



CITY COUNCIL

REGULAR MEETING

AGENDA

SEPTEMBER 13, 2021
CONVENING AT 7:30 P.M.

Submitted By
The City Manager

NOTICE: Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at (248) 524-3316 or via e-mail at clerk@troymi.gov at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.



500 West Big Beaver
Troy, MI 48084
troymi.gov

The Honorable Mayor and City Council Members

City of Troy
500 West Big Beaver
Troy, MI 48084

Dear Mayor and City Council Members:

In this packet, you will find the agenda for the City Council meeting. To help facilitate an informed discussion, the packet provides you with agenda items and additional details. The packet also contains recommended courses of action for your consideration and seeks to aid you in adopting sound policy decisions for the City of Troy.

This comprehensive agenda has been put together through the collaborative efforts of management and staff members. We have made all attempts to obtain accurate supporting information. It is the result of many meetings and much deliberation, and I would like to thank the staff for their efforts.

If you need any further information, staff is always available to provide more information and answer questions that may arise. You can contact me at CityManager@troymi.gov or 248.524.3330 with questions.

Respectfully,

Mark F. Miller,
City Manager



Troy City Council Code of Ethics

1. The Troy City Council shall:

- Respect the confidentiality of privileged information;
- Recognize that an individual council member has no authority to speak or act for Council;
- Work with other council members to establish effective policies;
- Delegate authority for the running of the City to the administrative staff;
- Encourage the free expression of opinion by all council members;
- Seek systematic communications between council, administrative staff, and all elements of the community;
- Render all decisions in a fair and impartial manner, based on the available facts and independent judgment rather than succumbing to the influence of individuals or special interest groups;
- Make every effort to attend all meetings;
- Become informed concerning the issues to be considered at each meeting;
- Avoid actual or apparent conflicts of interest, and make appropriate disclosures;
- Refrain from using this position for personal benefit, nor for the benefit of family members or business associates;
- Use the same care and caution when using electronic media as would be exercised when speaking face-to-face or through written memorandum;
- Avoid use of derogatory or denigrating language;
- Treat all people fairly and with dignity and respect;
- Abstain from harassing or discriminatory behavior of any kind;
- Participate in annual ethics training provided by City Administration or a qualified outside contractor.
- Avoid any situation that could undermine public confidence, and neither solicit nor accept gifts offered for any official actions. There may be times when unsolicited items of a trivial value (less than \$25) are provided to City Council members in connection with marketing of new businesses or economic development and organizations, and such items can be retained as long as the aggregate value of gifts per year does not exceed \$250. City Council members shall annually submit a report of all unsolicited items received to the Troy City Clerk as part of the mandatory disclosure statements. City Council members and/or their significant others can accept invitations for ribbon cutting/grand openings and other ceremonial or celebratory events where food and/or beverages will be consumed.
- Adhere to the following tenets in the ICMA Code of Ethics (revised June 2020):
 - Affirm the dignity and worth of local government services and maintain a deep sense of social responsibility as a trusted public servant. (Tenet 2)
 - Demonstrate by word and action the highest standards of ethical conduct and integrity in all public, professional, and personal relationships in order to merit the trust and respect of elected and appointed officials, employees, and the public. (Tenet 3)
 - Serve the best interest of the people. (Tenet 4)

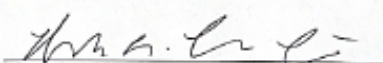
2. Any City Council member may detail a suspected violation of this Code of Ethics by another City Council member, and forward this to the Troy City Council for action. The accused City Councilmember shall have an opportunity to respond to the allegations. If after considering all of the information, the Troy City Council determines that there was a violation of this Code of Ethics, then City Council may censure the offending City Council member, or take any other action that is allowed under the law, including but not limited to a request for a criminal misconduct investigation.


Signed this 9th day of February, 2021.



Mayor Ethan D. Baker


Council Member Edna Abraham


Mayor Pro Tem Theresa Brooks


Council Member Rebecca Chamberlain-Creanga


Council Member Ann Erickson Gault


Council Member David Hamilton


Council Member Ellen Hodorek



CITY COUNCIL AGENDA

September 13, 2021 – 7:30 PM

City Council Chambers

500 W. Big Beaver Rd.

Troy, MI 48084

(248) 524-3316

View the Meeting Live at: www.troymi.gov/webcast

or on Local Access Cable Channels

(WOW – Ch 10, Comcast – Ch 17, AT&T – Ch 99)

INVOCATION: Police Chaplain Bob Cornwall **1**

PLEDGE OF ALLEGIANCE: Presentation of the Colors by Members of the Troy Police Department Honor Guard and the Troy Fire Department Honor Guard **1**

A. CALL TO ORDER: **1**

B. ROLL CALL: **1**

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS: **1**

C-1 Proclamation to Celebrate Troy Resident and Miss India USA 2021 Winner Vaidehi Dongre (*Presented by: Mayor Ethan Baker*) 1

C-2 Proclamation to Declare September 2021 as National Recovery Month in the City of Troy (*Presented by: Mayor Ethan Baker*) 1

C-3 Proclamation to Declare September 2021 as National Suicide Prevention Awareness Month in the City of Troy (*Presented by: Mayor Ethan Baker*) 1

C-4 Proclamation to Recognize Patriot Week September 11 - 17, 2021 (*Presented by: Mayor Ethan Baker*) 2

C-5 Proclamation for International Day of Peace September 21, 2021 (*Presented by: Mayor Ethan Baker*) 2

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INVOCATION: Police Chaplain Bob Cornwall**PLEDGE OF ALLEGIANCE: Presentation of the Colors by Members of the Troy Police Department Honor Guard and the Troy Fire Department Honor Guard**

Troy Police Department
Sgt. Benjamin Hancock
Sgt. Peter Minton
Officer Edwin John Julian

Troy Fire Department
Firefighter Dave Estep
Firefighter Bill Vinsaw

A. CALL TO ORDER:**B. ROLL CALL:**

- a) Mayor Ethan Baker
Edna Abraham
Mayor Pro Tem Theresa Brooks
Rebecca A. Chamberlain-Creanga
Ann Erickson Gault
David Hamilton
Ellen Hodorek

Excuse Absent Council Members:

Suggested Resolution

Resolution #2021-09-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of _____ at the Regular City Council Meeting of September 13, 2021, due to _____.

Yes:

No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

-
- C-1** Proclamation to Celebrate Troy Resident and Miss India USA 2021 Winner Vaidehi Dongre (*Presented by: Mayor Ethan Baker*)
-
- C-2** Proclamation to Declare September 2021 as National Recovery Month in the City of Troy (*Presented by: Mayor Ethan Baker*)
-
- C-3** Proclamation to Declare September 2021 as National Suicide Prevention Awareness Month in the City of Troy (*Presented by: Mayor Ethan Baker*)
-

C-4 Proclamation to Recognize Patriot Week September 11 - 17, 2021 (*Presented by: Mayor Ethan Baker*)

C-5 Proclamation for International Day of Peace September 21, 2021 (*Presented by: Mayor Ethan Baker*)

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

F. PUBLIC COMMENT:

In accordance with the Rules of Procedure for the City Council:

Any person not a member of the City Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry or comment. **NOTE TO THE PUBLIC:** *City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.*

- Petitioners of items that are included in the pre-printed agenda booklet shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of City Council.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any Public Hearing item.
- Any member of the public, not a petitioner of an item, does not have the right to engage in discussion or debate with City Council during the Public Comment portions of the meeting.
- All members of the public who wish to address the Council at a meeting shall be allowed to speak only if they have signed up to speak within thirty minutes before or within fifteen minutes after the meeting's start time. Signing up to speak requires each speaker provide his or her name. If the speaker is addressing an item(s) that appears on the pre-printed agenda, then the speaker shall also identify each such agenda item number(s) to be addressed.
- City Council may waive the requirements of this section by a consensus of the City Council.
- Agenda items that are related to topics where there is significant public input anticipated should initiate the scheduling of a special meeting for that specific purpose.

Prior to Public Comment, the Mayor may provide a verbal notification of the rules of decorum for City Council meetings or refer to the pre-printed agenda booklet, which will include the following language, as approved by City Council:

Please direct your comments to the City Council as a whole rather than to any individual. Please do not use expletives or make derogatory or disparaging comments about any individual or group. If you do, there may be immediate consequences, including being muted and having

your comments omitted from any re-broadcast of the meeting. Please abide by these rules in order to minimize the possibility of disrupting the meeting.

G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: a) Mayoral Appointments – None; b) City Council Appointments – None

a) Mayoral Appointments: None

b) City Council Appointments: None

I-2 Board and Committee Nominations: a) Mayoral Nominations – Downtown Development Authority, Global Troy Advisory Committee, Local Development Finance Authority; b) City Council Nominations – Animal Control Appeal Board, Parks & Recreation Board, Traffic Committee

a) Mayoral Nominations:

Suggested Resolution

Resolution #2021-09-

Moved by

Seconded by

RESOLVED, That the Mayor of the City of Troy hereby **FORWARDS** the following nominated person(s) to serve on the Boards and Committees as indicated to the next Regular City Council Meeting for action:

Downtown Development Authority

Appointed by Mayor

13 Regular Members

4 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 2
Baker	Ethan		11/13/2023	At Large	City Council exp. 11/13/23; DDA; GTAC, LDFA
Blair	Timothy	6/17/2017	9/30/2023	In District	
Bush	Cheryl	7/13/2022	9/30/2024	In District	

Keisling	Laurence	9/11/2022	9/30/2024	At Large	
Kiriluk	Alan	9/29/2022	9/30/2024	In District	
Knollenberg	Martin	6/28/2021	9/30/2023	In District	
Koza	Kenny	9/18/2019	9/30/2021	In District	
MacLeish	Daniel	6/28/2023	9/30/2021	In District	
Reschke	Ernest	10/4/2020	9/30/2022	At Large	
Schroeder	Douglas	9/10/2020	9/30/2022	At Large	
Stone	David	3/11/2023	9/30/2023	In District	
Tomcsik-Husak	Tara	9/22/2022	3/30/2024	In District	
Vacancy			9/30/2022	At Large	Ward Randol Jr. resigned 2/1/2021

Nominations to the Downtown Development Authority:

Term Expires: 9/30/2022

Term currently held by: Vacancy–W. Randol Jr. resigned 2/1/21

Term Expires: 9/30/2025

Term currently held by: Kenny Koza

Term Expires: 9/30/2025

Term currently held by: Daniel MacLeish

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1	Notes 2
Ashland	David	11/14/2021	At Large	Liquor Adv Comm exp 1/31/2024
Beyer	Joseph	10/26/2022	In District	
Crawford	Timothy	6/26/2021	At Large	
Forster	Jeffrey	3/23/2023	At Large	Personnel Bd exp 4/30/2024
Goetz	John	3/4/2023	At Large	
Kornacki	Rosemary	12/14/2022	At Large	Brownfield Redev Auth exp 4/30/2023
McGerty	Ryan	2/25/2022	At Large	
Patel	Hitesh	3/23/2023	At Large	
Schick	Michael	12/22/2022	At Large	
Sekhri	Suneel	12/20/2021	At Large	
Sekhri	Arun	9/24/2022	At Large	
Shepherd	John	4/22/2021	At Large	
Singh	Inderpal	11/12/2021	At Large	
Vassallo	Joseph	3/4/2023	At Large	Brownfield Redev Auth exp 4/30/2021

Global Troy Advisory Committee

Appointed by Mayor
12 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1
Baker	Ethan			Council Member
Bica-Grodsky	Lisa	9/23/2022	10/30/2023	
Burrus	MiVida	7/15/2018	10/30/2022	
Fakhoury	Awni	4/28/2018	10/30/2021	
Hao	Kaitlin	9/10/2020	10/30/2022	Resigned 8/20/2021
Liu	Allison	10/1/2022	7/31/2022	Student
Mohideen	Syeda	8/24/2020	10/30/2021	
Natcheva	Daniela	11/8/2021	10/30/2022	
Noguez-Ortiz	Carolina	12/19/2019	10/30/2022	Brownfield Redev Auth exp 4/30/2023
Sekhri	Suneel	12/20/2021	10/30/2021	
Swaminathan	Sharanya		7/31/2022	Student
Vacancy			10/30/2023	Rebecca Chamberlain-Creangă resigned 2/26/2020
Vacancy			10/30/2023	Cathleen Francois requested No Reappointment
Zhou	Yudong	10/23/2021	10/30/2022	

