced by similar types of landscaping on a one-to-one or greater basis. Any trees to be preserved which are lost during construction must be replaced by at least two (2) trees of the same or similar species.
 8. Improvements or slight relocation of site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, etc.
 9. Changes of building materials to another of higher quality, as determined by the Code Officer.
 10. Slight modification of sign placement or reduction of size.
 11. Internal rearrangement of parking lot which does not affect the number of parking spaces or alter access locations or design.
 12. Changes required or requested by the City, County or State for safety reasons.
- C. **Major Changes.** Where the Code Officer determines the requested amendment to the approved Conceptual or Final RPDD Site Plan is major, resubmittal to the Planning Commission and City Council with applicable fees shall be required. Should the Planning Commission determine that the modifications to the Conceptual or Final RPDD Site Plan significantly alter the intent of the Conceptual RPDD Site Plan, a revised conceptual RPDD Site Plan shall be submitted.

SECTION 8.17 APPEALS AND VIOLATIONS

The Board of Zoning Appeals shall have the authority to hear and decide appeal requests by property owners for variances from the City Zoning Ordinance. However, the Board of Zoning Appeals shall not have the authority to change conditions or make interpretations to the RPDD site plan or written agreement.

Violations of any RPDD plan or agreement approved under this Section, or failure to comply with any requirements of this Section, including any agreements and conditions attached to any approved plan, shall be considered a violation of this Ordinance as provided in Section 15.09.

SECTION 8.18 REGULATIONS AND STANDARDS

- A. **General.** All uses, structures, and properties shall comply with all regulations and requirements of this Zoning Ordinance, and other City specifications and standards, except as provided in this Article.
- B. **Density:**
1. The maximum permitted residential density for a Residential Planned Development District shall not exceed the average residential density for the area included in the Residential Planned Development District as shown on the adopted Master Plan.
 2. The Planning Commission may grant an increase in average lot density up to twenty-five (25%) percent. Such increase in density shall be commensurate with public benefit provided. Such public benefit may include, but is not limited to, preservation, restoration and enhancement of natural resources; increased open space; public dedication of land; or sustainable building and site design.
- C. **Lot Area and Width, and Setbacks.**
1. **Minimum Lot Area and Lot Width.** There shall be no minimum lot area or lot width for a RPDD provided, however, the Planning Commission shall find that the lot area and width for any proposed development is consistent with the district that is most similar to the proposed development. Such finding shall take into account the lot size required for similar developments in other districts and compliance with the City's Master Plan.
 2. **Setbacks:**
 - a. The required setbacks shall not exceed that which is allowed in the zoning district that is most similar to the proposed development.
 - b. Setback requirements may be reduced or waived when approved by the City Council upon recommendation of the Planning Commission.
 - c. Wetland setbacks may not be reduced. Wetlands and land without perkable soils shall be credited as twenty-five percent (25%) of their area for purposes of calculating overall density.
- D. **Distances Between Buildings.**
1. The distance between residential dwelling structures shall be determined on a case-by-case basis by the Planning Commission.
 2. The location of buildings and uses, and the distances between buildings shall be clearly shown on the area plan and shall control the development and continued use of the property.

3. Distances between buildings shall comply with all federal, state, and local building codes.

Height. The base height of buildings in the RPDD district is two and one-half (2½) stories or thirty-five (35) feet. The City Council based on a recommendation from the Planning Commission may permit up to three (3) stories and 40-feet if contextually appropriate. Contextually appropriate includes consideration of:

1. Height of adjacent structures
2. Topography
3. Architectural style
4. Public benefit achieved as a result of increased height.

The increase in height is purely discretionary and reviewed on a case-by-case basis by both the Planning Commission and the City Council.

E. Circulation and Access.

1. Each lot or principal building in a RPDD district shall have vehicular access from a public street or from a private street.
2. Each lot or principal building in a RPDD district shall have pedestrian access from a public or private sidewalk where deemed necessary by the City Council. All parts and phases of the RPDD shall be interconnected by a sidewalk system which will provide the necessary, safe and convenient movement of pedestrians. A bicycle path system shall also be provided in the RPDD and may be part of the sidewalk system, where approved by the City Council. Said system shall be connected to the public sidewalk system.
3. Public and private streets shall be designed and constructed according to standards established for public streets. If, in the future, private streets in a RPDD are to be dedicated to a public agency, the owners shall first fully agree to bear the full expense of construction or any other action required to make streets suitable for public acceptance.
4. An individual dwelling unit in any single-family, two-family townhouse, or similar residential structure shall not have direct access to a collector or arterial street.

F. Utilities.

1. Each principal building in a RPDD district shall be individually connected to a sanitary sewer line.
2. Each site in a RPDD district shall be provided with adequate storm drainage. Open drainage courses and storm water retention ponds may be permitted by the City Council under special circumstances. The standard shall be to provide an enclosed drainage system.

3 Electrical, telephone, and cable television lines shall be underground.

G. Open Space Regulations.

1. Buildings, parking lots, driveways, and similar improvements may be permitted in open space areas if related and necessary.
2. Open space areas shall be conveniently and equitably located through the RPDD in relation to the location of dwelling units and natural features.
3. Open space areas shall have minimum dimensions which, in the Planning Commission's opinion, are usable for the functions intended and which will be maintainable.
4. The City Council may require that natural amenities such as ravines, rock outcrops, wooded areas, tree or shrub specimens, unique wildlife habitats, ponds, streams, and marshes be preserved as part of the open space system of the RPDD
5. The City Council may require dedication for road rights-of-way, schools and/or parks, but it is under no obligation to do so.

Section 8.19 EXTENSION OF TIME LIMITS

Time limits set forth in this article may be extended upon showing of good cause, and by written agreement between the applicant and the Planning Commission or City Council, whichever is applicable, in the case of area plans, and between the applicant and the Planning Commission, in the case of Conceptual and Final Site Plans.

Section 8.20 PERFORMANCE GUARANTEE

A performance guarantee may be required in accordance with Section 15.20.

Section 2:01. Repealer Clause.

All ordinances or policies of the city in conflict with the provisions herewith are hereby repealed. This ordinance is intended to be both preventative and punitive, and is intended to be in furtherance of and an extension of, but not in conflict with, the provisions of the city charter of the City of the Village of Clarkston, and the laws of the State of Michigan.

Section 3:01. Severability Clause.

Should any section, subdivision, clause or phrase of this Ordinance be declared by the courts to be invalid, the validity of this Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 4:01. Effective Date.

Public Hearing having been held by the Planning Commission for the City of the Village of Clarkston on May 17, 2021, the provisions of this Ordinance shall take effect 20 days after publication.

Made and passed by the City Council of the City of the Village of Clarkston this _____ day of August, 2021.

ERIC HAVEN, Mayor

Jennifer Speagle, City Clerk

CERTIFICATE OF CLERK

I, Jennifer Speagle, being the duly appointed and qualified Clerk of the City of the Village of Clarkston, Oakland County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of the Village of Clarkston at a regular meeting thereof held on the _____ day of August, 2021.

Jennifer Speagle, City Clerk



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

TO: City Council, The City of the Village of Clarkston
Jonathon Smith, City Manager
Rich Little, Planning Commission Chair

FROM: Richard K. Carlisle, FAICP
Ben Carlisle, AICP

DATE: February 3, 2021

RE: Residential Planned Development District (RPDD) Ordinance Review and Recommended Amendments

Recently the Planning Commission and Historic District Commission considered a concept plan for a Residential Planned Development District (RPDD) multiple family development at the southeast corner of Waldon Road and Main Street. The RPDD is an existing valuable zoning tool in the zoning ordinance that permits flexibility in zoning regulations to permit for more creative and innovative development. While the Planning Commission acknowledged that the proposed density for the development was too intense, it was noted that the current RPDD allowed for limited zoning flexibility and offered few incentives for its use to allow for more creative development.

With that recognition, Carlisle|Wortman Associates was asked to review the RPDD regulations and suggest amendments for Planning Commission consideration. The Planning Commission considered the recommended amendments at three separate meetings. At their February 1, 2021 meeting, the Planning Commission voted 5-0 to forward the following amendments to the City Council for their consideration. Please note that the Planning Commission has not drafted revised ordinance language but will do so once they receive direction from the City Council.

Many of the recommended amendments are procedural; however, the Planning Commission recommends three substantial amendments:

1. Allowance for mixed use;
2. Increased allowable height; and
3. Increased allowable density.

Existing Regulations:

There are three different districts that permit multiple family residential, all with varying density allowances:

District	Density		
RM, Multiple Family Residential	Efficiency/1 Bedroom (6000 sq/ft per unit) = 7.3 units/acre	2-Bedroom (8000 sq/ft per unit) = 5.5 units/acre	3-Bedroom (10000 sq/ft per unit) = 4.4 units/acre

Richard K. Carlisle, *President* Douglas J. Lewan, *Executive Vice President* John L. Enos, *Principal*
David Scurto, *Principal* Benjamin R. Carlisle, *Principal* Sally M. Elmiger, *Principal* Craig Strong, *Principal* R. Donald Wortman, *Principal*
Laura K. Kreps, *Senior Associate* Paul Montagno, *Associate*

VC, Village Commercial	No set cap in the ordinance. Density would be limited by height, setback, and parking requirements.
RPDD, Residential Planned Development District	Based on underlying zoning district.

Please note that density is also controlled through other various zoning regulations including parking, height, and setbacks. These in combination with set density restrictions also limit density. For example, both the VC-Village Commercial and RM-Multiple Family Residential is capped at 2.5 stories. In addition, RM, Multiple Family Residential has a variety of setbacks from property lines and building-to-building setbacks that may also greatly restrict density. Although the VC, Village Commercial does not have a set cap, density is regulated through other zoning regulations.

