



City of the Village of Clarkston
375 Depot Rd
Clarkston, Michigan 48346
City Council Regular Meeting
08 09 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. FYI:
7. Sheriff Report For July 2021
Documents:
[SHERIFF REPORT JULY 2021.PDF](#)
8. City Manager Report
Documents:
[CITY MGR 08 09 2021.PDF](#)
9. Motion Acceptance Of The Consent Agenda As Presented
Minutes and Treasurer's Report

Minutes

Final 07 12 2021

Draft 07 26 2021

Treasurer's Report 08 09 2021

Documents:

[08 09 2021 CONSENT AGENDA.PDF](#)

10. Old Business

10.a. Discussion: M15 Speed Data Update

10.b. First Read: Short Term Rental
Planning Commission Recommendation to Council - Short Term Rental (STR)
Definitions and Regulations.

Documents:

[FIRST READ SHORT TERM RENTAL DEFINITIONS AND REGULATIONS 08 09 2021.PDF](#)

10.c. First Read: Residential Planned Development District (RPDD)
Planning Commission Recommendation to Council - Align the Residential Planned
Development District (RPDD) Ordinance Language with The Master Plan

Documents:

[FIRST READ RPDD 08 09 2021.PDF](#)

11. New Business

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

Documents:

[JASON KNEISC LETTER OF RESIGNATION 08 05 2021.PDF](#)

12. Adjourn

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

**OAKLAND COUNTY SHERIFF DEPARTMENT
INDEPENDENCE SUBSTATION**

TO: John Smith, City Manager

FROM: Lieutenant Todd Hill, Substation Commander

SUBJECT: City of the Village of Clarkston Monthly Report

	2021												2021	2020
ARRESTS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YTD	YTD
Felony (CLR-059)	2	0	1	2	1	1	1						8	13
Misdemeanors (CLR-059)	3	2	7	5	1	5	1						24	46
MICR:														
Violent Crimes (CLR-004)	1	0	0	1	0	0	0						2	12
Property Crimes (CLR-004)	1	0	0	2	1	3	1						8	20
TRAFFIC:														
Monthly Warnings - Citation Report	1	2	4	7	1	14	19						48	57
Monthly Citations - Citation Report	3	1	1	7	7	17	25						61	64
Crashes - Crash Report	1	0	1	3	2	4	2						13	22
LIQUOR INSPECTION ACTIVITY:														
Alcohol Compliance Checks (AE)	0	0	0	0	0	2	0						2	0
Violations (CLR-065)	0	0	0	0	0	0	0						0	0
COMMUNITY LIAISON:														
Community Meetings L3535	1	2	2	1	2	2	0						8	0
Community Other L3539	0	0	0	0	0	0	0						0	0
STATION STATISTICS:														
Calls for Service (CLR-065)	74	56	144	133	178	177	135						897	975

City of the Village of Clarkston
City Manager Report
August 9, 2021

Ordinance Enforcement Officer

This week Stacy Kingsbury commenced work as our new contract Ordinance Enforcement Officer. Stacy is an employee of Code Enforcement Services (a division of Carlisle Wortman) who also provides our Building Code Enforcement Services. Stacy will be in the City on Tuesday's patrolling the business and residential districts to identify ordinance violations. Property owners with a violation will initially receive a warning letter, after which they will receive a citation if corrective action is not taken in a reasonable period of time.

Construction Approval Process Flowchart

A meeting has been scheduled for Wednesday, August 11th from 10AM to Noon to review and discuss the revised Construction Approval Process Flowchart. This in-person meeting will include representatives from the Planning Commission, Zoning Board of Appeals, Historic District Commission. Mayor Haven and City Attorney Tom Ryan will be also present.

Rain Garden Extension

Work has begun on the extension of the Depot Park Rain Garden. This is being done to, in part, offset the changes to the original Rain Garden that were required due to the City Hall expansion project. Our thanks to Jim Brueck, Tom Lowrie, the Friends of Depot Park, the DPW team and all the volunteers who helped with the planting. Special thanks to the Independence Township DPW team who helped prepare the new garden area.