Nominations to the Global Troy Advisory Authority:**Unexpired Term Expiring:
10/30/2022**

Term currently held by: Kaitlin Hao – Resigned 8/20/2021

**Unexpired Term Expiring:
10/30/2023**

Term currently held by: Vacancy–Rebecca Chamberlain-Creangă resigned 2/26/2020

Term Expires: 10/30/2023

Term currently held by: Vacancy – Cathleen Francois - No Reappointment

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Cicchini	Philippe	4/13/2023	
DiFalco	Melissa	12/2/2021	
Faiz	Iqbal	12/4/2022	
Fox	Tyler	11/15/2021	
Jones	Kelly	12/11/2021	Liquor Adv Comm exp 1/31/2023
MacDonell	Sharon	4/13/2023	
Marrero-Laureano	Alexander	10/26/2022	
McGee	Timothy	3/2/2023	
Patel	Hitesh	2/2/2023	
Rahman	Mahfuzur	9/24/2022	
Swaminathan	Abiramasundari	3/6/2022	
Sweidan	Rami	3/2/2023	

Local Development Finance Authority (LDFA)

Appointed by Mayor
5 Regular Members
Staggered 4 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 2
Baker	Ethan		11/13/2023	Alternate; City Council	City Council exp. 11/13/2023; DDA; GTAC, LDFA
Beltramini	Robin	7/17/2021	6/30/2022	Resident Member	Charter Rev Comm exp 4/30/2022
Hodorek	Ellen		11/8/2021	Alternate; City Council	City Council exp 11/8/2021
Hunter	Daniel			Oakland County Designee	
Vacancy			6/30/2023	Resident Member	Paul V. Hoef resigned 4/27/2021
Vacancy			6/30/2024	Resident Member	David Shield's term exp 6/30/2016 - No Reappointment
Vacancy			6/30/2024	Resident Member	John Sharp's unexpired term
Vacancy			6/30/2023	Resident Member	Nickolas Vitale resigned 7/17/2021

Nominations to the Local Development Finance Authority (LDFA):**Unexpired Term Expiring:
6/30/2023****Resident Member**

Term currently held by: Vacant – P. Hoef resigned 4/27/2021

**Unexpired Term Expiring:
6/30/2023****Resident Member**

Term currently held by: Vacant – N. Vitale resigned 7/17/2021

**Unexpired Term Expiring:
6/30/2024****Resident Member**

Term currently held by: Vacant– D. Shields–No Reappointment

**Unexpired Term Expiring:
6/30/2024****Resident Member**

Term currently held by: Vacant – J. Sharp resigned 11/1/2019

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Crawford	Timothy	6/26/2021	
D'Aoust	Allen	5/23/2021	
DiFalco	Melissa	12/2/2021	
Rahman	Mahfuzur	9/24/2022	
Schick	Michael	12/22/2022	
Shepherd	John	4/22/2021	
Sweidan	Rami	4/28/2022	Brownfield Redev Auth exp 4/30/2023
Vassallo	Joseph	3/4/2023	Brownfield Redev Auth exp 4/30/2024
Yu	Fu-Shin	8/20/2021	

Yes:

No:

b) City Council Nominations:**Suggested Resolution**

Resolution #2021-09-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **FORWARDS** the following nominated person(s) to serve on the Boards and Committees as indicated to the next Regular City Council Meeting for action:

Animal Control Appeal Board

Appointed by Council

5 Regular Members

3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 2	Notes 3
Carolan	Patrick	8/28/2021	9/30/2022		
Dombrowski	Douglas	10/11/2022	9/30/2023		
Floch	Patrick	7/14/2023	9/30/2021		
Petrulis	Al	7/19/2023	9/30/2021	ACAB exp 9/30/2021; Traffic Comm exp 1/31/2023; HDC exp 3/1/2023	Requests Reappointment
Saeger	Jayne	9/22/2022	9/30/2023		

Nominations to the Animal Control Appeal Board:**Term Expires: 9/30/2024**

Term currently held by: Patrick Floch

Term Expires: 9/30/2024

Term currently held by: Al Petrulis

Interested Applicants:

No interested applicants on file.

Parks and Recreation Board

Appointed by Council

7 Regular Members and 1 Troy School Board of Education Representative

Regular Member: 3 Year Term / Troy School Board Member: 1 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 3
Brady	Pamela	10/4/2020	9/30/2022		
Brady	Michael	10/4/2020	9/30/2021		
Colussi	Casey	8/20/2022	9/30/2023		
Franklin	Kristin	8/8/2021	9/30/2022	Resigned 9/3/2021	
Fulcher	Timothy	7/2/2023	7/31/2021	Troy School Board of Education Rep	Requests Reappointment
Goul	Brian				

Martin	Kelly	7/11/2021	9/30/2023		
Sahu	Akshitha	9/28/2022	7/31/2021	Student	Graduates 2023
Shepherd	John	7/19/2023	9/30/2021		
Thattai	Govindrajan	4/15/2023	9/30/2022		

Nominations to the Parks and Recreation Board:**Term Expires: 7/31/2022****Troy School Board
of Education Rep**

Term currently held by: Timothy Fulcher

Term Expires: 7/31/2022**Student**

Term currently held by: Akshitha Sahu - Graduates 2023

Term Expires: 9/30/2022

Term currently held by: Kristin Franklin resigned 9/3/2021

Term Expires: 9/30/2024

Term currently held by: Michael Brady

Term Expires: 9/30/2024

Term currently held by: John Shepherd

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Ashland	David	11/14/2021	Liquor Adv Comm exp 1/31/2024
Buechner	Toby	3/22/2023	Charter Rev Comm exp 4/30/2024
Chanda	Hirak	11/25/2021	Historic Dist Comm exp 5/15/2024
Cicchini	Philippe	4/13/2023	
Dicker	Susanne Forbes	8/15/2022	Historic Dist Comm exp 3/1/2023
DiFalco	Melissa	12/2/2021	
Faiz	Iqbal	12/4/2022	
Forster	Jeffrey D.	3/22/2023	Personnel Bd exp 4/30/2024
Fox	Tyler	11/15/2021	
Frederick	Mary	4/28/2023	
Hoef	Paul	12/14/2022	Local Dev Finance Auth exp 6/30/2023
Liu	Allison	10/1/2022	Student – Graduates 2022
McGee	Timothy	3/2/2023	Historic Dist Comm exp 5/15/2024
Patel	Hitesh	3/23/2023	
Sahu	Akhitha		Student – Graduates 2023

Traffic Committee

Appointed by Council
7 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 2
Huotari	William		12/31/2099	Ex-Officio Member	
Kilmer	Richard	1/9/2019	1/31/2023		
Nastasi	Frank		12/31/2099	Ex-Officio Member	
Nurak	Cindy	1/16/2021	1/31/2022		
Petrulis	Al	12/16/2021	1/31/2023		ACAB exp 9/30/2021; HDC exp 3/1/2023
Riesterer	R. Chuck		12/31/2099	Ex-Officio Member	
Shende	Alankar	7/18/2021	7/31/2021	Student	Graduates 2021
Sivaraman	Sunil	12/22/2020	1/31/2022		
Swaminathan	Abi	3/6/2022	1/31/2024		
Wilsher	Cynthia	1/18/2020	1/31/2024		
Ziegenfelder	Peter	12/4/2021	1/31/2023		

Nominations to the Traffic Committee:**Term Expires: 7/31/2022**

Term currently held by: Alankar Shende - Graduates 2021

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Sahu	Akshitha	9/28/2022	Student – Graduates 2023

Yes:

No:

I-3 No Closed Session Requested**I-4 Bid Waiver – Golf Course Maintenance Equipment (*Introduced by: Brian Goul, Recreation Director*)**Suggested Resolution

Resolution #2021-09-

Moved by
Seconded by

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **APPROVES** a contract to *Spartan Distributors of Auburn Hills, MI* for the purchase of TORO grounds maintenance equipment for Sanctuary Lake Golf Course for an estimated cost of \$150,486.98, less a total trade-in amount of \$6,750.00 for an estimated total cost of \$143,736.98.

Yes:
No:

I-5 Bid Waiver – Water Valve Equipment and Parts (Introduced by: Paul Trosper, Water & Sewer Operations Manager)

Suggested Resolution

Resolution #2021-09-

Moved by
Seconded by

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **APPROVES** an ongoing contract for the purchase of pressure reducing valve (PRV) equipment and parts directly from the manufacturer, *Ross Valve Manufacturing Company Inc. of Troy, NY*; not to exceed budgetary limitations.

Yes:
No:

I-6 Open Space Preservation Easement for Meadows of Troy (Introduced by: Lori Grigg Bluhm, City Attorney)

Suggested Resolution

Resolution #2021-09-

Moved by
Seconded by

WHEREAS, Troy City Council granted approval for the Meadows of Troy cluster development, which is nearing completion of final engineering site plan review; and,

WHEREAS, As part of a City Council approved cluster development, the Troy Zoning Ordinance requires a developer to execute a recordable document permanently preserving the dedicated open space, and this document must be acceptable to the Troy City Council; and,

WHEREAS, The attached Open Space Declaration of Easement, Covenant, and Restrictions has been negotiated with the Developer, and if approved by City Council, would be recorded at the Oakland County Register of Deeds, and would require Developer and/or his successors to permanently maintain the dedicated open space set aside as part of the approved cluster development; and,

WHEREAS, As another condition of approval for the Meadows of Troy cluster development, City Council required the developer to submit a parking lot maintenance agreement for the 13-space gravel parking lot associated with the development; and,

WHEREAS, The attached Agreement for Parking Lot Maintenance has been negotiated with the Developer, and if approved by City Council, would be recorded at the Oakland County Register of Deeds. This document requires Developer and/or his successors to maintain the 13-space gravel parking lot located within the development known as Meadows of Troy;

NOW THEREFORE, BE IT RESOLVED, That City Council hereby **APPROVES** the Open Space Declaration of Easement, Covenant, and Restrictions for the cluster development known as Meadows of Troy; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That City Council hereby **APPROVES** the Agreement for Parking Lot Maintenance for the cluster development known as Meadows of Troy; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FINALLY RESOLVED, That the Mayor and City Clerk are **AUTHORIZED** to execute these documents on behalf of the City of Troy.

Yes:

No:

J. CONSENT AGENDA:

J-1a Approval of “J” Items NOT Removed for Discussion

Suggested Resolution

Resolution #2021-09-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item(s) _____, which shall be **CONSIDERED** after Consent Agenda (J) items, as printed.

Yes:

No:

J-1b Address of “J” Items Removed for Discussion by City Council

J-2 Approval of City Council Minutes

Suggested Resolution

Resolution #2021-09-

RESOLVED, That Troy City Council hereby **APPROVES** the following Minutes as submitted:

- a) City Council Minutes-Draft – August 30, 2021

J-3 Proposed City of Troy Proclamations:

Suggested Resolution

Resolution #2021-09-

- a) Proclamation to Celebrate Hispanic Heritage Month – September 2021
b) Proclamation to Celebrate Welcoming Week – September 10 – 19, 2021
c) Proclamation for Childhood Cancer Awareness Month - September 2021

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution #1: Award to Low Bidder – Contract 21-05 – 2021 Sewer Cleaning & Televising**

Suggested Resolution

Resolution #2021-09-

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 21-05, 2021 Sewer Cleaning & Televising, to *Pipetek Infrastructure Services, 861 William, Plymouth, MI 48170* for their low total bid amount of \$195,736.70.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required such additional work is **AUTHORIZED** in an amount not to exceed \$400,000.00 total project cost.

J-5 2022 Annual Permit for Work on State Trunk Line Right of Way and Performance Resolution for Municipalities

Suggested Resolution

Resolution #2021-09-

RESOLVED, That Troy City Council **APPROVES** the Performance Resolution for Municipalities as required by the Michigan Department of Transportation.