As for RPDD-Residential Planned Development District, the maximum density shall comply with the dimensional standards of the underlying zoning district. For sites such as the corner of Waldon and Main which is zoned R-1-Low Density Single Family, the maximum density is 2.7 units per acre. Furthermore, the PUD Ordinance permits very limited discretionary authority for the Planning Commission to recommend and for the City Council to permit greater density through the PUD process. In other words, the City would have to have a strong basis for deviating from Ordinance requirements. Thus, the PUD has little incentive as written because it does not allow density increases and offers very little deviations to the underlying zoning with regards to setbacks, lot areas, and widths.

Like Communities:

As part of our analysis we reviewed similar communities in southeast Michigan for comparison. Similar to Clarkston, many of the "Downtown" or "Mixed Use" districts do not have a set cap regarding density with regards to units per acre; however they have an artificial cap through the height restrictions, setback restrictions, or parking requirements that in essence restrict density.

Most communities cap density in multiple family residential districts by a unit per acre factor. The range varies from 4.4 units / per acre to 24 units per acre.

Municipalities	District	Density
Plymouth	B2, Downtown	No set cap in the ordinance
	RM-2, High Density Residential	16.1 to 24.2 units/acre (based on bedroom type)
Northville	CBD, Central Business District	No set cap in the ordinance
	R4, High Density Residential	4.4 units / per acre
Saline	C-1, Central Area District	No set cap in the ordinance
	R3, Multiple Family residential	5.6 units / per acre
Howell	MXD, Mixed Use District	No set cap in the ordinance
	R-M, Multiple Family Residential District	6 to 10 units / per acre (based on bedroom type)
Rochester	CBD, Central Business District	No set cap in the ordinance
	RM-1, Multiple Family Residential District	11.6 to 19.4 units / per acre (based on bedroom type)
Holly	CBD, Central Business District	No set cap in ordinance

	RM, Moderate Density	7.3 to 10.9 units/acre (based on bedroom type)
--	----------------------	--

Looking at like communities, we find that Clarkston’s density provisions for multiple family are consistent. However, a cap of 4.4 units per acre for 3-bedrooms and 5.5 units per acre for 2-bedrooms are lower than comparable communities.

Proposed Regulatory Consideration:

The details to these recommendations are listed below in the table. The left column is the identified issue to be addressed. The middle column in the existing ordinance language (actual language in italics). The right column is the suggested amendment.

Issue to be addressed:	Existing Ordinance (section)	Proposed Revisions
The only uses allowed in RPDD are residential	<i>Detached single-family dwelling units: open space or cluster housing projects with one or more types of residential uses. (8.03)</i>	Consider allowing for mixed-use development which may include office or commercial and residential. To establish a parameter, add language that states for site that are master planned as residential or mixed use residential, non-residential uses may only account for 10% of the overall floor area.
Height in a RPDD is limited to 2.5 stories and 35-feet	<i>The maximum height of buildings in the RPDD district shall not exceed a height of two and one-half (2½) stories or thirty-five (35) feet. (8.18.D)</i>	Consider allowing up to 3 stories and 40-feet if contextually appropriate. Contextually appropriate can included consideration of: <ol style="list-style-type: none"> 1. Height of adjacent structures 2. Topography 3. Architectural style 4. Public benefit achieved as a result of increased height The increase in height is purely discretionary and reviewed on a case-by-case basis by both the Planning Commission and the City Council.
Deviations for density and bulk regulations are very limited with current regulations	<i>Maximum density, minimum floor area and maximum height shall comply with the dimensional standards of the underlying zoning district, but the lot area, setback and width requirements may be reduced</i>	Amend Section 8.03: <ol style="list-style-type: none"> 1. Allow density consistent with future land use plan (for mixed use residential that would between 6 to 8 units and acre) and permit a

	<i>by up to twenty percent (20%) with the resultant area preserved as open space. (8.03)</i>	<p>density increase to that of up to 25%.</p> <p>2. Allow greater flexibility to reduce lot area, setback, and width requirements.</p> <p>A density of 6 to 8 units would be in-line with like communities.</p> <p>The allowable density increase is purely discretionary and reviewed on a case-by-case basis by both the Planning Commission and the City Council.</p>
The application process requires the "contractual agreement" to occur after the rezoning and the preliminary site plan is approved. Most ordinances require the "contractual agreement" as part of the initial rezoning approval.	<p>A. <i>The application process for a RPDD involves: Request for rezoning to appropriate RPDD designation and a conceptual (preliminary) site plan.</i></p> <p>B. <i>A Final Site Plan(s). City of the Village of Clarkston VIII-3 Article VIII Zoning Ordinance Residential Planned Development District</i></p> <p>C. <i>A Contractual Agreement between the applicant and the City.</i></p> <p>D. <i>A Final Site Plan review for each building or project phase, where appropriate. (8.04)</i></p>	Make contractual agreement as part of Step A and rename it "RPDD Agreement."
Application process seems superfluous. Unsure of the purpose of having the Clerk forward to City Council, who then forwards to the Planning Commission.	<i>D. The petition shall be filed with the City Clerk who shall transmit the petition and the area plan to the City Council. The City Council shall forward the petition to the Planning Commission. (8.05.D)</i>	Once filed with City Clerk, allow Clerk to forward to the Planning Commission.
Unnecessary timeline review requirements	Multiple sections of the ordinance (8.05.E, 8.05.F, 8.05.H, 8.16.A) put time requirements on when the Planning Commission or City Council must consider an application.	Overall we recommend on eliminating any requirement that the Planning Commission or City Council must review the application within a certain timeframe. Due process is important and necessary, but we find no legitimate purpose on putting an unnecessary "shot clock" on the Planning Commission or City Council.

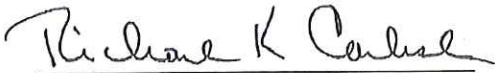
<p>The application process requires the “contractual agreement” to occur after the rezoning and the preliminary site plan is approved. Most ordinances require the “contractual agreement” as part of the initial rezoning approval. Same issue as noted in Section 8.04</p>	<p><i>Upon approval of the Final RPDD Site Plan, the applicant shall submit a written agreement setting forth the conditions upon which the RPDD approval was based, as specified, including a specific list of any approved deviations from the standards of this Ordinance. The Planning Commission shall review the agreement, with assistance from the City Attorney. The agreement City of the Village of Clarkston VIII-5 Article VIII Zoning Ordinance Residential Planned Development District shall be recorded in the office of Oakland County, Register of Deeds at the expense of the applicant. (8.08)</i></p>	<p>Amend Section 8.08 to make Contractual Agreement to be reviewed and approved by the City Council as part of the RPDD and Conceptual Site Plan approval.</p>
<p>RPDD review standards</p>	<p>There are seven standards for Planning Commission and City Council to consider when reviewing a RPDD (8.11)</p>	<p>Amend Section 8.11 (Standards for Approval of Conceptual RPDD Site Plan) to strengthen standards for the Planning Commission and City Council to apply when considering a RPDD.</p>
<p>There is no provision in the existing ordinance that sets forth the procedure if an applicant desires or is required (often due to engineering issues) to amend the RPDD after preliminary site plan approval and prior to final site plan approval</p>	<p><i>Upon approval of the Conceptual RPDD Site Plan by the City Council, the property shall be rezoned to an appropriate Residential Planned Development District Zoning District, with the underlying zoning district noted on the Official Zoning Map for a Residential Planned Development District. (8.12)</i></p>	<p>Amend Section 8.12 (Approval of Conceptual RPDD Site Plan) to give authority to the Planning Commission to determine if a requested change is major or minor. Add provision that any major change to the approved RPDD will require a resubmittal and public hearing with the Planning Commission and approval by the City Council.</p>
<p>How to measure elevation changes</p>	<p>Minor Changes to approved RPDD: <i>Horizontal and/or vertical elevations may be altered by up to five percent (5%). (8.16.B.4)</i></p>	<p>Not sure to measure percent change in elevations. Amend language to use “consistency” as a standard for elevation change.</p>
<p>There is no requirement of a performance guarantee in existing</p>	<p>Not Applicable</p>	<p>Add provision to the RPDD that notes that a performance guarantee may</p>

language. Performance guarantee is a financial commitment from the developer to ensure the project will be completed as approved.		be required in accordance with Section 15.20.
---	--	---

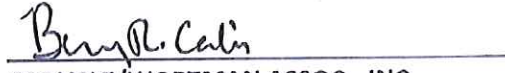
The purpose of these amendments is to (1) protect Clarkston's historic character, (2) ensure high quality development standards, and (3) encourage creative development that is complementary to the single-family fabric of the community. Please note that the Planning Commission has not drafted revised ordinance language but will do so once they receive direction from the City Council.

I look forward to discussing these options at an upcoming meeting. Please let me know if you have further questions.

Yours Truly,



CARLISLE/WORTMAN ASSOC., INC.
Richard K. Carlisle, AICP
President



CARLISLE/WORTMAN ASSOC., INC.
Benjamin R. Carlisle, LEED AP, AICP

ARTICLE VIII

RPDD, RESIDENTIAL PLANNED DEVELOPMENT DISTRICT

SECTION 8.00 PURPOSE

Residential Planned Development District (RPDD) standards are provided as a design option to permit flexibility in the regulation of land development; to encourage innovation in land use, form of ownership and variety in design, layout, and type of structures constructed; to preserve significant natural features and open space; to promote efficient provision of public services and utilities; to minimize adverse traffic impacts; to provide adequate housing and employment; to encourage development of convenient recreational facilities; and to encourage the use and improvement of existing sites when the uniform regulations contained in other zoning districts alone do not provide adequate protection and safeguards for the site or its surrounding areas. The RPDD standards are not intended to avoid the imposition of standards and requirements of other zoning classifications rather than to achieve the stated purposes herein set forth.

For properties approved for RPDD designation, these RPDD standards provide the residential developer with flexibility in design and permit variation of the specific bulk, area, and in some specified situations the density requirements of this Ordinance on the basis of the total RPDD plan, subject to the approval of the RPDD plan by the Planning Commission and City Council in accordance with the requirements as herein set forth.