Northbound Holcomb Speed Sign Relocation

This week our DPW team relocated the electronic "Your Speed" sign on northbound Holcomb from after the Depot Road curve to before it. After several accidents over the past few years, the City consulted with the Road Commission of Oakland County who felt that placing the sign before the curve would significantly help alert drivers to slow down and safely navigate the curve. An added benefit of the new location is less tree coverage, meaning that our solar collector will have an improved view of the sun and less frequent power outages.

Phishing Emails

Council members with City Email accounts are reminded to be cautious when opening suspicious emails. I have recently received several phishing emails with legitimate-looking subjects, asking you to open an attachment. If the sending email account is not one you recognize, please do not open the attachment and delete the email. If still in doubt, call me!

Respectfully submitted, **Jonathan Smith, City Manager, August 5, 2021**



City of the Village of Clarkston
Artemus M. Pappas Village Hall
375 Depot Road
Clarkston, Michigan 48346
City Council Regular Meeting Minutes
07 12 2021 Final Minutes

7/12/2021 - Minutes

1. Call To Order

In person meeting called to order @ 7:00 pm by Mayor Haven

2. Pledge Of Allegiance

3. Roll Call

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

4. Approval Of Agenda - Motion

Motion by Avery Second by Casey to approve the Agenda as presented. Haven, Avery, Bonser, Casey, Kneisc, Luginski. Motion Carries

5. Public Comments:

By Robert Stakle and Chet Pardee

6. FYI:

6.a. 2021 Clarkston Garden Walk

6.b. Oakland County Local Business Connect

7. City Manager Report

8. Motion Acceptance Of The Consent Agenda As Presented

Motion by Kneisc second by Luginski to approve the Consent Agenda as presented. Haven, Avery, Bonser, Casey, Kneisc, Luginski - Yes. Motion Carries.

9. Old Business

9.a. Resolution RPDD Proposal

Presentation by Ben Carlisle from Carlisle Wortman. Introduced by Rich Little, Planning Commission. Proposal to be brought back to July 26th, 2021 Council Meeting as a 1st read.

10. New Business

10.a. Resolution: Code Enforcement Service Contract

Motion by Avery Second by Luginski to Approve the City Manager to enter into an Agreement with

Carlisle Wortman for Local Ordinance Code Enforcement, Building Administration and Inspection Consulting Services not to exceed \$7000.00 per year. Haven, Avery, Bonser, Casey, Kneisc, Luginski - Motion Carries.

10.b. Discussion Financial Workshop

10.c. Resolution: Budget Amendment

Motion by Avery Second by Casey to authorize the City Treasurer to complete a 20/21FY Budget Amendment in the amount of \$6,430.00 as follows. \$700.00 from Treasurer Computer Support budget to Clerk Publications budget, \$920.00 Technology & Internet Expense budget to DTE Street Lighting budget, \$1,710.00 from Legal Fees budget to Law Enforcement budget, \$2,850.00 from Legal Fees budget to Fire Protection budget and \$250.00 from City Hall/DPW Building budget to Street Signs & Posts budget. Haven, Avery, Bonser, Casey, Kneisc, Luginski - Yes Wylie - Absent. Motion Carries.

11. Adjourn

Motion by Avery Second by Kneisc to adjourn at 9:07pm. Haven, Avery, Bonser, Casey, Kneisc, Luginski - Motion Carries.

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
07 26 2021 **Draft 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 marihuana facilities, to assist medical marihuana patients with critical medical conditions, and to create a City Department of Medical Marihuana 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.