BE IT FURTHER RESOLVED, That the City Manager, Public Works Director and City Engineer are **AUTHORIZED** to apply annually to the Michigan Department of Transportation for the necessary permit to work within State Highway Right of Way on behalf of the City.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

- a) September 27, 2021 - Troy Crossing Planned Unit Development (File Number PUD JPLN2021-0008) – Proposed Amendment to Troy Crossing PUD, North Side of Big Beaver, Ease of John R (Parcels 88-20-24-352-067 and -068), Section 24, Currently Zoned PUD 8 (Planned Unit Development 8) District

- b) September 27, 2021 - Conditional Rezoning (CR JPLN2021-001) – Proposed Pine View Condominiums, West Side of Dequindre, North of Long Lake (Parcel 88-20-12-476-070), Section 12, From NN (Neighborhood Node “J”) and EP (Environmental Protection) to NN (Neighborhood Node “J”)

K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted

L. COUNCIL REFERRALS:

Items Advanced to the City Manager by the Mayor and City Council Members for Placement on the Agenda

L-1 No Council Referrals

M. REPORTS:

M-1 Minutes – Boards and Committees: None Submitted

M-2 Department Reports:

- a) 2021 Lead and Copper Rule Monitoring Update
- b) Verizon Small Cell Update

M-3 Letters of Appreciation:

- a) From Sal Trupiano Regarding Excellent Customer Service from Ehaab at the Troy Family Aquatic Center

M-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted

N. COUNCIL COMMENTS:

N-1 No Council Comments

O. CLOSED SESSION

O-1 No Closed Session

P. ADJOURNMENT:

Respectfully submitted,



Mark F. Miller
City Manager

2021 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

November 13, 2021 Special (Strategic Planning)

2021 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

September 27, 2021 Regular Meeting
October 11, 2021 Regular Meeting
October 25, 2021 Regular Meeting
November 8, 2021 Regular Meeting
November 22, 2021 Regular Meeting
December 6, 2021 Regular Meeting
December 13, 2021 Regular Meeting

**PROCLAMATION TO CELEBRATE
TROY RESIDENT AND MISS INDIA USA 2021 WINNER
VAIDEHI DONGRE**

WHEREAS, Since 1980, the Miss India USA pageants have provided a platform to empower and encourage women to further their goals while celebrating their Indian heritage; and

WHEREAS, Sixty-one contestants from 30 states competed in the 2021 Miss India USA, Mrs. India USA, and Miss Teen India USA in New Jersey in July 2021; and

WHEREAS, On July 18, 2021, 25-year-old Troy resident and business development manager **Vaidehi Dongre** was crowned **Miss India USA**; and

WHEREAS, **Vaidehi Dongre** is a graduate of the University of Michigan with a degree in International Studies; and

WHEREAS, She also won the Miss Talented Award for her flawless performance of an Indian classical dance form Kathak; and

WHEREAS, **Vaidehi Dongre** strives to be a role-model for young girls and promote women's financial independence and literacy; and

WHEREAS, **Vaidehi Dongre** will represent the United States at the Miss India Worldwide pageant this fall in Mumbai;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Troy hereby congratulate **Vaidehi Dongre** on her accomplishment in winning the **2021 Miss India USA** competition and wish her the best of luck in the Miss India Worldwide pageant; and

BE IT FURTHER RESOLVED, that the Mayor and City Council of the City of Troy invite all residents to celebrate **Vaidehi Dongre's** achievement and thank her for being a great role model for our City and the Indian community.

Presented this 13th day of September 2021

**PROCLAMATION
TO DECLARE SEPTEMBER 2021
AS NATIONAL RECOVERY MONTH
IN THE CITY OF TROY**

WHEREAS, Substance use recovery is important for individual well-being and vitality, as well as for families, communities and businesses; and

WHEREAS, According to the Substance Abuse and Mental Health Services Administration in 2019, 9.5 million people ages 18 and older had both a substance abuse disorder and a mental illness; and

WHEREAS, We will continue to educate and raise awareness of the risks and potential harm associated with prescription drug misuse. We believe everyone facing substance use disorders deserves the benefit of recovery; and

WHEREAS, Stigma and stereotypes associated with substance use disorders often keep people from seeking treatment that could improve quality of life. Substance use disorders occur when the recurrent use of alcohol and/or drugs causes clinically or functionally significant impairment, such as health problems, disability, and failure to meet major responsibilities at work, school, or home; and

WHEREAS, Substance use disorder recovery is a journey of healing and transformation, enabling people to live in a community of his/her choice while striving to achieve his/her full potential; and

WHEREAS, Substance use disorder recovery benefits individuals with substance use disorders by focusing on their abilities to live, work, learn, and fully participate and contribute to our society, and also enriches the culture of our community; and

WHEREAS, Thursday, September 16, 2021, marks the 14th Annual Oakland County Substance Abuse Recovery Celebration and Walk, held at Oakland Community Health Network's Troy Location at 5505 Corporate Drive;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby recognizes **September 2021 as National Recovery Month**; and

BE IT FURTHER RESOLVED, That the City Council of the City of Troy joins with Oakland Community Health Network and calls upon our citizens, public and private institutions, businesses, and schools to recommit our community to increasing awareness and understanding of substance use, and the need for appropriate and accessible services to promote recovery.

Presented this 13th day of September 2021.

**PROCLAMATION
TO DECLARE SEPTEMBER 2021 AS
NATIONAL SUICIDE PREVENTION AWARENESS MONTH
IN THE CITY OF TROY**

WHEREAS; September is known as National Suicide Prevention Awareness Month and is intended to help promote awareness surrounding suicide prevention resources available in our community. The simple goal is to learn how to help those around us and how to talk about suicide without increasing the risk of harm; and

WHEREAS; World Suicide Prevention Day is observed each year on September 10; and

WHEREAS, Suicidal thoughts can affect anyone regardless of age, gender, race, orientation, income level, religion, or background. According to the CDC, each year more than 48,000 people die by suicide; and

WHEREAS; In May 2020, during the COVID-19, hospital visits for suspected suicide attempts increased among adolescents aged 12-17 years, especially girls; and

WHEREAS; Local organizations like Suicide Prevention Services and national organizations like the National Alliance on Mental Illness and National Suicide Prevention Lifeline work to help individuals in crisis and provide resources to shed light on the battles of suicide and mental illness which often remain too taboo to discuss; and

WHEREAS; The City of Troy is no different than any other community in the country, but chooses to publicly state and place our full support behind local educators, mental health professionals, athletic coaches, scout leaders, police officers, and parents, as partners in supporting our community in simply being available to one another; and

WHEREAS, All members of our community should understand that throughout life's struggles everyone needs the occasional reminder that we are all silently fighting our own battles; and

WHEREAS, Every year thousands of individuals die by suicide, leaving behind friends and family members to navigate the tragedy of loss. Often feelings of shame and stigma prevent them from talking openly; and

WHEREAS, We encourage all residents to take the time to inquire as to the wellbeing of their family, friends, and neighbors and to genuinely convey their appreciation for their existence by any gesture they deem appropriate. A simple phone call, message, or hug can go a long way towards helping someone realize that suicide is not the answer;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby proclaims the month of September 2021, as National Suicide Prevention Awareness Month in the City of Troy, and encourages all residents to support one another as partners to support our community; and

BE IT FURTHER RESOLVED, That we commend Oakland Community Health Network's commitment to being a Zero Suicide organization and cultivating a network of providers who are engaged in the Zero Suicide philosophy; and

BE IT FURTHER RESOLVED, That we encourage everyone to practice kindness and acceptance for one another as we live and work together in the City of Troy.

Presented this 13th Day of September 2021.

**PROCLAMATION TO RECOGNIZE
PATRIOT WEEK
SEPTEMBER 11 - 17, 2021**

WHEREAS, The history and First Principles of the United States of America should serve as the cornerstone of civic education. In great reverence to the victims of the 9/11 attacks, we acknowledge that American citizens must take time to honor the principles, founders, documents, and symbols of their history; and

WHEREAS, The events that led to the signing of The Constitution of the United States of America by the delegates of the Constitutional Convention on September 17, 1787, have significance for every American and are honored in public schools across the nation on **September 17 as Constitution Day**; and

WHEREAS, Revolution, the rule of law, social compact, equality, unalienable rights, and limited government are the First Principles upon which America was founded and flourishes; and

WHEREAS, Exceptional, visionary, and indispensable Americans such as Thomas Paine, Patrick Henry, John Adams, John Marshall, George Washington, Abraham Lincoln, Frederick Douglass, Martin Luther King, Jr., Elizabeth Cady Stanton, Susan Anthony, Thomas Jefferson, and James Madison founded and advanced the United States; and

WHEREAS, The Bennington Flag, work of Betsy Ross, American Flag, Suffragist Flag, Union Flag, Gadsden Flag, and the flag of the state of Michigan are key physical symbols of American history that should be studied and remembered by each American citizen;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council does hereby proclaim **September 11-17, 2021** as **Michigan Patriot Week** in the City of Troy, Michigan, symbolically beginning this celebration on **September 11, concluding on Constitution Day, September 17**; and

BE IT FURTHER RESOLVED, That the City Council calls upon the citizens, businesses, nonprofit organizations, and schools in Troy to recognize and participate in this extended holiday by honoring and celebrating the First Principles, key historical figures, founding documents, and symbols of America so that they may offer the reverence that is due to our free republic.

Presented this 13th day of September 2021.

**PROCLAMATION
INTERNATIONAL DAY OF PEACE
SEPTEMBER 21, 2021**

WHEREAS, The issue of peace embraces the deepest hopes of all peoples and remains humanity's guiding inspiration; and

WHEREAS, In 1981 the United Nations proclaimed the **International Day of Peace** be devoted to commemorating and strengthening the ideals of peace both within and among all nations and peoples; and

WHEREAS, The United Nations expanded the observance of the **International Day of Peace in 2001** to include the call for a day of global ceasefire and non-violence, and invited all nations and people to honor a cessation of hostilities for the duration of the Day; and

WHEREAS, There is growing support within our City for the observance of the **International Day of Peace**, which affirms a vision of our world at peace, and fosters cooperation between individuals, organizations and nations; and

WHEREAS, Global crises impel all citizens to work toward converting humanity's noblest aspirations for world peace into a practical reality for future generations; and

WHEREAS, The **2021 Peace Day Theme** "Recovering Better for an Equitable and Sustainable World" invites everyone to join the efforts of the United Nations family to focus on recovering better for a more equitable and peaceful world;

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Troy does hereby proclaim **September 21, 2021 as International Day of Peace** in the City of Troy and urges all citizens to join us in recognizing this day to discover different faith traditions' teaching on peace or any other education and public awareness activities in order to help establish a global day of peace in our homes, our communities and between nations; and

BE IT FURTHER RESOLVED, That the City Council urges all government agencies, organizations, schools, places of worship and individuals in our City to commemorate the **International Day of Peace** including joining the Troy Interfaith Group at their monthly meetings and events. There are special programs year-round for people to engage in dialogues about peace, faith, and justice among all religions locally and globally.

Presented this 13th day of September 2021.



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Date: September 6, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Rob Maleszyk, Chief Financial Officer
Lisa Burnham, Controller
Brian Goul, Recreation Director
Emily Frontera, Purchasing Manager

Subject: Bid Waiver – Golf Course Maintenance Equipment

History

- The average age of the current ground's maintenance equipment at the Sanctuary Lake Golf courses is 15-20 years.
- The City is eligible to utilize the OMNIA Partners Purchasing Cooperative or the Indigo Golf TROON contract pricing in order to purchase replacement grounds maintenance equipment for the golf courses at the most advantageous prices for the City.
- Indigo Golf, which was recently acquired by TROON the industry leader in golf course and private club management, has secured pricing for four new pieces of machinery to replace the deteriorating equipment.
- In 2013, 2015, and 2019 the City purchased replacement equipment. (Resolution 2013-07-125-J-5, 2015-07-098-J-4b, and 2019-07-083-J-5).
- The grounds equipment needs to be replaced as it has reached the end of its lifecycle and is necessary to maintain the course landscaping.

Purchasing

- The City has the ability to purchase this equipment cooperatively utilizing the OMNIA Partners Cooperative Contract or Indigo Golf TROON National Account pricing.
- Upon analysis of the OMNIA Partners Cooperative Contract and Indigo Golf TROON National Account pricing, this purchase is recommended for award utilizing the Indigo Golf TROON National Account pricing as detailed and summarized in the attached tabulation.
- The ground maintenance equipment in total will be purchased based on the Indigo Golf contracted pricing, which includes a trade-in the amount of \$6,750 for the obsolete equipment.
- Purchasing this equipment utilizing the Indigo Golf TROON contracted pricing rather than the OMNIA Cooperative Contract will save the City an additional \$13,975.