SECTION 8.01 QUALIFYING CONDITIONS

The following provisions shall apply to all Residential Planned Development Districts:

- A. The RPDD site shall be under the control of one owner or group of owners and shall be capable of being planned and developed as one integral unit.
- B. A RPDD zoning classification may be initiated only by a petition.
- C. A minimum size of one (1) acre of contiguous land is required.
- D. The site shall have significant natural or historic features which will be preserved through development under the RPDD standards, as determined by the Planning Commission, or the RPDD will provide a complementary mixture of uses, a variety of housing types or a design that preserves common open space, which is not possible under the standards of another zoning district.
- E. The site shall be served by a sanitary sewer system.
- F. The RPDD will create a more desirable environment than would be possible through the application of strict zoning requirements applied in other sections of this Ordinance.

SECTION 8.02 RESIDENTIAL RPDD ZONING DESIGNATION

A property meeting the qualifying conditions may be rezoned to a Residential RPDD District, based on the standards shown in the following table and appropriate standards contained elsewhere in this Zoning Ordinance. The rezoning shall be concurrent with the approval of a RPDD Conceptual Plan. The RPDD designation shall be noted in the application, and on the Official Zoning Map upon approval.

SECTION 8.03 CITY OF THE VILLAGE OF CLARKSTON RESIDENTIAL PLANNED DEVELOPMENT DISTRICT

District Name	Type of District	Permitted Uses	Special Land Uses	Additional Provisions
Residential Planned Development District (RPDD)	Overlay of a residential district	Detached single-family dwelling units; open space or cluster housing projects with one or more types of residential uses. <u>For sites that are identified in the Future Land Use Plan of Master Plan as Village Commercial or Residential Mixed Use, non-residential uses may only account for 10% of the overall floor area.</u>	Same as underlying residential district	Maximum density, minimum floor area and maximum height shall comply with the dimensional standards of the underlying zoning district. ; but the lot area, setback and width requirements may be reduced by up to twenty percent (20%) with the resultant area preserved as open space. Wetland setbacks may not be reduced. Wetlands and land without permeable soils shall be credited as twenty-five percent (25%) of their area for purposes of calculating overall density.

- A. **Common Property in the Planned Development.** Common property in the RPDD District consists of a parcel or parcels of land, together with the improvements thereon, the use and enjoyment of which are shared by the owners and occupants of the planned development. When common property exists, the ownership of such common property may be either public or private. When common property exists in private ownership, satisfactory arrangements must be made for the improvement, operation, and maintenance of such

common property and facilities, including private streets, drives, service and parking areas, and areas for recreation and open space.

SECTION 8.04 APPLICATION AND REVIEW PROCEDURE

The application process for a RPDD involves:

- A. Request for rezoning to appropriate RPDD designation and a conceptual (preliminary) site plan.
- A. _____
- B. A Final Site Plan(s), with a RPDD.
- C. B. A Contractual Agreement between the applicant and the City.
- D. C. A Final Site Plan review for each building or project phase, where appropriate.

SECTION 8.05 APPLICATION PROCEDURE AND ZONING APPROVAL PROCESS

Process for rezoning to appropriate RPDD designation and Conceptual RPDD Plan.

- A. General. Whenever any Planned Development District or an area plan for such District is proposed, before any building permit for the erection of a permanent building in such district shall be granted, and before any subdivision of any point thereof may be filed in the office of the City Clerk, the developer or his authorized agent shall apply for and secure approval of such RPDD District and the area plan for such District in accordance with the following procedures.
- B. An optional preapplication workshop with the Planning Commission may be requested by the applicant to discuss the appropriateness of a RPDD concept, solicit feedback and receive requests for additional materials supporting the proposal. An applicant desiring such a workshop shall request placement on the Planning Commission agenda.
- C. A petition for a RPDD district classification for a parcel of land may be made by the owner(s) of record or by any person(s) acting on behalf of the owner(s) of record of the subject parcel.
- D. The complete petition shall be filed with the City Clerk. Once determined that the petition is complete as set forth in Section 8.10, the City Clerk -who shall transmit the petition and the area plan to the City Council. The City Council shall forward the petition to the Planning Commission.
- E. The applicant shall prepare and submit to the City Clerk a request for rezoning to the appropriate RPDD designation, including twelve (12) copies of a Conceptual RPDD Site

Plan meeting the submittal requirements of Article XVII. The Conceptual RPDD Site Plan shall illustrate uses within each component lots, road layout, parking areas and open space. Materials shall be submitted at least thirty (30) days prior to the meeting at which the Planning Commission shall first review the request; at least fourteen (14) days for an applicant who has had a preapplication workshop session on the proposal within one hundred twenty (120) days of the Conceptual RPDD Site Plan submittal.

- F. The Planning Commission shall, at the meeting at which it receives the petition and area plan from the Clerk, establish a public hearing on the petition and area plan, ~~said hearing to be held within thirty-two (32) days of the receipt by the Planning Commission of the information required in subparagraph 8.10(D) below.~~ The Planning Commission shall give notice of the public hearing as required by P.A. 110 of 2006, as amended.
- G. The Planning Commission shall review the rezoning request, and the Conceptual RPDD Site Plan, conduct a public hearing, and make a recommendation to the City Council based on the review standards of this Article.
- H. ~~Within ninety (90) days following~~ After receipt of a recommendation from the Planning Commission, the City Council shall conduct a public hearing on the requested RPDD rezoning and the Conceptual RPDD Site Plan and either approve, deny or approve with a list of conditions made part of the approval. The City Council may require submittal of the Conceptual RPDD Site Plan reflecting the conditions for approval by the Code Officer (prior to submittal of a RPDD Final Site Plan).

SECTION 8.06 EXPIRATION

Approval of the Conceptual RPDD Site Plan by the City Council shall confer upon the owner the right to proceed through the subsequent planning phase for a period not to exceed two (2) years from date of approval. If application for Final RPDD Site Plan approval is not requested within this time period, resubmittal of the application shall be required. The City Council may extend the period up to an additional two (2) years, if requested in writing by the applicant prior to the expiration date.

SECTION 8.07 PROCESS FOR FINAL RPDD SITE PLAN(S)

- A. The applicant shall submit twelve (12) copies of a detailed Final Site Plan for the entire approved Conceptual RPDD Site Plan to the City Clerk at least thirty (30) days prior to the Planning Commission meeting at which the Planning Commission shall first review the request.
- B. Upon submission of all fees as established by the City Council and required materials required by Article XVII, the Planning Commission shall hold such hearings as may be required by law, and shall approve, deny, or approve with conditions in accordance with the standards and regulations of Article XVII, Site Plan Review.

- C. If the Final RPDD Site Plan was approved with conditions, the applicant shall submit a revised site plan to the City Clerk for approval prior to the issuance of any building permits.

SECTION 8.08 CONTRACTUAL RPDD AGREEMENT

Upon approval of the ~~As part of the Final~~ Final-RPDD Site Plan, the applicant shall submit a written agreement setting forth the conditions upon which the RPDD approval was based, as specified, including a specific list of any approved deviations from the standards of this Ordinance. The Planning Commission shall review the agreement, with assistance from the City Attorney. The RPDD Agreement shall be approved as part of the Final RPDD Site Plan as set forth in Section 8.13. ~~Once approved the agreement the RPDD Agreement~~ shall be recorded in the office of Oakland County, Register of Deeds at the expense of the applicant.

SECTION 8.09 FINAL SITE PLANS

A Final Site Plan review for each building or project phase shall be submitted according to the procedures and standards contained within this Ordinance.

SECTION 8.10 CONCEPTUAL SUBMITTAL REQUIREMENTS

The purpose of the conceptual review is to provide a mechanism whereby the applicant can obtain a substantial review of the proposed project in order to prepare final site engineering and architecture plans, and to execute necessary agreements between the applicant and the City. Submittal requirements are listed below.

- A. Current proof of ownership of the land to be utilized or evidence of a contractual ability to acquire such land, such as an option or purchase agreement.
- B. A completed application form, supplied by the City Clerk and an application fee. A separate escrow deposit may be required for administrative charges to review the RPDD submittal.
- C. Sheet size of submitted drawings shall be twenty-four (24) inches by thirty-six (36) inches, with graphics at an engineer's scale.
- D. Cover Sheet providing:
1. The applicant's name, address, telephone/fax number(s);
 2. The name of the development;

3. The preparer's name and professional seal of architect, engineer, surveyor or landscape architect, indicating license in the State of Michigan;
 4. Date of preparation and any revisions;
 5. North arrow;
 6. Property lines and dimensions;
 7. Complete and current legal description and size of property in acres;
 8. Small location sketch of the subject site and area within one-half mile; and scale;
 9. Zoning and current land use of applicant's property and all abutting properties and of properties across any public or private street from the RPDD site;
 10. Lot lines and all structures on the property and within one hundred (100) feet of the RPDD property lines;
 11. Location of any access points on both sides of the street within one hundred (100) feet of the RPDD site along streets where access to the RPDD is proposed.
- F. A Plan Sheet(s) labeled "Existing Site Conditions," including the location of existing buildings and structures, rights-of-way and easements, significant natural and historical features, existing drainage patterns (by arrow), surface water bodies, floodplain areas, wetlands, the limits of major stands of trees and a tree survey indicating the location, species and caliper of all trees with a caliper over eight (8) inches, measured four feet above grade. This sheet shall also illustrate existing topography of the entire site at two (2) foot contour intervals and a general description of grades within one hundred (100) feet of the site.
- G. A Conceptual RPDD Site Plan Sheet including:
1. Conceptual layout of proposed land use, acreage allotted to each use, residential density overall and by underlying zoning district (calculations shall be provided for both overall and useable acreage), building footprints, structures, roadways, parking areas, drives, driveways, pedestrian paths and identification signs.

 Note: *Useable area* is total area less public road rights-of-way, year-round surface water bodies, and MDEQ regulated wetlands.
 2. Building setbacks and spacing.
 3. General location and type of landscaping proposed (evergreen, deciduous, berm, etc.) noting existing trees over eight (8) inches in caliper to be retained, and any woodlands that will be designated as "areas not to be disturbed" in development of the RPDD.