DRAFT

TREASURER'S REPORT FOR CITY COUNCIL MEETING:

8/9/2021

Treasurer's Report:

I. Disbursements from 07/01/2021 -7/31/2021

101 General Fund	\$	47,037.26
202 Major Streets	\$	202.49
203 Local Street	\$	-
231 Parking Meter Fund	\$	198.06
236 Friends of Depot Park	\$	-
295 Mill Pond Lake	\$	-
401 Capital Projects Fund	\$	103.47
590 Sewer Fund	\$	67.45

Total	\$	47,608.73
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II. Invoices for review and payment approval

Carlisle Wortman - Master Plan, Bldg Adm, Planner & Other	\$	-
Carlisle Wortman - Master Plan, Bldg Adm, Planner & Other	\$	-
Tom Ryan - Professional Services (July Invoice)	\$	1,425.00
Tom Ryan - Clarkston Court Prosecution (July Invoice)	\$	95.00

Total	\$	1,520.00
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III. Other Checks for Review

Ray's Wiegand's Nursery	\$	1,741.94
	\$	-

Total	\$	1,741.94
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GRAND TOTAL	\$	50,870.67
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08/04/2021

CHECK DISBURSEMENT REPORT FOR CITY OF THE VILLAGE OF CLARKSTON
CHECK DATE FROM 07/01/2021 - 07/31/2021

Check Date	Check #	Payee	Description	Account	Dept	Amount
07/07/2021	10287	COMCAST	TELEPHONE EXPENSE	850.000	264	584.13
07/07/2021	10288#	DTE ENERGY	DETROIT EDISON-VH	920.000	265	12.96
07/07/2021	10288	DTE ENERGY	DETROIT EDISON-VH	920.000	265	20.71
07/07/2021	10288	DTE ENERGY	DETROIT EDISON-VH	920.000	265	163.66
07/07/2021	10288	DTE ENERGY	DTE UPPER PARKING LOT	923.000	265	22.21
07/07/2021	10288	DTE ENERGY	DTE UPPER PARKING LOT	923.000	265	15.44
07/07/2021	10288	DTE ENERGY	DTE UPPER PARKING LOT	923.000	265	102.71
07/07/2021	10288	DTE ENERGY	DTE UPPER PARKING LOT	923.000	265	15.92
07/07/2021	10288	DTE ENERGY	DTE STREET LIGHTING	926.000	448	1,209.93
			CHECK GEN 10288 TOTAL FOR FUND 101:			1,563.54
07/07/2021	10289	HOME DEPOT CREDIT SERVICES	PARK MATERIALS	728.000	265	11.58
07/07/2021	10290	MAZZA AUTO PARTS	MATERIAL & OUTSIDE LABOR-PICKUP TR	861.001	446	282.17
07/07/2021	10291	OAKLAND COUNTY TREASURER	ASSESSING - OAKLAND COUNTY	804.000	257	7,979.33
07/07/2021	10292	THOMAS J RYAN PC	LEGAL FEES	803.000	266	1,662.50
07/07/2021	10292	THOMAS J RYAN PC	LEGAL FEES	803.000	266	95.00
			CHECK GEN 10292 TOTAL FOR FUND 101:			1,757.50
07/07/2021	10293	SHERMAN PUBLICATIONS, INC	PUBLICATIONS	901.000	215	317.40
07/07/2021	10294	CHARTER TOWNSHIP OF INDEPEI	VEHICLES - GAS & OIL	862.000	446	338.84
07/07/2021	10295*#	CARDMEMBER SERVICE	OFFICE SUPPLIES	727.000	264	40.26
07/07/2021	10295	CARDMEMBER SERVICE	TECHNOLOGY/INTERNET EXPENSE	852.000	264	374.88
07/07/2021	10295	CARDMEMBER SERVICE	DPW SUPPLIES	750.000	441	121.50
07/07/2021	10295	CARDMEMBER SERVICE	SUPPLIES	726.005	446	325.06
07/07/2021	10295	CARDMEMBER SERVICE	HISTORIC DIST COMMISSION EXP	956.003	723	200.00
			CHECK GEN 10295 TOTAL FOR FUND 101:			1,061.70
07/07/2021	10296	GREAT LAKES ACE HARDWARE	SUPPLIES-VH BUILDING	726.004	265	145.27
07/07/2021	10297#	MML LIABILITY AND PROPERTY P	PROPERTY INSURANCE	961.001	265	725.00
07/07/2021	10297	MML LIABILITY AND PROPERTY P	GENERAL LIABILITY INSURANCE	961.003	265	3,999.00
07/07/2021	10297	MML LIABILITY AND PROPERTY P	PROPERTY INSURANCE-OPEN SPACES	961.004	265	672.00
07/07/2021	10297	MML LIABILITY AND PROPERTY P	EQUIPMENT INSURANCE	961.005	446	3,189.00
07/07/2021	10297	MML LIABILITY AND PROPERTY P	ERRORS & OMISSIONS INSURANCE	961.002	851	7,714.00
			CHECK GEN 10297 TOTAL FOR FUND 101:			16,299.00
07/21/2021	10298	CONSUMERS ENERGY	VH - UTILITIES CONSUMERS	921.000	265	14.93
07/21/2021	10299	HUBBELL ROTH & CLARK INC	ENGINEERING SERVICES	810.001	721	264.24
07/21/2021	10300	RICOH USA, INC	OFFICE SUPPLIES	727.000	264	119.98
07/21/2021	10301	SEMCOG	DUES & CONFERENCES	958.000	101	803.00
07/21/2021	10303#	CARLISLE/WORTMAN ASSOCIATES	BLDG DEPT PROFESSIONAL FEES	809.000	371	1,500.00
07/21/2021	10303	CARLISLE/WORTMAN ASSOCIATES	PLANNING COMMISSION	717.000	721	850.00
			CHECK GEN 10303 TOTAL FOR FUND 101:			2,350.00
07/21/2021	10304	BLUE CARE NETWORK	HEALTH INSURANCE	709.000	441	344.32
07/21/2021	10305	STAPLES	OFFICE SUPPLIES	727.000	264	71.96
07/21/2021	10306	MICHIGAN HISTORIC PRES. NETW	HISTORIC DIST' COMMISSION EXP	956.003	723	150.00