Financial

Funds are budgeted and available in the Sanctuary Lake Capital General Equipment Fund for the 2022 fiscal year.



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CITY COUNCIL AGENDA ITEM

Sanctuary Lake	Qty.	Equipment	Total	Project#
	1	Toro Sand Pro 5040	\$28,078.57	2022C0096
	1	Toro Reelmaster 5410-D	\$54,491.32	2022C0097
	1	Toro Multi Pro 5800-G with ExcelaRate	\$55,304.49	2022C0098
	1	Cozy Cab for Multi Pro 5800-G	\$12,612.60	2022C0163
Grand Total All Equip.			\$150,486.98	
LESS Trade-ins			\$6,750	
TOTAL PURCHASE PRICE			<u>\$143,736.98</u>	

Recommendation

City management recommends that the bid process be waived and a contract be awarded to *Spartan Distributors of Auburn Hills, MI* for the purchase of TORO grounds maintenance equipment for Sanctuary Lake Golf Course for an estimated cost of \$150,486.98, less a total trade-in amount of \$6,750.00 for a total estimated cost of \$143,736.98.

Opening Date: N/A
Date Prepared: 9/1/2021

CITY OF TROY
BID TABULATION
Grounds Maintenance Equipment - Golf Courses

Bid Waiver

QTY DESCRIPTION	TROON/TORO CONTRACTED PRICING		OMNIA Partners CONTRACT #2017025	
	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1 TORO Sand Pro 5040 (#08745) (1) Flex Blade (08713) (1) Front Lift Frame Assembly (08712) (1) Tooth Rake (08751) (1) Spring Rake (#08752) (1) QAS Spiker (#08755) (1) Coco Drag Mat (#087587) (1) Drag Mat Carrier System (#08756) (1) Pivot Trowel Kit (QAS Tooth Rake) (#119-7158) (3) Smooth Tire (#112-0034) (1) LED Light Kit (#08740) (1) Light Kit Harness (#140-0333)	\$28,078.57	\$28,078.57	\$30,855.01	\$30,855.01
1 TORO Reelmaster 5410-D (#03606) (5) 22" x 5" Verticutter Reel (#03618) (1) 5" Weight for CU's w/ No Attachments (#03412)	\$54,491.32	\$54,491.32	\$60,117.72	\$60,117.72
1 TORO Multi Pro 5800-G w/ ExcelaRate (#41394) (12) Gray 0.60 gpm nozzle @ 40 PSI (#120-0703) (12) White 0.80 gpm nozzle @ 40 PSI (#120-0704) (1) LED Rear Work Light Kit (#41010) (1) Foam Marker Kit (#41249) (1) 30 Gallon Fresh Water Rinse Kit (#41614) (1) Pivoting Electric Hose Reel Kit (#41621) (1) Block Fuse (#92-2641) (1) Heavy Duty Spring Kit (#120-8508) (1) Finish Kit, Foam Marker (#136-0458)	\$55,304.49	\$55,304.49	\$60,876.87	\$60,876.87
1 Cozy Cab for Multi Pro 5800-G (#A-11836) (1) Wiper Kit (#A-11838) (1) Air Conditioner Kit (#A-12235) (1) Full View Interior Mirror (#A-11840) Installation Labor	\$12,612.60	\$12,612.60	\$12,612.60	\$12,612.60
TOTAL ALL TORO ITEMS		\$150,486.98		\$164,462.20
LESS TRADE-INS		\$6,750.00		\$6,750.00
TOTAL PURCHASE PRICE		\$143,736.98		\$157,712.20
Savings utilizing Indigo Golf TROON Contracted Pricing:		\$ 13,975.22		

GRAND TOTAL FOR ALL (4) PIECES OF EQPT.

\$143,736.98

Boldface Type Denotes Lowest Contracted Pricing for the TORO equipment.

Emily Frontera
Purchasing Manager



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I-05

CITY COUNCIL AGENDA ITEM

Date: September 2, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Lisa Burnham, Controller
Kurt Bovensiepe, Public Works Director
Paul Trosper, Water and Sewer Operations Manager
Emily Frontera, Purchasing Manager

Subject: Bid Waiver – Water Valve Equipment and Parts

History

The Water and Sewer Division of the Department of Public Works is responsible for installing, maintaining, and repairing all water valves within the City of Troy. Troy currently has 11 pressure reducing vaults which store a total of 23 pressure reducing valves (PRVs). In order to properly maintain water pressure and flow within the City, it is critical that these valves remain in operation. The PRVs require frequent maintenance and replacement of complete internal wearable parts on an annual basis. The City of Troy water system currently has three types of PRVs, manufactured by three different companies. The breakdown of the PRVs are as follows:

- (15) Ross Valve Manufacturing Company Inc. of Troy, NY
- (4) GA (Golden Anderson) Industries, Inc. of Cranberry, PA
- (4) Cla-Val Company of Costa Mesa, CA

Due to the frequency of valve maintenance and the large number of Ross valves in the system, it is in the City's best interest to have a blanket contract with Ross Valve as a sole source provider. This is particularly important during instances of unforeseen issues that require immediate maintenance; it will allow us to expedite parts for critical repairs to avoid any long-term disruptions in water service.

Purchasing

- Both scheduled and unforeseen repairs, replacements, and maintenance on PRVs dictates the need to purchase Ross valves and parts on an as needed basis.
- *Ross Valve Manufacturing Company Inc. of Troy, NY* has authorized the City of Troy to purchase directly and receive distributor discounted pricing for its equipment and replacement parts.
- It is not possible to secure competitive bids because Ross Valve is the sole source manufacturer for Ross brand valves and parts. By purchasing directly from the manufacturer, the City is receiving a greater discount than through distribution.
- A bid waiver is requested to purchase on an as needed basis valves and the associated parts from *Ross Valve Manufacturing Company Inc. of Troy, NY* on an ongoing basis, not to exceed budgetary limitations.



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CITY COUNCIL AGENDA ITEM

Financial

Funds for the purchase of water valves and parts are budgeted and available in the Water Division Maintenance of Mains operating account number 591.537.541.7740.010.

Recommendation

City Management recommends that the bid process be waived and an ongoing contract be established with *Ross Valve Manufacturing Company Inc. of Troy, NY* for the purchase of Ross Valve equipment and associated parts on an as needed basis, not to exceed budget limitations.



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CITY COUNCIL AGENDA ITEM

Date: September 7, 2021

To: Honorable Mayor and Members of the Troy City Council

From: Lori Grigg Bluhm, City Attorney
Julie Quinlan Dufrane, Assistant City Attorney

Subject: Open Space Preservation Easement for Meadows of Troy

On June 14, 2021, City Council approved a 31-unit cluster development proposed by Robertson Bros Co for property located east of John R and north of Square Lake Road which is zoned R-1D, one family residential. Under the City's Zoning Ordinance and as a condition of final site plan approval, a developer who chooses to use the Cluster Option must set aside dedicated open space through an irrevocable conveyance. (Troy Zoning Ordinance 10.04.D.7).

For this project, the developer proposes to preserve thirty percent (30%) of the twelve (12) acres it owns. The City's Zoning Ordinance provides that the irrevocable conveyance must be perpetually maintained by the parties that have an ownership interest in the open space in accordance with the landscape plan and the open space agreement. It further provides that if the owners fail to maintain it such that it becomes a public nuisance, then the City may undertake maintenance and annually assess costs. Finally, the open space must forever remain open space as approved on the Final Site Plan, however, accessory structures are permitted as long as they do not exceed one percent (1%) of the open space area. The Zoning Ordinance also specifically requires that the conveyance shall prohibit dumping or storing of material or refuse, activity that causes soil erosion, cutting live plant material except for dying or diseased vegetation, and the use of motorized vehicles. The developer also followed through on the requests made by the Planning Commission and by City Council to implement provisions of the Healthy Lawn Care Program for Watershed ("HLCP").

City Council also conditioned approval of the project on the submission of a parking lot maintenance agreement with the City. The 13-space gravel parking lot located on the property will provide parking for motor vehicles and will allow visitors to access the open space area, a trail head, and other nature trails located within the Meadows of Troy development and adjacent property.

The Developer needs the City Council's approval and then needs to record the attached documents with the Oakland County Register of Deeds before obtaining final site plan approval.

Recommendation

We have reviewed the attached Declaration of Easement, Covenant, and Restrictions for Open Space, and also the attached Agreement for Parking Lot Maintenance, and recommend approval of both documents.



500 West Big Beaver
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CITY COUNCIL AGENDA ITEM

Attachments:

Excerpts of City Council Minutes June 14, 2021

Declaration of Easement, Covenant, and Restrictions for Open Space with Exhibits

Agreement for Parking Lot Maintenance with Exhibits

DECLARATION OF EASEMENT, COVENANT, AND RESTRICTIONS FOR OPEN SPACE

This Declaration of Easement, Covenant, and Restrictions for Open Space in the One-Family Cluster Development ("**Declaration**") is entered into this _____ day of _____, 2021, by **Robertson Meadows, LLC**, a Michigan limited liability company ("**Developer**").

RECITALS:

A. Developer is the owner of certain real property located in the City of Troy (the "**City**"), Oakland County, Michigan, which is more particularly described on **Exhibit A** attached hereto ("**Property**") which Developer is developing as a single-family residential condominium project known as Meadows of Troy, a cluster development (the "**Condominium Project**").

B. The Condominium Project is being developed pursuant to the One-Family Cluster Option under Section 10.04 of the City's Zoning Ordinance. Section 10.04 D7 of the City's Zoning Ordinance requires that a dedicated open space be set aside and a document recorded with the Oakland County Register of Deeds to preserve and protect the "**Open Space**" in the approved site plan for the Condominium Project and described in **Exhibit B** attached.

C. The Site Plan for the Property approved by the City of Troy preserves significant natural features as determined by the City Council.

Therefore, Developer hereby declares that the Condominium Project shall be owned, occupied and conveyed subject to the easement, covenants and restrictions which are set forth below, all of which shall run with the land and bind the Condominium Project and all parties that hereafter have any right, title or interest in and to the Condominium Project, or any portion thereof.

1. **Use Restrictions and Conservation Easement.** Except for construction of a storm water drainage system and detention pond, gravel parking area, walking paths or nature trails, and a trailhead, and except as otherwise set forth below, the Open Space shall be preserved in perpetuity in its natural and undeveloped condition. The owners of condominium units within the Condominium Project and the association formed to administer the affairs of the Condominium Project (the "**Condominium Association**"),

shall refrain from and prevent any other person from altering or developing the Open Space in any way, except as otherwise provided below. The Open Space shall be maintained in accordance with all statutes, ordinances and regulations of the City, including but not limited to Article 10 of the City's Zoning Ordinance, One Family Cluster Option, and any other laws as may be in effect and pertinent thereto from time to time. Neither the Condominium Association nor any co-owner of the Condominium Project shall modify, fill, construct within or otherwise disturb the Open Space without the approval of the City and any other public agency having jurisdiction and the Condominium Association and all co-owners shall observe this requirement in perpetuity.

Under no circumstances shall the Open Space be used for the purposes as follows:

- (a) Dumping or storing of any material or refuse;
- (b) Activity that may cause risk of soil erosion or threaten any living plant material;
- (c) Cutting or removal of live plant material except for removal of dying or deceased vegetation;
- (d) Use of motorized off-road vehicles, except for maintenance of the stormwater system; and
- (e) Cutting, filling or removal of vegetation from wetland areas, except as needed to construct the detention pond.

In keeping with the Healthy Lawn Care Program ("HLCP") for Watershed Program, the following shall be implemented as a lawn care program with respect to the the individual units in the Condominium Project:

- (a) HLCP representative shall conduct an initial on-site consultation/assessment;
- (b) Soil nutrient tests will be conducted;
- (c) No phosphorus or low-phosphorus fertilizer in accordance with state law is permitted;
- (d) Slow-release nitrogen fertilizer (40% in slow-release form) is permitted,
- (e) HLCP shall advise on proper maintenance practices such as mowing and irrigation;
- (f) Fertilizer quantities of two, three, or four pounds per 1000 square feet, may be applied over the growing season;
- (g) Permitted weed control options: Zero pesticides; Spot-treatment for weeds; and/or One-time rescue operation for weed control;
- (h) Insect control only after identification of problem on site; and,
- (i) No fertilizers shall be used within twenty (20) feet of the Open Space.