4. A preliminary layout of contemplated stormwater drainage, detention pond location, water supply and wastewater disposal systems, any public or private easements, and a note of any utility lines to be removed.
5. A list of any requested deviations from the dimensional standards of the Zoning Ordinance that otherwise would apply (permitted deviations include: minimum lot width, area or setbacks; private road standards; and sign standards).
6. If a multi-phase Residential Planned Development District is proposed, identification of the areas included in each phase. For residential uses identify the number, type, and density proposed by phase.

SECTION 8.11 STANDARDS FOR APPROVAL OF CONCEPTUAL RPDD SITE PLAN

Based upon the following standards, the Planning Commission may recommend denial, approval, or approval with conditions, and the City Council may deny, approve, or approve with conditions the proposed Residential Planned Development District.

- A. ~~The proposed development shall conform to the intent and all regulations and standards of the Residential Planned Development District. The planned development district meets the qualification requirements.~~
- A.B. The uses proposed will have a beneficial effect, in terms of public health, safety, welfare, or convenience, on present and future potential surrounding land uses. The uses proposed will not adversely affect the public utility and circulation system, surrounding properties, or the environment. The public benefit shall be one which could not be achieved under the regulations of the underlying district alone, or that of any other zoning district.
- C. ~~The proposed development is consistent to the adopted Master Plan, or represents land use policy which, in the Planning Commission's opinion, is a logical and acceptable change in the adopted Master Plan. The planned development district is generally consistent with the goals, objectives and land-use map of the future land-use plan.~~
- B.D. Judicious effort has been used to preserve significant natural and historical features, surface and underground water bodies and the integrity of the land.
- C.E. Sewer facilities are available or shall be provided for by the developer as part of the site development.
- D.F. ~~The proposed development shall be located and designed in a manner which will minimize the impact of traffic, taking into consideration: pedestrian access and safety; vehicle trip~~

~~generation (i.e. volumes); types of traffic, access location, and design, circulation, and parking design; street capacity; and traffic operations at nearby intersections and access points. Efforts shall be made to ensure that multiple transportation modes are safely and effectively accommodated in an effort to provide alternate modes of access and alleviate vehicular traffic congestion. Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within and to the site is provided. Drives, streets and other elements shall be designed to discourage through traffic, while promoting safe and efficient traffic operations within the site and at its access points. Review and approval by the Fire Chief is required.~~

- ~~G. Any deviations from the applicable zoning regulations are reasonable and meet the intent of this Article.~~
- ~~H. The mix of housing unit types and densities, and the mix of residential and non-residential uses, shall be acceptable in terms of convenience, privacy, compatibility and similar measures.~~
- ~~E.I. Noise, odor, light, or other external effects which are connected with the proposed uses, will not adversely affect adjacent and neighboring lands and uses.~~

The City Council may impose additional reasonable conditions, 1) to ensure that public services and facilities affected by a Residential Planned Development District will be capable of accommodating increased service and facility loads caused by the Residential Planned Development District, 2) to protect the natural environment and conserve natural resources and energy, 3) to ensure compatibility with adjacent uses of land, and 4) to promote the use of land in a socially and economically desirable manner.

SECTION 8.12 APPROVAL OF CONCEPTUAL RPDD SITE PLAN

Upon approval of the Conceptual RPDD Site Plan by the City Council, the property shall be rezoned to an appropriate Residential Planned Development District Zoning District, with the underlying zoning district noted on the Official Zoning Map for a Residential Planned Development District.

SECTION 8.13 FINAL RPDD SITE PLAN SUBMITTAL PROCEDURES AND APPROVAL

The purpose of the RPDD final review is to consider the Final Site Plan for the entire RPDD which is consistent with the approved Conceptual RPDD Site Plan. Receipt of a building permit shall require final approval by the City Council.

The final submittal shall include the materials required by Article XVII, Site Plan Review, and the following:

- A. A proposed written agreement specifying all the terms and understanding of the RPDD development, ~~in compliance with Section 8.08-~~
- B. The Planning Commission may determine that a hydrologic impact assessment is needed describing the existing ground and surface water resources including, but not limited to, a description of the water table, direction of groundwater flow, recharge and discharge areas, lake levels, surface drainage, floodplains, and water quality as well as the projected impact of the proposed development on such resources, in particular impacts associated with water supply development, wastewater disposal, and storm water management.

For projects over ten (10) acres, the applicant may submit a schematic site plan illustrating general building footprints, parking lot areas, road alignments, open space and general landscaping; with more detailed site plans submitted for the first building or project phase. Each detailed site plan shall be reviewed according to the procedures and standards of Article XVII, Site Plan Review.

The final site plan shall be reviewed by the Planning Commission, which shall make recommendations to City Council, according to the procedures outlined in Article XVII, Site Plan Review and Impact Assessment. The impact assessment for an individual phase or site may consist of minor modifications to the material submitted for the overall RPDD if the proposed uses are consistent with the approved RPDD Plan.

SECTION 8.14 CONDOMINIUM PROJECTS

For any condominium section of a RPDD, the applicant shall provide a copy of the Master Deed and Condominium Association Bylaws for approval by the City Council. The condominium documents shall provide limits on use of common areas or open space for accessory structures, such as swimming pools, decks, playground equipment and buildings. A plan shall be provided indicating the limits of such accessory structures within a defined envelope.

Following approval of the Final RPDD Site Plan, the applicant shall submit a written agreement to the City Attorney for review and approval by the City Council. The agreement shall:

- A. Set forth the conditions upon which the approval is based, with reference to the approved Final RPDD Site Plan.
- B. When open space or common areas are indicated in the RPDD plan for use by the residents, the open space or common areas shall be conveyed in fee or otherwise committed by dedication to an association of the residents, and the use shall be irrevocably dedicated for the useful life of the residences, and retained as open space for park, recreation or other common uses.
- C. Set forth a program and financing for maintaining common areas and features, such as walkways, signs, lighting and landscaping.

- D. Assure that trees and woodlands will be preserved as shown on the site plan, or replaced on a caliper-for-caliper basis.
- E. Assure the construction and maintenance of all streets and necessary utilities (including public water, wastewater collection and treatment) through bonds or other satisfactory means, for any and all phases of the RPDD. In the case of phased RPDDs this requirement shall be reviewed at the time of any final site plan approval.
- F. Address any other concerns of the City regarding construction and maintenance.

SECTION 8.15 SCHEDULE OF CONSTRUCTION

Final site plan approval of a RPDD, RPDD phase, or a building within a RPDD shall be effective for a period of three (3) years. Further submittals under the RPDD procedures shall be accepted for review upon a showing of substantial progress in development of previously approved phases, or upon a showing of good cause for not having made such progress.

In the development of a RPDD, the percentage of one-family dwelling units under construction, or lots sold, shall be at least in the same proportion to the percentage of multiple-family dwelling units under construction at any one time, provided that this Section shall be applied only if one-family dwelling units comprise twenty-five percent (25%) or more of the total housing stock proposed for the RPDD. Non-residential structures designed to serve the RPDD residents shall not be built until the RPDD has enough dwelling units built to support such non-residential use. The Planning Commission may modify this requirement in their conceptual or final submittal review process.

SECTION 8.16 AMENDMENTS AND DEVIATIONS FROM APPROVED CONCEPTUAL AND FINAL RPDD SITE PLAN

Deviations from the approved Conceptual or Final RPDD Site Plan may occur only when an applicant or property owner who was granted Conceptual or Final RPDD Site Plan approval notifies the Code Officer of the proposed amendment to such approved site plan in writing, accompanied by a site plan illustrating the proposed change. The request shall be received prior to initiation of any construction in conflict with the approved Final RPDD Site Plan.

- A. **Procedure.** ~~Within fourteen (14) days of~~Upon receipt of a request to amend the Conceptual or Final RPDD Site Plan, the Code Officer shall determine whether the change is major, warranting review by the Planning Commission, and City Council or minor, allowing administrative approval, as noted below.
- B. **Minor Changes.** The Code Officer may approve the proposed revision upon finding the change would not alter the basic design nor any conditions imposed upon the original plan approval by the Planning Commission. The Code Officer shall inform the Planning

Commission of such approval in writing. The Code Officer shall consider the following when determining a change to be minor.

1. For residential buildings, the size of structures may be reduced or increased by five percent (5%), provided the overall density of units does not increase and the minimum square footage requirements are met.
 2. Gross floor area of non-residential buildings may be decreased or increased by up to five percent (5%) or ten thousand (10,000) square feet, whichever is smaller.
 3. Floor plans may be changed if consistent with the character of the use.
 4. ~~Minor alterations to 1) horizontal and/or vertical elevations may be altered by up to five percent (5%) that are consistent with approved elevations. Minor alterations cannot include any changes in material of lesser quality, architectural style, roof pitches, reduction in fenestration, or significant revisions as deemed by the Code Officer.~~
 5. Relocation of a building by up to five (5) feet, if consistent with required setbacks and other standards.
 6. Designated "areas not to be disturbed" may be increased.
 7. Plantings approved in the Final RPDD Landscape Plan may be replaced by similar types of landscaping on a one-to-one or greater basis. Any trees to be preserved which are lost during construction must be replaced by at least two (2) trees of the same or similar species.
 8. Improvements or slight relocation of site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, etc.
 9. Changes of building materials to another of higher quality, as determined by the Code Officer.
 10. Slight modification of sign placement or reduction of size.
 11. Internal rearrangement of parking lot which does not affect the number of parking spaces or alter access locations or design.
 12. Changes required or requested by the City, County or State for safety reasons.
- C. **Major Changes.** Where the Code Officer determines the requested amendment to the approved ~~Conceptual or~~ Final RPDD Site Plan is major, resubmittal to the Planning Commission and City Council with applicable fees shall be required. Should the Planning Commission determine that the modifications to the ~~Conceptual or~~ Final RPDD Site Plan

significantly alter the intent of the Conceptual RPDD Site Plan, a revised conceptual RPDD Site Plan shall be submitted.