07/21/2021	10307	JOE LUGINSKI	COUNCIL & MAYOR SALARIES	703.000	101	650.00
07/21/2021	10308	ERIC HAVEN	COUNCIL & MAYOR SALARIES	703.000	101	3,850.00
07/21/2021	10309	AL AVERY	COUNCIL & MAYOR SALARIES	703.000	101	625.00
07/21/2021	10310	JASON KNEISC	COUNCIL & MAYOR SALARIES	703.000	101	675.00
07/21/2021	10311	SUE WYLIE	COUNCIL & MAYOR SALARIES	703.000	101	700.00
07/21/2021	10312	ED BOSNER	COUNCIL & MAYOR SALARIES	703.000	101	650.00
07/21/2021	10313	GARY CASEY	COUNCIL & MAYOR SALARIES	703.000	101	625.00
07/28/2021	10314	BS&A SOFTWARE	COMPUTER SUPPORT	853.000	253	2,170.00
07/28/2021	10315	J.C. EHRLICH	VH - BLDG MAINT	931.000	265	41.00
07/28/2021	10316#	HUBBELL ROTH & CLARK INC	GRANT WRITING	890.000	264	681.24
07/28/2021	10316	HUBBELL ROTH & CLARK INC	ENGINEERING SERVICES	810.001	721	334.18
		CHECK GEN 10316 TOTAL FOR FUND 101:				1,015.42
07/28/2021	10317	HUTCHINSON'S ELECTRIC, INC	PARK MATERIALS	728.000	265	175.00
07/28/2021	10318	RICOH USA INC	RICOH COPIER LEASE	941.000	264	202.65
07/28/2021	10319	CIVICPLUS	TECHNOLOGY/INTERNET EXPENSE Total for fund 101 GENERAL	852.000	264	1,199.30 47,037.26
07/07/2021	10295*#	CARDMEMBER SERVICE	SUPPLY & MTLs - NON-WINTER MAINT Total for fund 202 MAJOR STREET	726.001	451	202.49 202.49
07/21/2021	1124	PASSPORT LABS, INC	MISC EXPENSE	757.000	264	17.25
07/28/2021	1125	T2 SYSTEM CANADA INC	MISC EXPENSE	757.000	264	55.00
07/28/2021	1126	SPRINT / NEXTEL COMMUNICATI	PHONE EQUIPMENT	760.000	264	70.81
07/28/2021	1127	T2 SYSTEM CANADA INC	MISC EXPENSE Total for fund 231 PARKING METER FUND	757.000	264	55.00 198.06
07/07/2021	10295*#	CARDMEMBER SERVICE	FRIENDS OF DEPOT PARK	728.000	265	12.47
07/21/2021	10302	THE PRINT SHOP	FRIENDS OF DEPOT PARK Total for fund 401 CAPITAL PROJECT FUND	728.000	265	91.00 103.47
07/21/2021	2083	GREAT LAKES WATER AUTHORITY	IWC CHARGES IND TWP Total for fund 590 SEWER	814.002	536	67.45 67.45
		TOTAL - ALL FUNDS				47,608.73