The Condominium Association is responsible for the maintenance of the Open Space which includes the maintenance, replacement and planting of trees and shrubs located within the Open Space area as of the date of this Declaration, the maintenance of the storm water drainage system and detention pond, walking paths and nature trails and the gravel parking area. In accordance with the City of Troy Ordinance, the Open Space may be used only for purposes approved by the City. Further, subdivision of the Open Space or its use for purposes other than set forth on the City approved site plan, is strictly prohibited. This provision shall serve as notice to the Condominium Association and all co-owners and successors that the Condominium Project has been developed using environmental conservation methods approved by the City and, accordingly, the Condominium Association, co-owners and their agents, delegees and assigns, and successors may be liable in damages or otherwise for invading or disturbing any of the designated Open Space in any manner not permitted herein or as otherwise approved by the City.

2. **Administration and Maintenance of Open Space.** The master deed that establishes the Condominium Project (the "**Master Deed**") will depict the designated Open Space as a general common element that benefits the Condominium Project. The Condominium Project is subject to this Declaration which restricts the use of the Open Space as natural and undisturbed open space, except as otherwise provided herein or as otherwise approved by the City. The Master Deed may include additional restrictions, rules and regulations regarding the designated Open Space, provided that such restrictions, rules and regulations are consistent with the covenants and restrictions contained in this Declaration.

(a) For purposes of this subparagraph (a), the Developer of the Condominium Project shall be deemed to be the owner of the Condominium Project during the period such Developer owns any portion of the Condominium Project (including any units therein) and Developer shall be responsible for maintenance of the Open Space until that responsibility is transferred to the Condominium Association, at which time the Condominium Association shall be deemed to be the owner of the Condominium Project. In the event that the Developer or the Condominium Association fails to preserve or maintain the designated Open Space area as outlined in this Declaration such that it becomes a public nuisance, the City may serve written notice upon the Developer or Condominium Association detailing the deficiencies in maintenance and/or preservation. Notice shall set a date for any deficiencies to be cured. If the identified deficiencies are not timely cured, then the City may issue citations for violation of any City Code. If the deficiencies concern any portion of this Declaration, then a hearing may be held before City Council or such other Council, Body or official delegated by City Council for the purpose of allowing the Developer or Condominium Association to be heard as to why the City should not proceed with maintenance and/or preservation of the Open Space areas which has not been done. At the hearing, the time for curing the deficiencies and the hearing itself may be extended and/or continued to a date certain. If, following the hearing, the City Council, or other body or official designated to conduct the hearing

determines that maintenance and/or preservation have not been undertaken within the time specified in the notice, the City shall have the power and authority but not the obligation to enter upon the Property, or cause its agents or contractors to enter upon the Property and perform such maintenance and/or preservation as reasonably found by the City to be appropriate. The cost and expense of making and financing such maintenance and/or preservation, including the cost of notices by the City and reasonable legal fees incurred by the City, plus an administrative fee in the amount of 25% of the total of all costs and expenses incurred, shall be paid by the Condominium Association, and such amount shall constitute a lien on an equal pro rata basis as to all of the units of the condominium. The City may require the payment of such monies prior to the commencement of work. If Developer or Condominium Association has not paid the billed costs and expenses within 30 days, all unpaid amounts may be placed on the delinquent tax roll of the City, pro rata, as to each unit, and shall accrue interest and penalties, and shall be collected as, and shall be deemed delinquent real property taxes, according to the laws made and provided for the collection of delinquent real property taxes. In the discretion of the City, such costs and expenses may be collected by suit initiated against the responsible Condominium Association, and, in such event, the Condominium Association shall pay all court costs and reasonable attorney fees incurred by the City in connection with such suit.

3. **Model.** One model unit shall be permitted at a location to be determined by the Developer. The model unit may be staffed by a licensed real estate agent during normal daytime hours up to seven days a week. At the risk to the Developer, construction of the model home shall be permitted prior to the completion and acceptance of land development. The model building permit shall be expeditiously reviewed by the City immediately following final engineering plan approval.

4. **Miscellaneous.**

(a) This Declaration and the covenants and restrictions contained in this Declaration shall run with the land, and shall bind and inure to the benefit of the Condominium Project and the future owners thereof.

(b) The captions preceding the text of each paragraph are included only for convenience. Captions shall be disregarded in the construction and interpretation of this Declaration.

(c) Invalidity of any of the provisions contained in this Declaration shall in no way affect any of the other provisions hereof and shall remain in full force and effect.

(d) Except as provided below, this Declaration may not be amended or otherwise modified without the prior approval of the City Council. This Declaration is an integral component of the City's approval of the site plan and development of the Condominium Project. Accordingly, the City shall be deemed a third party

beneficiary of this Declaration and the City (or other governmental entity succeeding to the authority of the City (e.g. if the City is annexed into or becomes part of a city)) shall have the right to enforce the covenants and restrictions set forth in this Declaration. For purposes of this Declaration, the Developer shall be deemed to be the owner of the Condominium Project during the period the Developer owns any portion of the Condominium Project (including units therein) and thereafter the Condominium Association shall be deemed to be the owner of the Condominium Project for purposes of this Declaration. An amendment to this Declaration shall be effective upon the recordation of such amendment with the Oakland County, Michigan Register of Deeds.

(e) Nothing contained herein shall be deemed to be a gift or dedication. Except as herein specifically provided, no right, privileges or immunities of any owner of all or any portion of the Condominium Project shall inure to the benefit of any third party, nor shall any third party other than the City be deemed to be a beneficiary of any of the provisions of this Declaration.

(f) This Declaration shall not merge by virtue of either the Developer, or successors in title, holding title to any all or any portion of the Condominium Project.

(g) A delay in enforcement shall not be construed as a waiver of the School District's, Developer's, Condominium Association's or the City's right to enforce the covenants and restrictions of this Declaration.

(h) This Declaration shall be liberally construed in favor of maintaining the purpose of the Open Space.

(i) In the event of breach of this Declaration by the Developer of the Condominium Project, the Condominium Association or any third party, any violating party, shall pay to the enforcing party the enforcing party's actual attorneys' fees and expenses incurred by the party in the enforcement of this Declaration and the restrictive covenants contained herein, which sums shall be payable. Failure to pay the party's costs and attorney fees is a breach of this Declaration prior to a violating party being deemed to have corrected any such violation.

IN WITNESS WHEREOF, this Declaration for One-Family Cluster Option has been executed as of the ____ day of _____, 20__.

(BALANCE OF PAGE INTENTIONALLY LEFT BLANK)

Developer:

ROBERTSON MEADOWS, LLC, a
Michigan limited liability company

By: Robertson Brothers Co.,
a Michigan corporation, Manager

By: _____
James V. Clarke, President

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me on this _____ day of _____, _____, by James V. Clarke, the President of Robertson Brothers Co., a Michigan corporation, Manager of Robertson Meadows, LLC, a Michigan limited liability company, on behalf of the corporation and company.

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

EXHIBIT A

PROPERTY

Land in the City of Troy, Oakland County, MI, described as follows:

Commencing at the Southwest corner of Section 1, Town 2 North, Range 11 East; Thence South 88 degrees, 30 minutes, 57 seconds East 1310.47 feet; Thence North 01 degrees, 14 minutes, 37 seconds West 60.07 feet to the point of beginning; Thence North 01 degrees, 14 minutes, 37 seconds West 625.45 feet; Thence South 89 degrees, 59 minutes, 21 seconds East 857.91 feet; Thence South 00 degrees, 07 minutes, 28 seconds West 646.98 feet; Thence North 88 degrees, 30 minutes, 57 seconds West to the point of beginning.

EXHIBIT B

OPEN SPACE AREA

PART OF THE NORTHWEST FRACTIONAL OF SECTION 1 AND PART OF THE SOUTHWEST 1/4 OF SECTION 1, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 1; THENCE SOUTH 88 DEGREES 30 MINUTES 57 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 1, 1310.47 FEET AND NORTH 01 DEGREES 14 MINUTES 37 SECONDS WEST 60.07 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF E. SQUARE LAKE ROAD (120' WIDE); THENCE NORTH 01 DEGREES 14 MINUTES 37 SECONDS WEST ALONG THE EAST LINE OF CHESAPEAKE GROVE, OAKLAND COUNTY CONDOMINIUM SUBDIVISION PLAN No. 1827, AS RECORDED IN LIBER 40338, PAGE 751, OAKLAND COUNTY RECORDS AND SQUARE LAKE PLACE SUBDIVISION, AS RECORDED IN LIBER 189 OF PLATS, ON PAGES 20 AND 21, OAKLAND COUNTY RECORDS, 285.32 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EAST LINE OF CHESAPEAKE GROVE NORTH 01 DEGREES 14 MINUTES 37 SECONDS WEST, 340.13 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 21 SECONDS EAST, 857.91 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 30 SECONDS WEST, 257.20 FEET; THENCE NORTH 89 DEGREES 52 MINUTES 34 SECONDS WEST, 170.15 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 36 SECONDS WEST, 35.21 FEET; THENCE NORTH 89 DEGREES 52 MINUTES 31 SECONDS WEST, 125.00 FEET; THENCE SOUTH 00 DEGREES 05 MINUTES 36 SECONDS WEST, 62.49 FEET; THENCE NORTH 88 DEGREES 30 MINUTES 57 SECONDS WEST, 554.89 FEET TO THE POINT OF BEGINNING.

CONTAINING: 274,171.84 SQUARE FEET OR 6.29 ACRES


EXHIBIT B

design studio

LAND
landscape architecture / land planning

750 Forest Ave. - Suite 101
Birmingham, MI 48009
T: 248.594.3220

LEGEND

 = Existing Trees, To Remain

Landscape Requirement Summary

Diversity of Plant Material
Required: Minimum 50% of the total proposed plantings are native tree and shrub species
Proposed: 92% native tree and shrubs species

Greenbelt Landscape
Required: Min. 10' width Greenbelt along Public Road R.O.W.
Proposed: 10' width Greenbelt along Square Lake R.O.W.
Required: 1 Deciduous Tree per 30 LF of Greenbelt
Greenbelt Length: 843.45 LF
Required: 29 Trees
Proposed: 29 Trees

Street Tree Landscape
Required: 1 Tree per 50 LF internal road frontage
Unit 1-5 Frontage: 269.83 LF
Required: 6 Trees
Proposed: 6 Trees
Unit 6 W. Frontage: 112.98 LF
Required: 3 Trees
Proposed: 2 Trees
Unit 6-13 S. Frontage: 520.75 LF
Required: 11 Trees
Proposed: 10 Trees
Unit 13-15 Frontage: 227.87 LF
Required: 5 Trees
Proposed: 5 Trees
Unit 16-22 Frontage: 386.58 LF
Required: 8 Trees
Proposed: 8 Trees
Unit 23 E. Frontage: 100.03 LF
Required: 3 Trees
Proposed: 2 Trees
Unit 23-31 Frontage: 520.08 LF
Required: 11 Trees
Proposed: 10 Trees
Unit 31 W. Frontage: 130.15 LF
Required: 3 Trees
Proposed: 2 Trees

Woodland Replacement Summary

Total Trees Surveyed: 1,019
- Total Trees Offsite: 27
Total Onsite Trees: 992

Total Trees Saved: 237

Total Trees Removed: 755
- Woodland Trees: 322
- Woodland Tree DBH: 2,889.00"
- Landmark Trees: 13
- Landmark Tree DBH: 220.00"
- Exempt Trees: 420"
*Exempt Trees include prohibited trees species, and Poor Quality Trees

Replacement Requirements:
Required: 50% of Woodland Tree DBH Removed
100% of Landmark Tree DBH Removed
Required: 1,664.50"
Provided: 6,028***
**6,028.00" provided from Existing Trees saved on site at a rate of 2x the inch for inch equivalent.