SECTION 8.17 APPEALS AND VIOLATIONS

The Board of Zoning Appeals shall have the authority to hear and decide appeal requests by property owners for variances from the City Zoning Ordinance. However, the Board of Zoning Appeals shall not have the authority to change conditions or make interpretations to the RPDD site plan or written agreement.

Violations of any RPDD plan or agreement approved under this Section, or failure to comply with any requirements of this Section, including any agreements and conditions attached to any approved plan, shall be considered a violation of this Ordinance as provided in Section 15.09.

SECTION 8.18 REGULATIONS AND STANDARDS

A. **General.** All uses, structures, and properties shall comply with all regulations and requirements of this Zoning Ordinance, and other City specifications and standards, except as provided in this Article.

B. Density:

1. The maximum permitted residential density for a Residential Planned Development District shall not exceed the average residential density for the area included in the Residential Planned Development District as shown on the adopted Master Plan.
2. The Planning Commission may grant an increase in average lot density up to twenty-five (25%) percent. Such increase in density shall be commensurate with public benefit provided. Such public benefit may include, but is not limited to, preservation, restoration and enhancement of natural resources; increased open space; public dedication of land; or sustainable building and site design.

Formatted: Font: Not Bold

B.C. Lot Area and Width, and Setbacks.

1. Minimum Lot Area and Lot Width. There shall be no minimum lot area or lot width for a RPDD provided, however, the Planning Commission shall find that the lot area and width for any proposed development is consistent with the district that is most similar to the proposed development. Such finding shall take into account the lot size required for similar developments in other districts and compliance with the City's Master Plan.
2. Setbacks:
 - a. The required setbacks shall not exceed that which is allowed in the zoning district that is most similar to the proposed development.

~~b. Setback requirements may be reduced or waived when approved by the City Council upon recommendation of the Planning Commission.~~

~~The setbacks of the RPDD shall be~~

~~c. Wetland setbacks may not be reduced. Wetlands and land without parkable soils shall be credited as twenty-five percent (25%) of their area for purposes of calculating overall density.~~

~~1. established by the Planning Commission on a case-by-case basis. Traditional and historical setbacks of adjacent properties and the surrounding neighborhood will be used as benchmarks when establishing appropriate setbacks.~~

~~2. All required setbacks shall be landscaped and adequately and permanently maintained by the property owner, tenant, or organization responsible for maintaining common areas as provided herein.~~

G.D. Distances Between Buildings.

1. The distance between residential dwelling structures shall be determined on a case-by-case basis by the Planning Commission.
2. The location of buildings and uses, and the distances between buildings shall be clearly shown on the area plan and shall control the development and continued use of the property.
3. Distances between buildings shall comply with all federal, state, and local building codes.

~~D. Height. The maximum base height of buildings in the RPDD district shall not exceed a height of two and one-half (2½) stories or thirty-five (35) feet. The City Council based on a recommendation from the Planning Commission may permit up to three (3) stories and 40-feet if contextually appropriate. Contextually appropriate includes consideration of:~~

- ~~1. Height of adjacent structures~~
- ~~2. Topography~~
- ~~3. Architectural style~~
- ~~4. Public benefit achieved as a result of increased height.~~

~~The increase in height is purely discretionary and reviewed on a case-by-case basis by both the Planning Commission and the City Council.~~

E. Circulation and Access.

1. Each lot or principal building in a RPDD district shall have vehicular access from a public street or from a private street.
2. Each lot or principal building in a RPDD district shall have pedestrian access from a public or private sidewalk where deemed necessary by the City Council. All parts and phases of the RPDD shall be interconnected by a sidewalk system which will

Formatted: Font: (Default) Times New Roman

provide the necessary, safe and convenient movement of pedestrians. A bicycle path system shall also be provided in the RPDD and may be part of the sidewalk system, where approved by the City Council. Said system shall be connected to the public sidewalk system.

3. Public and private streets shall be designed and constructed according to standards established for public streets. If, in the future, private streets in a RPDD are to be dedicated to a public agency, the owners shall first fully agree to bear the full expense of construction or any other action required to make streets suitable for public acceptance.
4. An individual dwelling unit in any single-family, two-family townhouse, or similar residential structure shall not have direct access to a collector or arterial street.

F. Utilities.

1. Each principal building in a RPDD district shall be individually connected to a sanitary sewer line.
2. Each site in a RPDD district shall be provided with adequate storm drainage. Open drainage courses and storm water retention ponds may be permitted by the City Council under special circumstances. The standard shall be to provide an enclosed drainage system.
3. Electrical, telephone, and cable television lines shall be underground.

G. Open Space Regulations.

1. Buildings, parking lots, driveways, and similar improvements may be permitted in open space areas if related and necessary.
2. Open space areas shall be conveniently and equitably located through the RPDD in relation to the location of dwelling units and natural features.
3. Open space areas shall have minimum dimensions which, in the Planning Commission's opinion, are usable for the functions intended and which will be maintainable.
4. The City Council may require that natural amenities such as ravines, rock outcrops, wooded areas, tree or shrub specimens, unique wildlife habitats, ponds, streams, and marshes be preserved as part of the open space system of the RPDD.
5. The City Council may require dedication for road rights-of-way, schools and/or parks, but it is under no obligation to do so.

Section 8.19. -EXTENSION OF TIME LIMITS.

Formatted: Font: Bold
Formatted: Font: Bold
Formatted: Font: Bold

Time limits set forth in this article may be extended upon showing of good cause, and by written agreement between the applicant and the Planning Commission or City Council, whichever is applicable, in the case of area plans, and between the applicant and the Planning Commission, in the case of Conceptual and Final Site Plans.

Section 8.20 PERFORMANCE GUARANTEE

A performance guarantee may be required in accordance with Section 15.20.

City of the Village of Clarkston

375 Depot Road
Clarkston, Michigan 48346

Resolution - Depot Park Gazebo Painting

WHEREAS, in the March 22, 2021 Council meeting, the Friends of Depot Park Committee was approved to spend \$4,000 for repairs and painting of the Depot Park Gazebo, and;

WHEREAS, In May, a group of volunteers from the Committee completed the carpentry repairs and primed the new wood at a cost of \$666, and;

WHEREAS, in June and July the FoDP Committee tried unsuccessfully to obtain quotes to repaint the entire gazebo, a step the Committee feels is required to extend the gazebo life a few years when funds might be available to reconstruct or replace it, and;

WHEREAS, the City was able to obtain a discounted quote from loco Painting - the professional painter who painted the City Hall building during construction - for \$4,000, which the FoDP recommends be approved, and;

NOW, THEREFORE, BE IT RESOLVED that the City of the Village of Clarkston hereby authorizes the City Manager to contract with loco Painting to fully clean, caulk and paint the Depot Park Gazebo at a cost of \$4,000, with \$3,334 funded by the previously approved repair budget and the remaining \$666 funded by the Park Materials (101-265-728.000) budget.

Avery	Bonser	Casey	Haven	Kneisc	Luginski	Wylie	Totals
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No
<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain
<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent

Resolution is Adopted

Resolution is Defeated

Jennifer Speagle, City Clerk

August 23, 2021

Date

Frank Ioco (Owner)
5207 Birch Drive
Davisburg, MI 48350
Phone: (586) 707-7090
E-mail: frankioco@aol.com

loco Painting Services L.L.C.

Interior & Exterior Custom Painting
Design & Color Consulting
Residential - Commercial

Residence/Business Address:
Village of Clarkston

Date: 07.09.21

Estimate #: 7921

Invoice #:

Work Description: Exterior
Staining

Work Order#:

- ❖ Scope of Work:
 - Stain Exterior Gazebo

- ❖ Overall Procedure:
 - Clean surfaces as needed
 - Caulk open seams as needed
 - Stain surfaces complete:
 - BM Arbor Coat:
 - Flooring – Dark Gray
 - Main Body – Light Gray
 - Soffit – White
 - Clean work area upon completion

- ❖ Misc...
 - Includes all material
 - No deposit required
 - Payment upon completion

Total Project Cost ----- \$4,000.00

August 14, 2021

Mayor Eric Haven

Thirty -three years ago, my wife Gayle and I moved to 88 Clarkston Rd. with our children, Andrew and Lauren. Our son Ben arrived at this address a few years later.

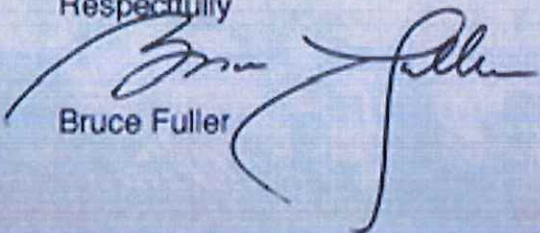
Gayle and I were excited to live in such a beautiful community. There was a distinct small town charm that was evident throughout the village. What we hadn't anticipated was the outgoing and friendly nature of our new neighbors. We were surprised that even the teenagers would offer a friendly hello as we passed them on the sidewalk.

In the intervening years, Clarkston has changed in many ways. There is more than one traffic light on Main St. The Rexall drug store where our oldest son spent all of his money on trading cards is gone. Fire trucks don't roar out of there downtown home. Despite the many changes our village has experienced, it retains its unique character and charm. It is important that these attributes be protected and maintained.

For thirty-five years, I worked as a public school educator. I was a teacher, and building principal. During my career, I worked with many groups to achieve positive outcomes for our students and community. I attended countless board of education meetings, administrative meetings, ad hoc committees, and PTO meetings. These experiences have provided me with an understanding of the procedures that guide effective public meetings. I believe these experiences would allow me to serve effectively on the Clarkston Village Council.

I am aware that the seat on the council that I am hoping to fill, is only open for two months. Regardless, I think this is a good time for me to learn how our local government has worked to maintain the beauty and integrity of our community. Perhaps, during this short tenure, I can provide a perspective which may assist in positive development of our village.