*#-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE FUND

#'-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE DEPARTMENT

Thomas J. Ryan, P.C.

2055 Orchard Lake Road
Sylvan Lake, MI 48320

Invoice submitted to:
Jonathan Smith
City Manager
City of the Village of Clarkston
375 Depot Road
Clarkston, MI 48346

August 03, 2021

Invoice #10978

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
7/2/2021 Review correspondence from Administrative Law Judge Williams re: status conference adjourned from 8/12/21 to 8/19/21 at 4:00 p.m. (McLean vs. Clarkston HDC)	0.50 95.00/hr	47.50 ✓
Review correspondence and attachments from Ms. Rowland re: review Appearance, Stipulated Order to Set Aside Default; Answer to Plaintiff's Complaint and Affirmative Defenses (Valley vs. Clarkston)	1.00 95.00/hr	95.00 ✓
7/6/2021 Review entered Stipulation and Order to Set Aside Default (Valley vs. Clarkston)	0.50 95.00/hr	NO CHARGE
Review correspondence from Administrative Law Judge Williams re: phone conference on 8/19/21 and possible hearing dates (McLean vs. Clarkston HDC)	0.50 95.00/hr	47.50 ✓
7/8/2021 Phone conference with Mr. Meloche, HDC Chair, re: 42 W. Washington status	0.50 95.00/hr	47.50 ✓
Receipt and review correspondence from Jonathan Smith with attached contract with Code Enforcement Services to handle all code enforcement. He would like to include the approval of this agreement in Monday's Council Packet, with noted changes. Correspondence to Mr. Smith that the contract looks appropriate with the changes he noted.	1.00 95.00/hr	95.00 ✓
7/12/2021 Review Council Packet for 7/12/21 council meeting	0.50 95.00/hr	47.50 ✓
Attend in person Council Meeting	3.00 95.00/hr	285.00 ✓
7/13/2021 Review correspondence from Mr. Meloche, re: correspondence to Ms. Hoist re: 42 W. Washington (Lehman vs. Clarkston HDC)	0.50 95.00/hr	47.50 ✓

	<u>Hrs/Rate</u>	<u>Amount</u>
7/13/2021 Phone call from Mr. Meloche re: 7/13/21 HDC meeting	0.50 95.00/hr	47.50 ✓
7/14/2021 Phone call to Mr. Mulvihill re: settling record for appeal in Oakland County Circuit Court re: Lehman vs. Clarkston HDC	0.50 95.00/hr	47.50 ✓
7/22/2021 Review correspondence from City re: PRDD ordinance; Phone call to City Manager re: RPDD ordinance and 7/26/21 council meeting	1.00 95.00/hr	95.00 ✓
7/26/2021 Review Council Packet	0.50 95.00/hr	47.50 ✓
Attend City Council Meeting at City Hall	2.00 95.00/hr	190.00 ✓
7/28/2021 Review Initiatory Petition filed with the City Clerk; Phone call to City Clerk re: number of verified signatures and registered voters; Review state statute; Preparation of Letter to Mr. Woodyard re: initiatory petition filed with City and number of validated signatures; copy to City Manager and City Clerk	2.00 95.00/hr	190.00 ✓
7/30/2021 Phone call to Mr. Elworth, Assistant Attorney General, re: initiatory petition; Correspondence to Mr. Woodyard re: forwarding Initiatory Petition to Attorney General and Governor's office per state statute; copy to City Manager and City Clerk	1.00 95.00/hr	95.00 ✓
For professional services rendered	15.50	\$1,425.00
Previous balance		\$2,897.50
Accounts receivable transactions		
7/6/2021 Payment - Thank You No. 10252		(\$1,235.00)
7/16/2021 Payment - Thank You No. 10292		(\$1,662.50)
Total payments and adjustments		(\$2,897.50)
Balance due		<u>\$1,425.00</u>