Additional Trees Preserved Onsite:
Additional Tree Preservation Area Onsite: 64,126.40 sf (1.47 Ac.)
*Trees within this Preservation Area are determined by Representative Tree Plots at the following calculations
Representative Tree Plot: 100'x100' (1,000 sf)
- Woodland Trees: 21 at 8" average = 168" DBH
- Landmark Trees: 2 at 12" average = 24" DBH
- Invasive Trees: 14 (Exempt for Replacement)
- Total DBH per Plot: 192"
Additional Tree Preservation
- Tree Plots per Area: 64,126.40 / 1,000 = 64.13
- Additional DBH Saved: 12,312.96"
Total Replacement Credit: 18,876.96"



■ sheet title:

Overall Landscape Plan

■ project title:

Meadows of Troy

City of Troy, Michigan

■ prepared for:

Robertson Brothers Homes
6905 Telegraph Rd. - Suite 200
Bloomfield Hills, MI 48301

Phone: 248.657.4968

■ job number:

18028

■ date:

07.28.2020

■ drawn by:

EMJ

■ checked by:

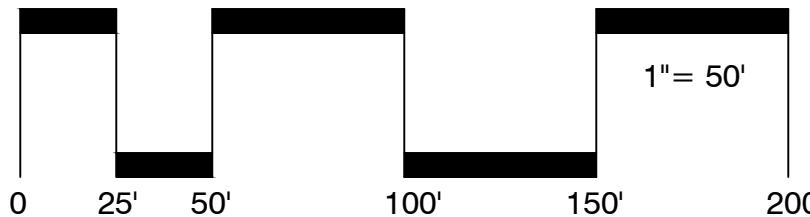
WTK

■ revisions:

09.21.2020 Per Engineering Revisions



Know what's below.
Call before you dig.



sheet no.

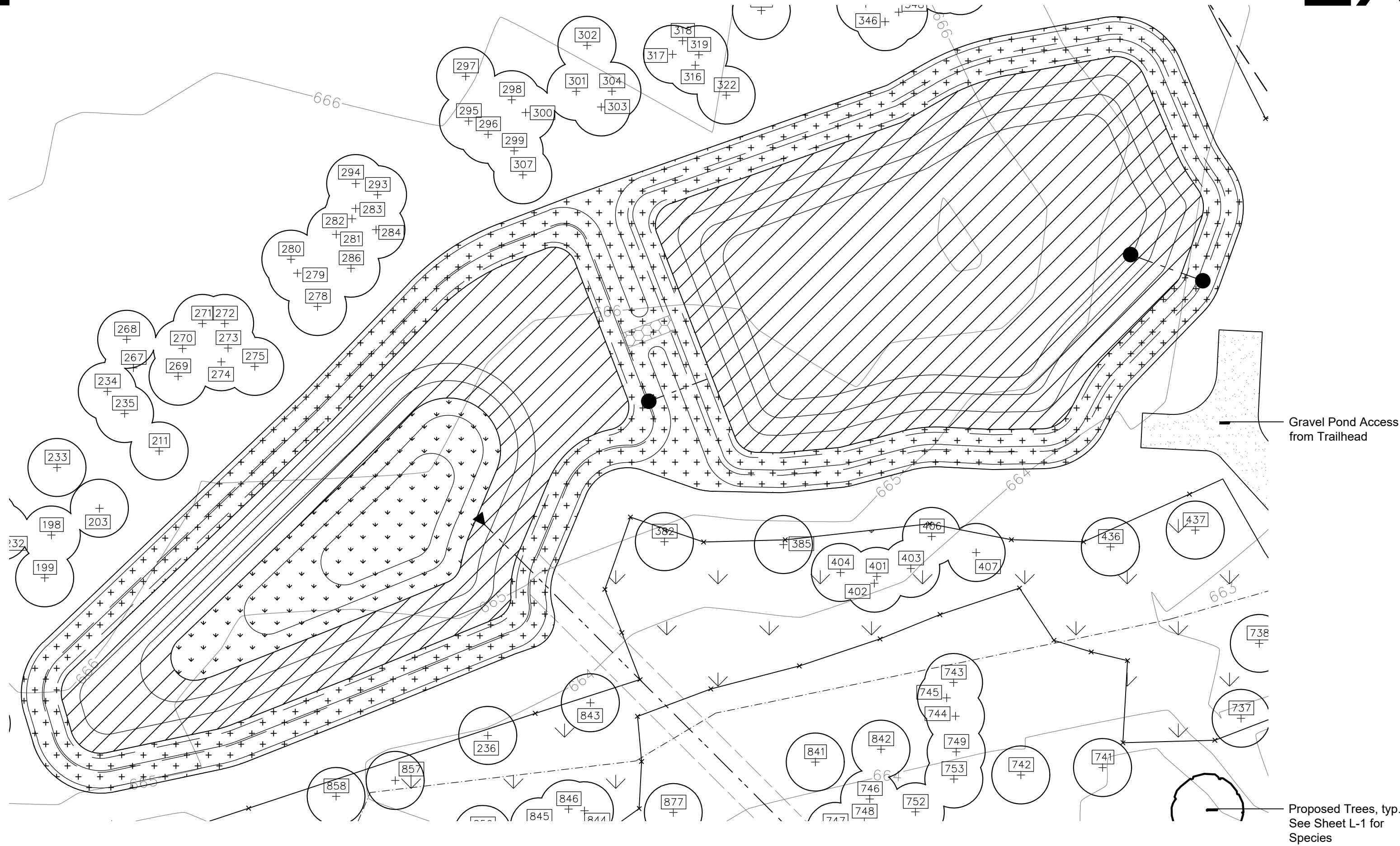
L-1

Plant Schedule This Sheet

Trees						
sym.	qty.	botanical name	common name	size	spacing	root native*
AR	21	<i>Acer rubrum</i> 'Armstrong'	Armstrong Red Maple	2.5" cal.	per plans	B&B yes
LT	3	<i>Liriodendron tulipifera</i>	Tulip Tree	2.5" cal.	per plans	B&B yes
PG	23	<i>Picea glauca</i>	White Spruce	6' ht.	per plans	B&B yes
QR	21	<i>Quercus robur</i> 'Fastigiata'	Columnar English Oak	2.5" cal.	per plans	B&B yes
ZS	6	<i>Zelkova serrata</i>	Japanese Zelkova	2.5" cal.	per plans	B&B

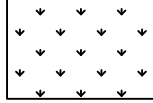
* "Native" for the purposes of the Ordinance requirement is being interpreted to include "nearly native" cultivars which possess beneficial improvements over the species.

EXHIBIT B



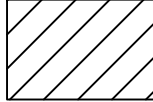
Detention Pond Seeding Summary

Pond Zone - Elev. 659-661



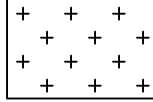
4,753 s.f.
Application Rate: 39.8 lbs. / Ac.
4.34 lbs. of Emergent Wetland Seed Mix
3"-6" of Topsoil or Wetland Mulch Shall be Placed in this Area. Use Seed Mat.

Edge Zone - Elev. 661/664-663/664



27,858 s.f.
Application Rate: 32.6 lbs. / Ac.
20.85 lbs. of Stormwater Seed Mix
3"-6" of Topsoil or Wetland Mulch Shall be Placed in this Area. Use Seed Mat.

Upland Zone - Elev. 663/664-665



16,974 s.f.
Application Rate: 37.7 lbs. / Ac.
14.69 lbs. of Low Profile Prairie Mix
3"-6" of Topsoil Shall be Placed in this Area.

Seed Mixes available from Cardno JFNW
- www.cardnonativeplantnursery.com
- 574.586.2412
All Seed shall be protected with mulch blanket

Native Seeding Maintenance

During the first growing season, native areas should be mowed two to four times to a height of about 4"-6" when the growth reaches 10"-12". Selective herbicide applications or hand pulling may be needed to control unwanted weed populations. If a mower cannot be set high enough, a string trimmer can be used.

During the second growing season, native areas should be mowed a few times to a height of about 8" when the growth reaches 10"-18". Selective herbicide applications or hand pulling may be needed to control unwanted weed populations.

By the second growing season it should be apparent if some areas need reseeding. Reseed or overseed as needed.

Long term management may include prescribed burning, mowing, hand pulling, and selective herbicide applications. If burning is not allowed or feasible, the planting may be mowed to a short height and the clippings removed in the early spring before ground-nesting birds begin nesting.

Stormwater Seed Mix - Edge Zone					
Botanical Name	Common Name	PLS Ounces/Acre			
Permanent Grasses/Sedges/Rushes:					
<i>Bolboschoenus fluviatilis</i>	River Bulrush	1.00			
<i>Carex cristatella</i>	Crested Oval Sedge	0.50			
<i>Carex lurida</i>	Bottlebrush Sedge	3.00			
<i>Carex vulpinoidea</i>	Brown Fox Sedge	2.00			
<i>Elymus virginicus</i>	Virginia Wild Rye	24.00			
<i>Glyceria striata</i>	Fowl Manna Grass	1.00			
<i>Juncus effusus</i>	Common Rush	1.00			
<i>Leersia oryzoides</i>	Rice Cut Grass	1.00			
<i>Panicum virgatum</i>	Switch Grass	2.00			
<i>Schoenoplectus tabernaemontani</i>	Great Bulrush	3.00			
<i>Scirpus atrovirens</i>	Dark Green Rush	2.00			
<i>Scirpus cyperinus</i>	Wool Grass	1.00			
	Total	41.50			
Temporary Cover:					
<i>Avena sativa</i>	Common Oat	360.00			
<i>Lolium multiflorum</i>	Annual Rye	100.00			
	Total	460.00			
Forbs & Shrubs:					
<i>Alisma subcordatum</i>	Common Water Plantain	2.50			
<i>Asclepias incarnata</i>	Swamp Milkweed	2.00			
<i>Bidens</i> spp.	Bidens Species	2.00			
<i>Eupatorium perfoliatum</i>	Common Boneset	1.00			
<i>Helenium autumnale</i>	Sneezeweed	2.00			
<i>Iris virginica v. shrevei</i>	Blue Flag	4.00			
<i>Lycopus americanus</i>	Common Water Horehound	0.50			
<i>Mimulus ringens</i>	Monkey Flower	1.00			
<i>Penthorum sedoides</i>	Ditch Stonecrop	0.50			
<i>Persicaria</i> spp.	Pinkweed Species	2.00			
<i>Rudbeckia subtomentosa</i>	Sweet Black-Eyed Susan	1.00			
<i>Rudbeckia triloba</i>	Brown-Eyed Susan	1.50			
<i>Sagittaria latifolia</i>	Common Arrowhead	1.00			
<i>Senna hebecarpa</i>	Wild Senna	2.00			
<i>Symphyotrichum lanceolatum</i>	Panicled Aster	0.50			
<i>Symphyotrichum novae-angliae</i>	New England Aster	0.50			
<i>Thalictrum dasycarpum</i>	Purple Meadow Rue	2.00			
	Total	26.00			
Mix Statistics					
Native Component	PLS lbs./Acre	PLS Seeds/Acre	PLS Seeds/Sq. Ft.	% of Native Mix	
Forbs	1.63	1,334,949	30.65	32.19%	
Grasses	2.59	2,812,650	64.57	67.81%	
Total Natives	4.22	4,147,599	95.22	100.00%	
Cover	28.75	4,343,800	99.72		
Totals	32.97	8,491,399	194.94		

Emergent Wetland Seed Mix - Pond Zone					
Botanical Name	Common Name	PLS Ounces/Acre			
Permanent Grasses/Sedges/Rushes:					
<i>Bolboschoenus fluviatilis</i>	River Bulrush	1.00			
<i>Carex comosa</i>	Bristly Sedge	2.50			
<i>Carex lacustris</i>	Common Lake Sedge	0.50			
<i>Carex lurida</i>	Bottlebrush Sedge	4.00			
<i>Carex stricta</i>	Common Tussock Sedge	1.00			
<i>Carex vulpinoidea</i>	Brown Fox Sedge	2.00			
<i>Eleocharis palustris</i>	Great Spike Rush	1.00			
<i>Juncus effusus</i>	Common Rush	1.00			
<i>Leersia oryzoides</i>	Rice Cut Grass	3.00			
<i>Schoenoplectus acutus</i>	Hard-Stemmed Bulrush	2.50			
<i>Schoenoplectus pungens</i>	Chaimaker's Rush	1.50			
<i>Schoenoplectus tabernaemontani</i>	Great Bulrush	6.00			
	Total	26.00			
Temporary Cover:					
<i>Avena sativa</i>	Common Oat	360.00			
<i>Lolium multiflorum</i>	Annual Rye	100.00			
	Total	460.00			
Forbs:					
<i>Acorus americanus</i>	Sweet Flag	1.00			
<i>Alisma subcordatum</i>	Common Water Plantain	2.00			
<i>Asclepias incarnata</i>	Swamp Milkweed	1.00			
<i>Boehmeria cylindrica</i>	False Nettle	1.00			
<i>Cephalanthus occidentalis</i>	Buttonbush	6.00			
<i>Decodon verticillatus</i>	Swamp Loosestrife	0.50			
<i>Eutrochium maculatum</i>	Spotted Joe-Pye Weed	0.50			
<i>Hibiscus</i> spp.	Rose Mallow Species	4.00			
<i>Iris virginica v. shrevei</i>	Blue Flag	6.00			
<i>Lobelia cardinalis</i>	Cardinal Flower	0.25			
<i>Lobelia siphilitica</i>	Great Blue Lobelia	0.25			
<i>Lycopus americanus</i>	Common Water Horehound	1.00			
<i>Mimulus ringens</i>	Monkey Flower	1.00			
<i>Peltandra virginica</i>	Arrow Arum	16.00			
<i>Penthorum sedoides</i>	Ditch Stonecrop	0.50			
<i>Persicaria</i> spp.	Pinkweed Species	2.00			
<i>Pontederia cordata</i>	Pickering Weed	4.00			
<i>Sagittaria latifolia</i>	Common Arrowhead	2.00			
<i>Sparganium eurycarpum</i>	Common Bur Reed	6.00			
<i>Verberna hastata</i>	Blue Vervain	1.00			
	Total	56.00			