Respectfully


Bruce Fuller

City Council Nomination Request – Christopher Moore

August 16, 2021

RE: Vacant City Council Position, Nomination Request

Dear Mayor Haven and City Council Members,

I am seeking nomination for the open/vacant city council position. I have support and nomination by current city council member Ed Bonser, Sue Wylie. I have furthermore discussed my interest with Mayor Haven and sent messages to the other members of city council.

I have been a resident of Clarkston for 38 years (6 of those years part-time while away for education). I grew up near the Clarkston Junior High School just outside the Village and Historic District. The past 11 years I have resided within the Historic District living at 14 N. Main Street and currently 61 S. Holcomb Road.

My background includes many leadership roles and I have included my CV for reference. I have been a member and chair of numerous hospital committees. I am Director of Physician Leadership Development Program for the past 5 years - I have trained ~150 resident physicians & medical students in executive leaderships management, conflict management, behavioral assessments, and emotional intelligence analysis.

I look forward to deeper engagement within the community my family calls home.

Thank You for Considering,

Christopher Moore

A handwritten signature in black ink, appearing to read "C Moore", with a stylized flourish at the end.

Christopher Andrew Moore, DO FACEP

61 South Holcomb Road, Clarkston MI 48346

Cell 248-467-0597 Email: moorec25@gmail.com

Academic Training, Appointments, & Leadership

- 06/2021 – present **ABEM Oral Board Examiner**
American Board of Emergency Medicine
- 06/2021 – present **Clinical Assistant Professor, CMU College of Medicine**
Ascension Genesys Hospital, Grand Blanc MI
- 07/2018 – present **Director Physician Leadership Development Program**
Ascension Genesys Hospital. Annual base hospital program for 24+ medical students annually. Executive Leadership Training, Behavioral Assessment, Conflict Management, Emotional Intelligence, 360 Peer Feedback, Dysfunctional Team Management, Physician Personal Financial Management.
- 11/2018 – present **Adjunct Clinical Faculty, ATSU-KCOM**
AT Still University - Kirksville COM
Ascension Genesys Hospital, Grand Blanc MI
- 11/2017 – present **Director Undergraduate Medical Education**
Chair, Undergraduate Medical Education Committee, Medical School Affiliation Liaison, Recruitment, Academic/Curriculum Development
Ascension Genesys Hospital, Grand Blanc MI
- 07/2017 – present **Director Core Clinical Competencies (OST603 C3)**
Michigan State University COM, Ascension Genesys Hospital
AT Still University, Kirksville COM, Ascension Genesys Hospital
- 10/2014 – present **Core Faculty, Emergency Medicine Residency**
Ascension Genesys Hospital, Grand Blanc MI
- 10/2014 – present **Director Emergency Ultrasound, Emergency Department**
Ascension Genesys Hospital, Grand Blanc MI
- 07/2010 – present **Clinical Faculty, Michigan State University COM & CHM**
Ascension Genesys Hospital, Grand Blanc MI
- 01/2016 – 12/2016 **Scholars Leadership Development Program**
US Acute Care Solutions (Medical Director Leadership Program)
- 05/2015 – 11/2017 **Assistant Medical Director, Emergency Department**
US Acute Care Solutions, USACS (Emergency Medicine physicians, EMP)
Ascension Genesys Hospital, Grand Blanc MI
Committees: Stroke Executive and Case review, ICU Governance, Informatics and Technology, Pediatric QA/QI, Pulmonary ACO, Sepsis QA/QI, PICC line QA/QI, STEMI QA/QI, Atrial Fibrillation QA/QI
- 05/2015 – 07/2021 **Director Medical Simulation Center**

Ascension Genesys Hospital, Grand Blanc MI

07/2013 – 06/2014 **Resident Clerkship Director**
Ascension Genesys Hospital, Grand Blanc MI

07/2010 – 06/2014 **Emergency Medicine Residency & Internship**
Ascension Genesys Hospital, Grand Blanc MI
Stroke Committee, Trauma Protocols Committee

07/2006 – 05/2010 **Doctor of Osteopathy**
Michigan State University College of Osteopathic Medicine, East Lansing MI
Michigan Osteopathic College Foundation Scholarship
Osteopathic Medical Scholars Program

08/2002 – 05/2006 **Bachelor of Science Medical Technology**
Michigan State University, Lyman Briggs College, East Lansing MI

Professional Work History

12/2020 – present **CL Moore LLC – TTI Success Insights Associate**
Executive Leadership Training Services. Behavioral, Conflict, Emotional
Intelligence Assessments & Debriefing

09/2020 – present **Emergency Medicine Attending Physician**
American Physician Partners, DEGARA LLC
McLaren Clarkston FSED, McLaren Oakland Level 2 Trauma Center

07/2014 – present **Emergency Medicine Attending Physician**
US Acute Care Solutions, USACS (Emergency Medicine Physicians, EMP)
Ascension Genesys Hospital, Level 2 Trauma Center

01/2012 – 06/2014 **Intensive Care Unit Moonlighting Physician**
Ascension Genesys Hospital, Grand Blanc MI

07/2012 – 06/2014 **Urgent Care Physician**
Genesys After-Hours Clinics, Burton/Clio/Grand Blanc MI

12/2003 – 05/2006 **Diagnostic Laboratory Technician**
Clarkston Medical Group, Clarkston MI

08/2003 – 05/2006 **Calculus Teaching Assistant**
Michigan State University, Lyman Briggs College, East Lansing MI

Licensure and Certifications

2020 - present Federal DEA X waiver program, XM3205691
2015 – present American Board of Emergency Medicine Certification, 54782
2012 – present Michigan Medical License, 5101018643
2012 - present Michigan Controlled Substance License, 5315053038
2012 - present Federal DEA, FM3205691

2011 - present	Pediatric Advanced Life Support
2011 - 2015	Advanced Trauma Life Support
2008 - present	Advanced Cardiovascular Life Support
2008 - present	Basic Life Support

Professional Memberships

2017 – present	Fellow American College of Emergency Physicians
2016 – 2018	National Emergency Medicine Political Action Committee
2010 – present	American College of Emergency Physicians
2010 – present	Michigan College of Emergency Physicians
2010 – present	Michigan Osteopathic Association
2010 – 2014	Emergency Medicine Resident Association
2010 – 2014	American Osteopathic Association
2010 – 2014	American College of Osteopathic Emergency Physicians

Prior Leadership Roles

2002 – 2006	Tau Kappa Epsilon Fraternity Michigan State University President, Vice President, Recruitment Chair, Philanthropy Chair, Public Relations Chair
-------------	---

Research, Publications, Presentations, & Awards

03/2021	Author, Chapter 29 Bounce Backs Critical Care, Weinstock et al. 2021. Critical Care Resuscitation, Refractory Shock Management.
11/2019	Expert Guest Lecturer. Bounce Backs Critical Care Grand Rounds Regional Lecture. Host Mike Weinstock.
06/2019	Faculty of the Year Award, Ascension Genesys Hospital Emergency Medicine Residency
07/2018	Presentation, Death Spiral: Pulmonary Hypertension in Shock. Faculty Michigan Emergency Medicine Assembly. Michigan College of Emergency Physicians. Mackinac Island, Mi.
06/2015	Faculty of the Year Award, Ascension Genesys Hospital Emergency Medicine Residency.
05/2015	Specialty Research Award in Emergency Medicine. Michigan State University Flint Area Medical Education Research Forum. Use of a Didactic-low Fidelity Simulated Model to Measure Objective Improvement in Corneal Foreign Body Removal. Kevin K Truong MD, Alan Janssen DO, Christopher Moore DO, Virginia LaBond MD. Ascension Genesys Hospital, Grand Blanc Mi.

Christopher Andrew Moore, DO FACEP
Curriculum Vitae, page 4

- 05/2015 First Place, Best Poster Study Presentation, Presenter. Michigan State University Flint Area Medical Education Research Forum. Use of a Didactic-low Fidelity Simulated Model to Measure Objective Improvement in Corneal Foreign Body Removal. Kevin K Truong MD, Alan Janssen DO, Christopher Moore DO, Virginia LaBond MD. Ascension Genesys Hospital, Grand Blanc Mi.
- 05/2014 Alcohol Intoxication Influences on Whole Body CT scans in Trauma Patients: A Retrospective Trauma Analysis. Dr Christopher Moore DO, Dr Virginia Labond MD. Ascension Genesys Hospital, Grand Blanc Mi

References

Alan Janssen DO
Medical Director US Acute Care Solutions
Director, Emergency Medicine Residency
Ascension Genesys Hospital, Grand Blanc MI
ajanssen@usacs.com
Office: 810-606-5952
Cell: 810-241-6769

Marcus Moore DO
Emergency Medicine Physician
Detroit Medical Center, Detroit MI
moorema3@gmail.com
Cell: 248-921-9524

Charles Bloom DO
Emergency Medicine Physician
Cell: 702-449-0599

City of the Village of Clarkston

375 Depot Road
Clarkston, Michigan 48346

Motion - Planning Commission Site Plan Review Ordinance Change Recommendation

In the March 11, 2019 City Council meeting, a new ordinance (attached) consistent with other municipalities was approved to require the Planning Commission to conduct Site Plan Reviews for all residential single-family new homes or additions larger than 500 square feet.

In a recent meeting with representatives from the Planning Commission, Zoning Board of Appeals and Historic District Commission, it was determined that a conflict exists for homes in the Historic District, since the HDC also reviews Site Plans. It is therefore recommended that the Planning Commission be requested to modify the Site Plan Review Ordinance to exclude residential single-family homes in the Historic District.

Motioned by _____ and Seconded by _____ to request the Planning Commission to modify the Site Plan Review Ordinance to exclude residential single-family homes in the Historic District.