101-266-803.000

JS

Thomas J. Ryan, P.C.

2055 Orchard Lake Road
Sylvan Lake, MI 48320

Invoice submitted to:
Jonathan Smith
City Manager
375 Depot Road
Clarkston, MI 48346

August 03, 2021

In Reference To: Clarkston Court/Prosecution
Invoice #10979

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>	
7/9/2021 Correspondence to Ms. Cantu at Sheriff's Department re: request for police report (Clarkston v Labonte)	0.50 95.00/hr	47.50	✓
7/14/2021 Review incident report re: larceny for 9/1/21 pretrial	0.50 95.00/hr	47.50	✓
For professional services rendered	<u>1.00</u>	<u>\$95.00</u>	
Previous balance		\$285.00	IS
Accounts receivable transactions			
7/6/2021 Payment - Thank You No. 10252		(\$190.00)	
7/16/2021 Payment - Thank You No. 10292		(\$95.00)	
Total payments and adjustments		<u>(\$285.00)</u>	
Balance due		<u><u>\$95.00</u></u>	

101-268-803.000

RAY WIEGAND'S NURSERY
 47747 ROMEO PLANK RD
 MACOMB, MI 48044-2819
 www.wiegandsnursery.com
 PHONE: (586) 286-3655

CITY OF CLARKSTON
 375 DEPOT RD

 CLARKSTON MI 48346
 (248) 625-1559

CUST#: 103397
 TERMS: NET 10TH

INV #: 117392/1
 DATE : 7/30/21 TIME : 2:17
 CLERK: 59 TERM#562
 SLSPR: 72 BOB P
 TAX : 003 SCHOOLS, CHURCHES & G

PLANTING 8/11

 * INVOICE *

					SUGG		
1	1	EA	SDEL	SITESCPE DELIVERY	1	135.00	135.00 /EA 135.00
2	1	EA	123000525	ACER pl.'PrincetonGold' 2 1/2"	1	359.99	359.99 /EA 359.99
3				Princeton Gold Norway Maple			
4	1	EA	SITE	SITESCPE PLANTING	1	128.00	128.00 /EA 128.00
5	1	EA	STAKING	TREE STAKING BY SITESCPE	1	25.00	25.00 /EA 25.00
6	1	EA	153300103	GINKGO 'Princeton Sen.'1 1/2"#15	1	239.99	191.99 /EA 191.99
7	1	EA	SITE	SITESCPE PLANTING	1	75.00	75.00 /EA 75.00
8	1	EA	STAKING	TREE STAKING BY SITESCPE	1	25.00	25.00 /EA 25.00
9	1	EA	153300118	GINKGO 'Princeton Sen.'1 3/4"#25	1	399.99	319.99 /EA 319.99
10				Princeton Sentry Ginkgo			
11	1	EA	SITE	SITESCPE PLANTING	1	95.00	95.00 /EA 95.00
12	1	EA	STAKING	TREE STAKING BY SITESCPE	1	25.00	25.00 /EA 25.00
13	1	EA	164500103	QUERCUS 'KindredSpirit'1 1/2"#15	1	249.99	199.99 /EA 199.99
14				Kindred spirit hybrid oak			
15	1	EA	SITE	SITESCPE PLANTING	1	75.00	75.00 /EA 75.00
16	1	EA	STAKING	TREE STAKING BY SITESCPE	1	25.00	25.00 /EA 25.00
17	1	EA	2584962320	MYKE Tree/Shrub 1.4QT	1	21.99	21.99 /EA 21.99
18	1	EA	2584962420	MYKE Tree/Shrub 3.6QT	1	39.99	39.99 /EA 39.99
19	1	EA	MYKE	MYKES WARRANTY	1		/EA N/C
20				MYKES five year warranty is on			
21				the price of the plant at the			
22				time of purchase. Purchase of			
23				MYKES			
24				guarantees a one time			
25				replacement within 5 years.			
26				Delivery and Planting is a 1			
27				year guarantee.			
28				MYKES does not warranty			
29				Rhododendron, Azalea, Pieris,			
30				Boxwood, Roses,			
31				Mountain Laurel and Spruce.			