Mix Statistics				
Native Component	PLS lbs./Acre	PLS Seeds/Acre	PLS Seeds/Sq. Ft.	% of Native Mix
Forbs	3.50	1,354,097	31.09	34.63%
Grasses	1.63	2,556,083	58.68	65.37%
Total Natives	5.13	3,910,179	89.77	100.00%
Cover	28.75	4,343,800	99.72	
Totals	33.88	8,253,979	189.49	

Low-profile Prairie Seed Mix - Upland Zone					
Botanical Name	Common Name	PLS Ounces/Acre			
Permanent Grasses:					
<i>Bouteloua curtipendula</i>	Side-Oats Grama	16.00			
<i>Carex</i> spp.	Prairie Sedge Species	4.00			
<i>Elymus canadensis</i>	Canada Wild Rye	32.00			
<i>Koeleria macrantha</i>	June Grass	1.00			
<i>Panicum virgatum</i>	Switch Grass	1.00			
<i>Schizachyrium scoparium</i>	Little Bluestem	36.00			
	Total	90.00			
Temporary Cover:					
<i>Avena sativa</i>	Common Oat	360.00			
<i>Lolium multiflorum</i>	Annual Rye	100.00			
	Total	460.00			
Forbs:					
<i>Amorpha canescens</i>	Lead Plant	0.50			
<i>Asclepias syriaca</i>	Common Milkweed	2.00			
<i>Asclepias tuberosa</i>	Butterfly Weed	2.00			
<i>Baptisia alba</i>	White Wild Indigo	2.00			
<i>Chamaecrista fasciculata</i>	Partridge Pea	10.00			
<i>Coreopsis lanceolata</i>	Sand Coreopsis	5.00			
<i>Coreopsis palmata</i>	Prairie Coreopsis	1.00			
<i>Dalea candida</i>	White Prairie Clover	1.50			
<i>Dalea purpurea</i>	Purple Prairie Clover	1.50			
<i>Desmanthus illinoensis</i>	Illinois Sensitive Plant	3.00			
<i>Echinacea purpurea</i>	Broad-Leaved Purple Coneflower	8.00			
<i>Eryngium yuccifolium</i>	Rattlesnake Master	2.00			
<i>Lespedeza capitata</i>	Round-Headed Bush Clover	2.00			
<i>Liatris aspera</i>	Rough Blazing Star	0.50			
<i>Lupinus perennis v. occidentalis</i>	Wild Lupine	4.00			
<i>Monarda fistulosa</i>	Wild Bergamot	0.50			
<i>Oligoneuron rigidum</i>	Stiff Goldenrod	1.00			
<i>Parthenium integrifolium</i>	Wild Quinine	1.00			
<i>Penstemon digitalis</i>	Foxglove Beard Tongue	0.50			
<i>Penstemon hirsutus</i>	Hairy Beard Tongue	1.00			
<i>Ratibida pinnata</i>	Yellow Coneflower	4.00			
<i>Rudbeckia hirta</i>	Black-Eyed Susan	5.00			
<i>Rudbeckia subtomentosa</i>	Sweet Black-Eyed Susan	1.00			
<i>Silphium terebinthinaceum</i>	Prairie Dock	1.00			
<i>Solidago speciosa</i>	Showy Goldenrod	0.50			
<i>Symphyotrichum ericoides</i>	Heath Aster	0.25			
<i>Symphyotrichum laeve</i>	Smooth Blue Aster	1.00			
<i>Symphyotrichum novae-angliae</i>	New England Aster	0.50			
<i>Tradescantia ohiensis</i>	Common Spiderwort	1.00			
<i>Verbena stricta</i>	Hoary Vervain	1.00			
<i>Vernonia gigantea</i>	Smooth Tall Ironweed	1.50			
<i>Veronicastrum virginicum</i>	Culver's Root	0.25			
	Total	66.00			

Mix Statistics				
Native Component	PLS lbs./Acre	PLS Seeds/Acre	PLS Seeds/Sq. Ft.	% of Native Mix
Forbs	4.13	1,731,814	39.76	66.02%
Grasses	5.63	891,416	20.46	33.98%
Total Natives	9.75	2,623,230	60.22	100.00%
Cover	28.75	4,343,800	99.72	
Totals	38.50	6,967,030	159.94	

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750 Forest Ave. - Suite 101
Birmingham, MI 48009
T.: 248.594.3220

LEGEND

= Existing Trees, To Remain



■ sheet title:

Detention Pond Seeding Plan

■ project title:

Meadows of Troy

City of Troy, Michigan

■ prepared for:

Robertson Brothers Homes
6905 Telegraph Rd. - Suite 200
Bloomfield Hills, MI 48301

Phone: 248.657.4968

■ job number:

18028

■ date:

07.28.2020

■ drawn by:

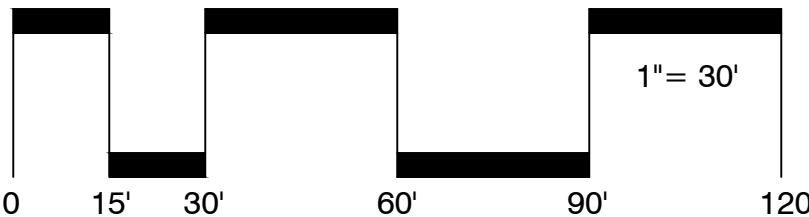
EMJ

■ checked by:

WTK

■ revisions:

09.21.2020 Per Engineering Revisions



sheet no.

L-2

WHEREAS, The subject property to be rezoned, located on the east side of Rochester Road, south of Shallowdale, parcels 88-20-14-152-001 and 88-20-14-301-031, being approximately 1.877 acres in size; and,

WHEREAS, The applicant voluntarily offered a number of conditions, as described in the Conditional Rezoning Agreement and related attachments, as per Section 16.04 of the City of Troy Zoning Ordinance; and,

WHEREAS, One of the conditions voluntarily submitted by the applicant was a concept sketch for a 32-unit condominium development; and,

WHEREAS, Future development of the subject property will require Preliminary Site Plan Approval by the Planning Commission, at which time the application shall be required to meet all Zoning Ordinance standards and all voluntarily offered conditions; and,

WHEREAS, The conditional rezoning was recommended for approval by the Planning Commission by a 8-0 vote; and,

WHEREAS, The proposed rezoning is supported by the Master Plan and advances the general and specific development policies of the Master Plan; and,

WHEREAS, The proposed rezoning meets the Standards for Rezoning Approval listed in Section 16.03.C of the City of Troy Zoning Ordinance; and,

WHEREAS, The proposed site design mitigates potential impacts on adjacent properties.

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the R-1C, RT and EP Districts to RT District Conditional Rezoning Agreement and related attachments.

BE IT FURTHER RESOLVED, That Troy City Council **AUTHORIZES** the Mayor and City Clerk to sign the Conditional Rezoning Agreement on behalf of the City of Troy.

BE IT FINALLY RESOLVED, The City of Troy Zoning District Map is hereby **AMENDED**.

Yes: All-7
No: None

MOTION CARRIED

E-2 Preliminary Site Plan Review (File Number SP2020-0013) – Proposed The Meadows of Troy (One Family Residential Cluster), East of John R, North of Square Lake (Parcel #88-20-01-300-016), Section 01, Currently Zoned R-1D (One Family Residential) District (*Introduced by: R. Brent Savidant, Community Development Director*)

The Mayor opened the Public Hearing for public comment.
The Mayor closed the Public Hearing after receiving comment from Chuck Shepherd, Mary Bogush, and Tina Catron.

Resolution #2021-06-094

Moved by Hamilton
Seconded by Hodorek

WHEREAS, The City is in receipt of a proposed preliminary site plan application for The Meadows of Troy, a 31-unit detached single family condominium One Family Cluster development; and,

WHEREAS, The base density under the R-1D (One-Family Residential) District as determined by the submission of a parallel plan is 25 units; and,

WHEREAS, In exchange for 6 additional units above the base density established by the parallel plan, the applicant is providing 30% open space, for a total of 31 units; and,

WHEREAS, The cluster development better protects the site's natural resources than if the site were not developed as a cluster; and,

WHEREAS, The cluster development better protects the adjacent properties than if the site were not developed as a cluster; and,

WHEREAS, The cluster development is compatible with adjacent properties; and,

WHEREAS, The site can be adequately served with municipal water and sewer; and,

WHEREAS, The applicant is providing a public parking lot and trail head to provide access to the Troy School District property; and,

WHEREAS, The applicant is providing a housing product with first floor master bedroom and bath, a housing type desired by the community; and,

WHEREAS, The proposed cluster development was recommended for approval by the Planning Commission by a 5-4 vote;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the proposed The Meadows of Troy Site Condominium, 31-units/lots, located on the north side of Square Lake, east of John R, Section 1, currently zoned R-1D (One Family Residential) District, subject to the following:

1. Provide a new wetland assessment or extension from EGLE.
2. Provide a maintenance agreement for the public parking lot.
3. Provide easement over Turtle Woods Drive for access to the public parking lot.

Yes: All-7
No: None

MOTION CARRIED

The Meeting **RECESSED** at 9:36 PM.

The Meeting **RECONVENED** at 9:41 PM.

AGREEMENT FOR PARKING LOT MAINTENANCE

THIS "Agreement" is made this ____ day of _____ 2021, by and between ROBERTSON MEADOWS, LLC, a Michigan limited liability company, whose address is 6905 Telegraph Road, Suite 200, Bloomfield Hills, Michigan 48301-3187, (hereinafter referred to as "Developer") and CITY OF TROY, a Michigan municipal corporation, whose address is 500 W Big Beaver Rd, Troy, MI 48084, (hereinafter referred to as "City").

RECITATIONS:

- A. Developer is developing a single-family residential condominium project in the City to be known as the Meadows of Troy (the "Condominium Project").
- B. Proposed to be located within the Condominium Project is a 13 space gravel parking lot and access road described in Exhibit A attached and depicted in Exhibit B ("Parking Lot"), which Parking Lot access road (collectively referred to hereafter as "Parking Lot") is to provide access to a trail head and nature trails proposed to be located on adjacent land, and this Agreement provides for the maintenance of the Parking Lot.

NOW, THEREFORE, Developer hereby declares that the Condominium Project shall be owned, occupied and conveyed subject to the covenants and restrictions which are set forth below, all of which shall run with the land and bind the Condominium Project and all parties that hereafter have any right, title or interest in and to the Condominium Project, or any portion thereof.

The association formed to administer the affairs of the Condominium Project (the "Condominium Association") shall be responsible for maintenance, repair and replacement of the Parking Lot. The surface of the portion of the Parking Lot used for the parking of vehicles will be gravel surface. The Parking Lot shall be reviewed, inspected, and approved by the City of Troy in the normal course of the site plan approval process.