Avery	Bonser	Casey	Haven	Kneisc	Luginski	Wylie	Totals
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No
<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain
<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent

Motion is Adopted

Motion is Defeated

Jennifer Speagle, City Clerk

August 23, 2021

Date

CITY OF THE VILLAGE OF CLARKSTON
ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF THE VILLAGE OF CLARKSTON
ZONING ORDINANCE NO. 129 ZONING ORDINANCE TO AMEND SECTION
17.02 ENTITLED USES REQUIRING SITE PLAN REVIEW

The City of the Village of Clarkston Ordains:

Section 1:01. To amend Section 17.02 entitled "Uses Requiring Site Plan Review" be amended to read as follows:

Except as specifically provided in Section 17.03 and Section 17.04, the development of any new use, the construction of any new structures, any change of an existing use of land or site, and all other building or development activities in R-1, R-2, RM, RC VC, RPDD, and I-1 districts shall require site plan approval by the Planning Commission pursuant to the conditions of Article XVII.

A. Site plan review as provided for in this Ordinance, any other provision notwithstanding, shall apply to:

1. New construction.

2. All additions to existing structures, which will result in an increase of existing floor area, including multiple floors if such exist, in excess of ten percent (10%) or one thousand (1,000) square feet, whichever is the lesser; provided further that changes from one allowable use to another allowable use within the same district shall not require site plan review. In the case of single-family homes, only additions greater than 500 square feet in area shall require site plan approval.

B. Any development for which off-street parking areas are provided as required in Article XX, OFF-STREET PARKING REQUIREMENTS.

C. Any use in VC, I, RM or RPDD district lying contiguous to or across a street from a single-family residential district.

D. Any use which lies contiguous to a major thoroughfare or collector street.

E. Development of any non-single-family use or building in the Residential Districts.

F. Any residential development, excluding the placement of dwelling units in an approved manufactured housing park.

G. Development of any nonresidential use or building.

H. The erection, relocation, conversion or structural alteration to any building, structure or site which results in additional floor space pursuant to Section 1702 A 2.

I. Any development which would establish more than one (1) principal use on a single lot: for example, a single-family site condominium or similar project where a single parcel is to be developed with more than one (1) detached dwelling unit.

J. Special Land Uses in all zoning districts.

K. Cellular phone towers located on municipal property only.

L. Essential public service buildings and storage areas.

M. Any change in the use of land or a building to a different class or type to a more intensive use, as determined by the Code Officer, that may involve significant changes to features such as building appearance, parking needs, traffic flow, traffic volumes, buffering needs, hours of operation, noise, effluent discharge, drainage and similar impacts. Any significant change adjacent to, or across the street from, a Single-Family Residential District shall require site plan review.

N. A change in use on a site which does not conform to the site design standards of this Zoning Ordinance.

Section 2:01. Repealer Clause.

All ordinances or policies of the city in conflict with the provisions herewith are hereby repealed. This ordinance is intended to be in furtherance of and an extension of, but not in conflict with, the provisions of the city charter of the City of the Village of Clarkston, and the laws of the State of Michigan.

Section 3:01. Severability Clause.

Should any section, subdivision, clause or phrase of this Ordinance be declared by the courts to be invalid, the validity of this Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 4:01. Effective Date.

Public Hearing having been held by the Planning Commission for the City of the Village of Clarkston on February 4, 2019, and a First Reading at the City Council meeting on February 25, 2019, the provisions of this Ordinance shall take effect 30 days after publication.

Made and passed by the City Council of the City of the Village of Clarkston this _____ day of _____, 2019.

PH/LS

Eric Haven, Mayor

Sandy Miller, City Clerk

CERTIFICATE OF CLERK

I, Sandy Miller, being the duly appointed and qualified Clerk of the City of the Village of Clarkston, Oakland County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of the Village of Clarkston at a regular meeting thereof held on the _____ day of _____, 2019.

Sandy Miller, City Clerk

City of the Village of Clarkston

375 Depot Road
Clarkston, Michigan 48346

Resolution - Depot Park Pathway Paving

WHEREAS, in 2018 and 2019 the Friends of Depot Park Committee raised \$22K in charitable donations to be applied towards a DNR Grant for improvements to Depot Park, which included new and renovated pathways, and;

WHEREAS, In December 2020, after much deliberation, the FoDP Committee and City Council agreed to decline the DNR grant due to restrictive terms, and;

WHEREAS, the FoDP Committee recently obtained three (3) quotes to achieve the Depot Park pathway improvements included in the DNR Grant based on common specifications, with estimates ranging from \$22,865 to \$35,235 and;

WHEREAS, in their August 17th meeting, the FoDP committee reviewed the three quotes and voted to recommend to Council that the City contract with Ottman's Advanced Asphalt of Clarkston, the low bidder, to install 700 lineal feet of new pathway around the playground, repair 76' of damaged pathway, and topcoat 100' of pathway leading to the gazebo at a cost of \$22,865, and;

WHEREAS, it is further recommended that a 5% contingency allowance be added to the estimate, bringing the total estimated cost to \$24,008, and;

WHEREAS, the current unrestricted balance of the FoDP Charitable Fund is \$21K; the remaining \$3,008 will be funded by the Friends of Depot Park operational budget (401-265-728.000), and;

NOW, THEREFORE, BE IT RESOLVED that the City of the Village of Clarkston hereby authorizes the City Manager to contract with Ottman's Advanced Asphalt to install 700 lineal feet of new pathway around the playground, repair 76' of damaged pathway, and topcoat 100' of pathway leading to the gazebo at a total projected cost of \$24,008, with \$21,000 funded by the FoDP Charitable Account and \$3,008 funded by the FoDP Operational Budget (401-265-728.000).

Avery	Bonser	Casey	Haven	Kneisc	Luginski	Wylie	Totals
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No
<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain
<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent

Resolution is Adopted

Resolution is Defeated

Jennifer Speagle, City Clerk

August 23, 2021

Date

Deteriorated Pathways



Deteriorated Gazebo Approach



Playground Surround and Bridge Approach (lack of)



City of the Village of Clarkston - Comparison of Bids

Subject: Depot Park Pathway Paving

Quote#	Supplier Name	Quoted Price	Specifications
1	Ottman's Advance Asphalt, Clarkston, MI	\$22,865.00	<p>Install 700 lineal feet of new 6' wide asphalt pathway (3.5" thick) on top of a 4" 20AA stone base around the playground, connecting to the bridge and then connecting to the gazebo pathway.</p> <p>Remove and replace 76 lineal feet of existing 10' wide asphalt pathway (3.5" thick) damaged by tree roots and general deterioration.</p> <p>Adhere a new 1.5" asphalt cap to the top of the 100 lineal feet of existing 9' wide red asphalt pathway leading to the gazebo.</p>
2	HD Sealcoating & Paving LLC, Waterford, MI	\$27,400.00	
3	A&N Asphalt, Inc. Clarkston, MI	\$35,235.00	

August 23, 2021

Recommended Supplier

Park Must be Closed During Work



Date: Aug 17 2021

Expiration Date: Valid for 30 days

Quote

248-521-2575 - Pete
Pete@MichiganAdvanceAsphalt.com

TOM L
(248) 210-1972

FRIENDS OF DEPOT PARK

Salesperson	Job	Payment Terms	Due Date
-------------	-----	---------------	----------

Pete Ottman NEW PATH INSTALL

Due on receipt

Qty - Square Ft	Description	Unit Price	Line Total
-----------------	-------------	------------	------------

- 700' LINEAL FT x 6' WIDE
EXCAVATE GRASS TO A DEPTH OF 8" HAUL SPOILS TO REMAIN ON SITE. STONE (20 AA) 4" OVER ENTIRE NEW PATH AREA + COMPACT
- SAW CUT & REPAIR AREAS PER MAP(3)
- INSTALL 8 - 4" x 10' PVC SCH. 40
- INSTALL 1 - 14' x 12" CULVERT
- MACHINE APPLY 2" BASE LAYER (1100L), COMPACT TO STANDARD
- RECAP 100' x 8' PATH LEADING TO GAZEBO ALONG W/ NEW PATH APPROX 5000 SQ FT (1.5" THICKNESS)

* ALL PAPERWORK SHOWN UPON REQUEST

* ADVANCE ASPHALT NOT RESPONSIBLE FOR DAMAGE TO EXISTING PATH OR GRASS ALONG PATH

* ANY EXTRA REPAIR WORK BEYOND SCOPE OF WORK EXTRA CHARGE

Total # ~~23,260~~
#22,865

HD SEALCOATING & PAVING LLC

2443 Williams Drive
 Waterford, MI 48328
 248-241-6526
 HDSealcoating@aol.com
 www.HDSealcoating.com

Estimate

ADDRESS
TOM LOWRIE DEPOT PARK 375 DEPOT RD VILLAGE OF CLARKSTON, MI 48346

ESTIMATE #	DATE	
14300	06/25/2021	

SALES REP
CHRISTIAN

SERVICES	DESCRIPTION	SF/LF/TONS	AMOUNT
OPTION 1	ANYTHING BELOW THIS LINE IS OPTIONAL		
ASPHALT REPAIRS - R&R	REMOVE & REPLACE - 40X10, 28X10, 40X8, 8X10, 30X9 AREAS - Saw Cut and remove existing asphalt to a depth of 3 to 4. - Grade and compact existing base. - Install an average of 3" of 1100T Hot Topping Commercial Asphalt Mix and compact. - If depth exceeds 4" or if undercuts is needed, and additional cost of 21 AA crushed stone will be billed @\$45.00 per ton as needed. - If extra fees apply, work will resume after an additional contract is signed. -HD Sealcoating will not perform extra work until approved by the customer. - Clean up all work related debris. *****	1,350	18,900.00
CULVERT R&R	CULVERT R&R Remove, transport, clean, and re-lay existing culvert and storm drain pipe. Culvert and storm drain pipe to be removed and re-laid will be shown on the plans. Remove debris and sediment within the culvert and storm drain pipe. Clean joints to facilitate proper re-laying. Excavate and back-fill as necessary. Clean up all job debris. In the event that the existing culvert pipe is damaged and is not able to be reused. The cost of a new pipe is \$1,000 additional. ***** NEW CULVERT INCLUDED 14FT		2,000.00