12.66

** AMOUNT CHARGED TO STORE ACCOUNT **

1,741.94 TAXABLE 0.00

NON-TAXABLE 1741.94

SUBTOTAL 1741.94

TAX AMOUNT 0.00

TOTAL AMOUNT 1741.94

(GREGORY COTE)

X 

Received By

STATEMENT

RAY WIEGAND'S NURSERY
 47747 ROMEO PLANK RD
 MACOMB, MI 48044-2819
 www.wiegandsnursery.com
 (586) 286-3655

CLOSING DATE: 8/ 1/21
 DUE DATE : 8/10/21
 ACCT: 103397

CLOSING
 DATE : 8/ 1/21
 DUE DATE: 8/10/21

CITY OF CLARKSTON
 375 DEPOT RD
 CLARKSTON MI 48346

RAY WIEGAND'S NURS
 CITY OF CLARKSTON
 ACCOUNT : 103397



PLEASE DETACH AND RETURN
 REMITTANCE STUB WITH YOUR PAYMENT

DATE	REFERENCE	ST	C	DESCRIPTION	DEBIT	CREDIT	REFERENCE	AMOUNT
7/30/21	117392	1	I	INVOICE	1741.94		117392	1741.94
				NEW BALANCE	1741.94			
CURRENT		1-30 DAYS		31-60 DAYS	61-90 DAYS	OVER 90 DAYS		
1741.94		0.00		0.00	0.00	0.00		
							NEW BAL :	1741.94

401-446-877-000

TERMS: NET 10TH

CREDIT LIMIT: 3000 CR AVAILABLE: 1258

103397

Transaction Codes
 A - Adjustment C - Credit I - Invoice
 B - Balance Forward F - Finance Charge P - Payment

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AMOUNT PAID

Planning Commission Recommendation to Council – First Reading – Short Term Rental (STR) Definitions and Regulations

1. Background:

Over two years ago, the subject of Short-Term Rentals (aka Airbnb) was heating up in Clarkston and across the country. The City Manager received phone calls inquiring:

A. Can I buy a house in Clarkston and turn it into a full-time Airbnb? City Answer: “No”.

B. OK, then can I get the Ordinance language that says that? City Answer: “No, it is not addressed. Because it is not specifically addressed, it is prohibited”.

C. But, I see some Village properties on Airbnb. Do they have special dispensation? City Answer “No, they just do it”.

D. Oh, so I suppose that I could just do it too?

That is when the Planning Commission went to Council. We advised that Council put some Ordinance language together to define STR's and, if Council wanted to allow Airbnb's to operate, the city should regulate them. Visibility, safety, definitions and protections were topics all over the country, so it was an appropriate discussion.

2. Fast-Forward to Today:

Recently, Council voted 4-2 to restrict STR's to Village Commercial (downtown) and ban them from Residential Districts. In turn, Council asked the Planning Commission to define Short Term Rentals and prepare a set of regulations to allow them to operate in the Village Commercial area.

The DRAFT regulations were reviewed with Council twice. Then, the new Ordinance language was finalized. A Public Hearing was held to review the changes.