SERVICES	DESCRIPTION	SF/LF/TONS	AMOUNT
MISCELLANEOUS OPTION 2	***** (3) 4" SCHEDULE 40 PVC PIPES ANYTHING BELOW THIS LINE IS OPTIONAL- SECOND OPTION		750.00
PAVING RECAP/RESURFACING	PAVING RECAP/RESURFACING 1)Sawcut butt joints where needed to gain proper drainage or to remain flush w/existing areas, ie garage floor, side walk, or street 2)Power clean area and remove unstable asphalt. 3)Wedge all low areas and tack coast with Liquid Asphalt SS1H Glue Emulsion. 4)Machine in on average of 2 inches of Hot Topping Commercial Asphalt Mix. 5)Roll to compaction and tamp all edges. 6)Remove all debris and barricade area appropriately.	900	5,500.00
MISCELLANEOUS ALL PAVING NOTES	If required; Additional 21AA stone will be billed at \$45 per ton ***** (1) 4" SCHEDULE 40 PVC PIPES NO ORAL AGREEMENTS: it is expressly understood that all terms, agreements and conditions relating to this contract are only those expressed in writing herein and that there are no oral representations, undertakings, terms, agreements or conditions of any kind. APPROVAL: This proposal will not be binding upon our company until the signed acceptance has been received by us and until it has been checked and signed by an officer of this company. CHANGES: No charges or alterations in the specifications shall be allowed except in writing and at prices agreed upon at the time the changes are authorized. ESTIMATED OR APPROXIMATE QUANTITIES: Quantities and areas in this proposal are approximate, arrived at for estimating purposes only and it is understood that payment is to be made on actual quantities of work completed and actual areas covered unless otherwise indicated. PROPERTY LINES: The purchaser of this paving work shall establish and designate property lines, and purchaser shall be obligated to pay for work performed DELAYS: The contractor shall complete the job within a reasonable time but shall not be liable for delays beyond the control of the contractor. PERMITS: The owner or the purchaser of the above work shall pay for any and all permits or assessments if they are required. WARRANTY: Does not cover gas or oil spills, kickstand or tire marks, cracks, tree root cracks, reflective cracks, small water depressions and settling. Asphalt guaranteed to be 97% water free. Customer must backfill edges over 2" within 7 days to prevent edge breakage. CRACKS: The contractor shall not be responsible for cracks that may occur on NEW or resurfaced concrete, brick or asphalt pavements. FROST HEAVE: The contractor shall not be responsible for movement of new pavement due to frost heave, with the exception of pavements where the footings have been installed by the contractor.		250.00

SERVICES	DESCRIPTION	SF/LF/TONS	AMOUNT
<p>DISCLAIMER & NOTES</p>	<p>MINIMUM GRADE: Contractor reserves the right to refuse to construct a pavement unless minimum grades of 1% are possible for surface drainage. If the owner directs construction with less than a minimum grade of 1%, it is understood that water ponding may occur and that no warranty attached to the work as to satisfactory surface drainage. Depressions over 3/4 inch will be filled.</p> <p>UNDERGROUND STRUCTURES: It is the purchaser's responsibility to advise the contractor of the existence and location of all underground structures such as sewers, water and gas lines, etc., which might be encountered by the contractor in the performance of its work hereunder. Contractor shall be deemed to have notice thereof as indicated in the proposal. If it develops in the performance of the that the identity of location of the underground structures varies from those specified herein and any extra cost occasioned thereby in moving, protecting, or covering the or otherwise shall be borne by the purchaser.</p> <p>SOIL CONDITION: Should any unusual soil conditions be encountered not specifically referred to in this proposal, any extra cost in the performance of the work occasioned by such conditions shall be paid by the purchaser.</p> <p>TREE ROOTS: Contractor shall not be responsible for damage to trees occasioned by removal of tree roots in preparing the roadbed, nor shall contractor be obligated to remove damaged or destroyed trees.</p> <p>HIDDEN OBJECTS: Contractor assumes no responsibility for removing hidden objects encountered during the performance of the work. Any costs incurred by the removal and disposal of such hidden objects shall be borne solely by the purchaser and contractor shall be reimbursed accordingly.</p> <p>ZONING REQUIREMENTS AND OTHER LOCAL REGULATIONS: Contractor assumes no responsibility for determining whether the purchaser has the legal right or authority to pave the property as directed. Notwithstanding that such work might be deemed to violate any ordinance, zoning regulation, or other law, the purchaser shall nevertheless, be obligated to pay for the performed and ordered work.</p> <p>Please Note: All material is guaranteed to be as specified and the above work is to be performed in accordance with the drawings or specifications submitted for above work and completed in a substantial workmanlike manner. Asphalt repair, paving, and concrete jobs require a 50% deposit. Once the signed estimate and deposit are received, the job will be put on the schedule. The balance is to be paid in full on the day of completion of all work. All amounts unpaid after 30 days will be subject to interest at 1 ½% per month. If HD Sealcoating is required to incur costs to collect payment, HD Sealcoating shall be entitled to recover all cost of collection, including actual attorney fees. Any alteration or deviation from above specifications involving extra cost will become an extra charge over and above the stated price. HD Sealcoating will discuss the required changes with the customer and will proceed with a change order. Saw cutting, excavations, aggregate base unless specifically noted above are not included. Landscape restoration, signage, or subgrade undercutting are not included unless noted above. Additional</p>		

SERVICES	DESCRIPTION	SF/LF/TONS	AMOUNT
	<p>cost for removal of more than 4" of asphalt. If under cutting is necessary due to soft, wet or unstable subgrade, it will be performed on a cost of \$45.00 a ton in addition to the base contract. HD Sealcoating is not responsible for design grades that provide less than industry standard of 1% drainage which is the minimum grade needed to achieve proper water drainage on asphalt. A \$400 charge will be required for additional mobilization.</p> <p>All agreements are contingent upon strikes, accidents or delays beyond HD Sealcoating's control. The contracting party is to carry fire, tornado, and other necessary insurance to protect HD Sealcoating's interest on above work. Workmens Compensation and Liability Insurance on the above work to be taken out by HD Sealcoating. All work guaranteed, with the exception of growing grass. This proposal may be withdrawn by HD Sealcoating and Paving Solutions if not accepted within 60 days. The customer is required to obtain permits if required by their city. Unless specifically stated, no allowance has been included in the estimate for permits or the repair of unmarked irrigation lines or public or private utility lines.</p> <p>The above prices, specifications, terms and conditions are satisfactory and are hereby accepted. HD Sealcoating and Paving Solutions is authorized to do the work as specified. Payment will be made as provided above. Deposits are not refundable for any reason except cancellation by HD Sealcoating and Paving Solutions.</p>		

I HAVE READ AND AGREE/ UNDERSTAND ALL THE TERMS & CONDITIONS AS STATED IN THE DISCLAMER ABOVE. UPON ACCEPTANCE PLEASE SIGN AND SEND BACK TO BE PLACED ON THE SCHEDULE

TOTAL

\$27,400.00

BY: _____ (Signature)

Accepted By

Accepted Date



Larry St. Croix, Owner

9800 Hadley • Clarkston, MI 48348

(248) 887-7728 • (248) 625-0341 • Fax (248) 625-0342

July 26, 2021

Dear Tom,

Thank you for the opportunity to submit our proposal for asphalt paving at Depot Park in Clarkston Mi.

The area of proposed new paving is approximately 5,256 - 6,564 Sq. Ft.

There are 2 proposed options for this project:

1. Remove appx 4,314 sq ft of grass and bad areas in pathways paving 6 ft wide new path and resurface 942 sq ft existing path to gazebo. Install culvert and 8 sleeves. **5,256 sq. ft.**
2. Remove appx 5,622 sq ft of grass and bad areas in pathways paving 9 ft wide new path and resurface 942 sq ft existing path to gazebo. Install culvert and 8 sleeves. **6,564 sq. ft.**

Option 1: Remove appx 4,314 sq ft of grass and bad areas in pathways paving 6 ft wide new path and resurface 942 sq ft existing path to gazebo.

Scope of work: 6-foot-wide new path option.

1. Saw cut bad areas in existing pathway of repair full depth.
2. Remove asphalt full depth.
3. Install 12-inch culvert.
4. Install 8 four-inch pvc sleeves.
5. Prepare gravel base as needed.
6. Pave a 2-inch base course using 57-Ton of 1100L hot mix asphalt.
7. Compact base course with vibratory rollers.
8. Pave a 2-inch top course using 43-Ton of 1100T hot mix asphalt.
9. Compact top course with vibratory rollers.
10. Clean the asphalt work area.

Total cost for the work outlined above:

\$ 35,235.00

Option 1: Remove appx 4,314 sq ft of grass and bad areas in pathways paving 9 ft wide new path and resurface 942 sq ft existing path to gazebo.

Scope of work: 9-foot-wide new path option.

1. Saw cut bad areas in existing pathway of repair full depth.
2. Remove asphalt full depth.
3. Install 12-inch culvert.
4. Install 8 four-inch pvc sleeves.
5. Prepare gravel base as needed.
6. Pave a 2-inch base course using 77-Ton of 1100L hot mix asphalt.
7. Compact base course with vibratory rollers.
8. Pave a 2-inch top course using 55-Ton of 1100T hot mix asphalt.
9. Compact top course with vibratory rollers.
10. Clean the asphalt work area.

Total cost for the work outlined above:

\$ 34,135.00

We charge \$35.00 per ton to place, grade and compact any extra 21AA crushed concrete needed.

We charge \$15.00 per ton to remove any unsuitable subgrade material from the property.

Customer is responsible for obtaining any permits.

If you have any questions or wish to discuss any aspect of this proposal, you can reach me on my cell phone at (248) 214-0818, email at drewstc@live.com or call our main office number at (248) 625-0341.

Yours truly,

Drew St.Croix, Sales, A & N Asphalt, Inc.

cc: Larry St. Croix, Owner, A & N Asphalt, Inc.