3. Public Hearing Results:

The purpose of a Public Hearing is to listen and learn. One of the major sticking points was the definition of a STR as 60 days or less. This definition meant that:

- A. If an owner rents a property for 60 days or less in the VC, it is subject to STR regulations.
- B. Conversely, since STR's would not be permitted in Residential zones, rents must be 61 days or more.

We learned that long term rentals at the end of a 12-month lease often rent month-to-month for some period of time as renters transition. The 60-day requirement would get crosswise

with this common practice. We also learned that other cities sometimes define an STR as 28 days or less.

This 28-day practice still protects neighbors from weekend turnover while allowing existing long-term rentals to operate. This is a good compromise.

4. Recommendation to Council:

We have changed the definition for a Short-Term Rental to 28 days or less. We have retained all other language previously reviewed with Council. A complete document of the entire proposal is attached. The PC recommends that Council approve the new Ordinance.

Submitted to Council for the Planning Commission 8/4/2021

Rich Little – Chair – Planning Commission



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
Jonathan 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

Planning Commission Recommendation to Council – First Reading - Align the Residential Planned Development District (RPDD) Ordinance Language with The Master Plan

1. Background:

In 2019, the Planning Commission prepared a new Master Plan for approval and adoption by City Council. That plan contained a Future Land Use map which recommended Residential Mixed Use (RMU) for certain parcels. It went on to describe possible densities of 6 to 8 units per acre for new developments. In the Placemaking, Action Item “C” of the new Master Plan, it stated:

“C. Adopt a revised and up-to-date zoning ordinance and map, consistent with the Master Plan”

Recently, it was determined that the City’s RPDD zoning designation was out of date and not compatible with the future vision in the Master Plan.

In response, City Council gave the Planning Commission the green light to research other communities and recommend Ordinance changes to improve development potential and provide clear standards for new construction. The new Ordinance language will align the Master Plan with the Zoning Ordinance.

2. The Public Hearing:

On May 17, 2021, the PC held a Public Hearing to review the new RPDD language and explain the link between the Master Plan and Article 8 of the Ordinance.

3. The New Ordinance Language:

Attached are 3 documents to help explain the new changes as we prepare for Council First Reading:

- A. A Carlisle/Wortman memo explaining the scope and intent of the changes (previously reviewed by Council).
- B. A clean copy of the Article 8 RPDD language.
- C. A marked-up copy of the Article 8 RPDD language.

4. Recommendation:

The PC recommends that City Council accept the Ordinance changes and authorize the PC to move forward to implementation.

Submitted to Council for the Planning Commission 8/4/2021

Rich Little Chair – Planning Commission.



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)
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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 be between 6 to 8 units and acre) and permit a

	<p><i>by up to twenty percent (20%) with the resultant area preserved as open space. (8.03)</i></p>	<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>
<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>	<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>	<p>Make contractual agreement as part of Step A and rename it "RPDD Agreement."</p>
<p>Application process seems superfluous. Unsure of the purpose of having the Clerk forward to City Council, who then forwards to the Planning Commission.</p>	<p><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></p>	<p>Once filed with City Clerk, allow Clerk to forward to the Planning Commission.</p>
<p>Unnecessary timeline review requirements</p>	<p>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.</p>	<p>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>

<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.
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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, unobstructed, 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 Hhorizontal 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.

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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 perkable 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.~~

C.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

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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

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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

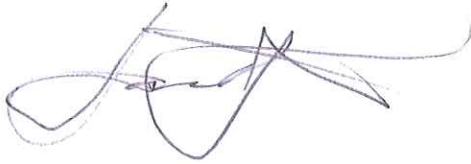
A performance guarantee may be required in accordance with Section 15.20.

August 5, 2021

Jason Kneisc
23 S. Holcomb Rd.
Clarkston, MI 48346

I am submitting this letter as notification of my resignation as a member of the City Council for the City of the Village of Clarkston. My resignation is effective immediately. I would like to thank the residents for the privilege of serving them over the past years. Best of luck moving forward!

Thank you,

A handwritten signature in blue ink, appearing to read 'Jason Kneisc', with a stylized, flowing script.

Jason Kneisc