In the event that the Association fails to preserve and/or maintain the Parking Lot in reasonable order and condition, the City may serve written notice upon the Association setting forth the deficiencies in maintenance and/or preservation along with a demand that the deficiencies be cured within a stated reasonable time period, not to exceed 21 days, and the date, time and place for a hearing before the City's Manager or his or her designee for the purpose of allowing the Association an opportunity to be heard as to why the City should not proceed with the correction of the deficiency or obligations which have not been undertaken or properly fulfilled. At any such hearing, the time for curing and the hearing itself may be extended and/or continued to a date certain. If following such hearing, the person conducting the hearing shall determine that the obligation has not been fulfilled or failure corrected within the time

specified in the notice, as determined by the City Manager in his or her reasonable discretion, the City shall thereupon have the power and authority, but not the obligation, to enter upon the Condominium Project, or cause its agents or contractors to enter the Condominium Project and perform such obligation or take such corrective measures as reasonably found by the City to be appropriate or necessary. The cost and expense of making and financing such maintenance and/or repair, including the cost of notices by the City and reasonable legal fees incurred by the City, plus an administrative fee in the amount of 25% of the total of all costs and expenses incurred, shall be paid by the Association, and such amount shall constitute a lien on an equal pro rata basis as to all of the units of the condominium. The City may require the payment of such monies prior to the commencement of work. If the Association has not paid the billed costs and expenses within 30 days, all unpaid amounts may be placed on the delinquent tax roll of the City, pro rata, as to each unit, and shall accrue interest and penalties, and shall be collected as, and shall be deemed delinquent real property taxes, according to the laws made and provided for the collection of delinquent real property taxes. In the discretion of the City, such costs and expenses may be collected by suit initiated against the responsible Condominium Association, and, in such event, the Condominium Association shall pay all court costs and reasonable attorney fees incurred by the City in connection with such suit.

All notices, consents, approvals, requests and other communications, herein collectively called "Notices," required or permitted under this Agreement shall be given in writing, signed by an authorized representative of the City, and Robertson Meadows, LLC and mailed by certified or registered mail, return receipt requested, personally delivered, sent by overnight courier or sent by e-mail to a party as follows:

To City: Community Development Director
City of Troy
500 W. Big Beaver Road
Troy, Michigan 48084
Tel: (248) 524-3364
Email: SavidantB@troymi.gov

With a Copy to: City Attorney
City of Troy
500 W. Big Beaver Road
Troy, Michigan 48084
Tel: (248) 524-3320
Email: Bluhmlg@troymi.gov

To Robertson Meadows, LLC: Robertson Meadows, LLC
6905 Telegraph Road, Suite 200
Bloomfield Hills, Michigan 48301-3187
Attn: James V. Clarke

Telephone: (248) 282- 1432

Email: jclarke@robertsonhomes.com

With a copy to:

Williams, Williams, Rattner & Plunkett, P.C.
380 North Old Woodward Avenue, Suite 300
Birmingham, Michigan 48009
Telephone: (248) 642-0333
Email: cks@wwrplaw.com

The parties hereto make this Agreement on behalf of themselves, their heirs, successors, assigns and transferees, and hereby warrant that they have the authority and capacity to execute this Agreement and bind the property as described to the terms and conditions of this Agreement. This Agreement may not be amended or its terms varied except in writing and signed by the required parties.

This Agreement shall be recorded with the Oakland County Register of Deeds at the expense of Robertson Meadows, LLC. Robertson Meadows, LLC shall provide the Troy City Clerk with a certified copy of the Agreement as recorded, showing the date of recording, liber and page numbers.

Invalidation of any of these covenants or conditions by Judgment or Court Order shall in no way affect the validity of any other provision which shall remain in full force and effect.

This Agreement shall run with the land and be binding upon all owners, their agents, successors, assigns and transferees.

(BALANCE OF PAGE INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, Developer and the City have executed this Agreement as at the day and year first above set forth.

ROBERTSON MEADOWS, LLC,
a Michigan limited liability company

By: Robertson Brothers Co.,
a Michigan corporation, Manager

By: _____
James V. Clarke

Its: President

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

On this _____ day of _____, 2021, before me, personally appeared James V. Clarke, President of Robertson Brothers Co., a Michigan corporation, Manager of Robertson Meadows, LLC, a Michigan limited liability company, on behalf of the corporation and company.

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

CITY OF TROY, Michigan municipality

Witness

By: _____
Ethan D. Baker
Its: Mayor

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

The foregoing Agreement for Parking Lot Maintenance was acknowledged before me this ____ day of _____, 20__, by Ethan Baker on behalf of the City of Troy, a Michigan municipality.

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

Witness

By: _____
M. Aileen Dickson
Its: Clerk

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

The foregoing Agreement for Parking Lot Maintenance was acknowledged before me this ____ day of _____, 20__, by Aileen Dickson on behalf of the City of Troy, a Michigan municipality.

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

THIS INSTRUMENT DRAFTED BY AND WHEN RECORDED RETURN TO:

C. Kim Shierk
WILLIAMS, WILLIAMS, RATTNER & PLUNKETT, P.C.
380 North Old Woodward Avenue, Suite 300
Birmingham, Michigan 48009

EXHIBIT A TO
AGREEMENT FOR MAINTENANCE

(SEE ATTACHED)

LEGAL DESCRIPTIONS

LEGAL DESCRIPTION
(BY PEA GROUP)

PARCEL A

PART OF THE SOUTHWEST 1/4 OF SECTION 1, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 1; THENCE S88°30'57"E ALONG THE SOUTH LINE OF SAID SECTION 1, 1310.47 FEET AND N01°14'37"W 60.07 FEET TO THE POINT OF BEGINNING, ALSO BEING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF E. SQUARE LAKE ROAD (120' WIDE); THENCE CONTINUING N01°14'37"W, 625.45 FEET ALONG THE EAST LINE OF CHESAPEAKE GROVE, OAKLAND COUNTY CONDOMINIUM SUBDIVISION PLAN No. 1827, AS RECORDED IN LIBER 40338, PAGE 751, OAKLAND COUNTY RECORDS AND SQUARE LAKE PLACE SUBDIVISION, AS RECORDED IN LIBER 189 OF PLATS, ON PAGES 20 AND 21, OAKLAND COUNTY RECORDS; THENCE S89°59'21"E, 857.91 FEET; THENCE S00°07'29"W, 646.98 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID E. SQUARE LAKE ROAD; THENCE ALONG SAID NORTH LINE, N88°30'57"W, 843.21 FEET TO THE POINT OF BEGINNING.
CONTAINING: 12.42 ACRES MORE OR LESS

LEGAL DESCRIPTION
(BY PEA GROUP)

VARIABLE WIDTH INGRESS-EGRESS EASEMENT

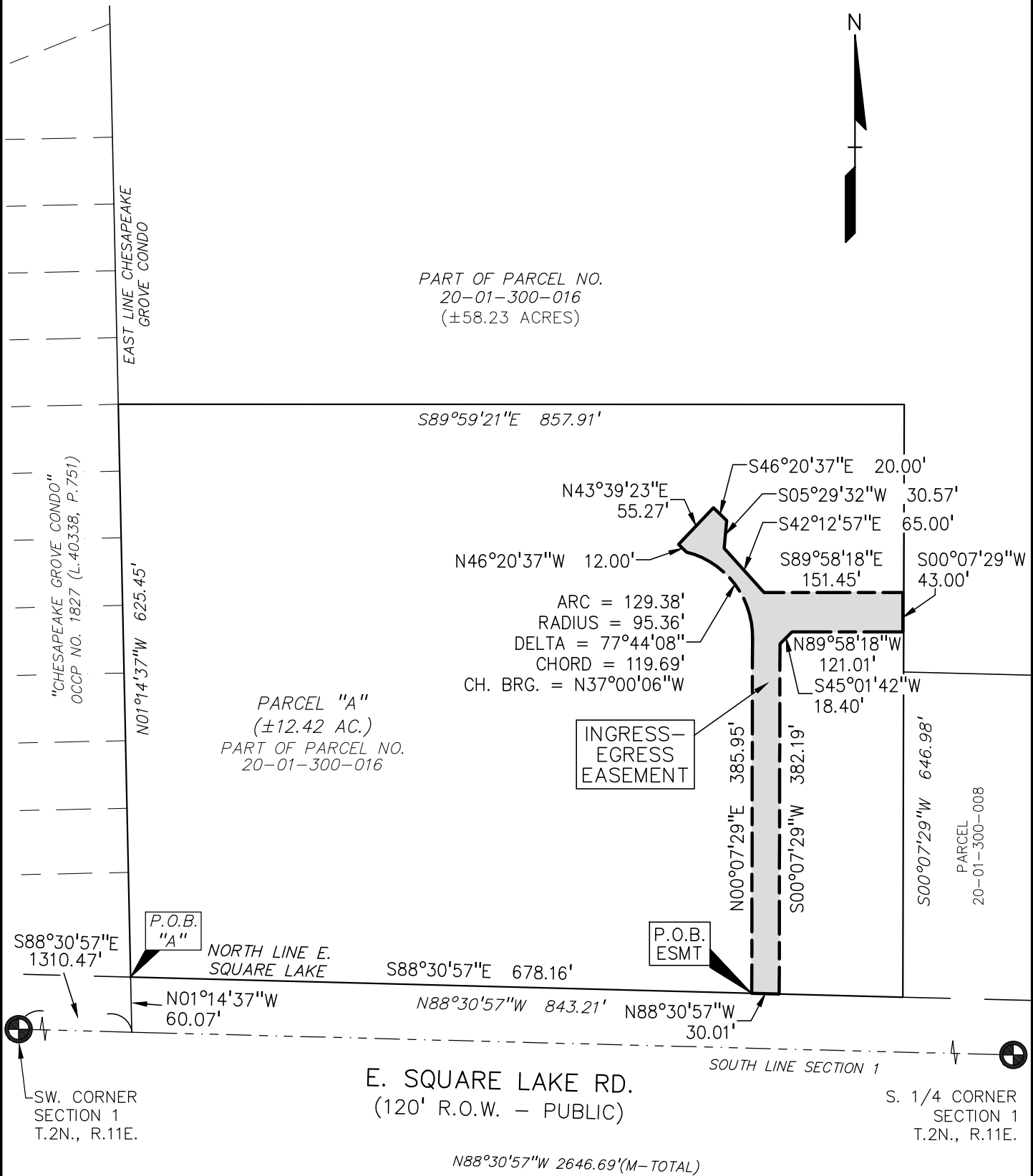
A variable width ingress-egress easement over part of the Southwest 1/4 of Section 1, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, said easement being more particularly described as:
Commencing at the southwest corner of said Section 1; thence along the south line of said section, S88°30'57"E, 1310.47 feet; thence N01°14'37"W, 60.07 feet to the north line of E. Square Lake Road (120 feet wide); thence along said north line, S88°30'57"E, 678.16 feet to the POINT OF BEGINNING;
thence N00°07'29"E, 385.95 feet;
thence 129.38 feet along an arc of a curve to the left, having a radius of 95.36 feet and a chord that bears N37°00'06"W, 119.69 feet;
thence N46°20'37"W, 12.00 feet;
thence N43°39'23"E, 55.27 feet;
thence S46°20'37"E, 20.00 feet;
thence S05°29'32"W, 30.57 feet;
thence S42°12'57"E, 65.00 feet;
thence S89°58'18"E, 151.45 feet;
thence S00°07'29"W, 43.00 feet;
thence N89°58'18"W, 121.01 feet;
thence S45°01'42"W, 18.40 feet;
thence S00°07'29"W, 382.19 feet to the aforementioned north line of E. Square Lake Road;
thence along said north line, N88°30'57"W, 30.01 feet to the POINT OF BEGINNING.
Containing 0.50 acres of land, more or less.

EXHIBIT B TO
AGREEMENT FOR MAINTENANCE

DEPICTION OF PARKING LOT

(SEE ATTACHED)

SKETCH OF INGRESS-ESGRESS EASEMENT



Mayor Baker performed the Invocation. The Pledge of Allegiance to the Flag was given.

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held on Monday, August 30, 2021, at City Hall, 500 W. Big Beaver Rd. Mayor Baker called the meeting to order at 7:31 PM.

B. ROLL CALL:

- a) Mayor Ethan Baker
- Edna Abraham
- Mayor Pro Tem Theresa Brooks
- Rebecca A. Chamberlain-Creangă
- Ann Erickson Gault
- David Hamilton
- Ellen Hodorek

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Legislative Update (*Presented by: Representative Padma Kuppa*)

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

F. PUBLIC COMMENT:

Ryan Johnson	Commented in opposition to the Oakland County mask mandate for schools
--------------	--

There was a consensus of City Council to allow an additional 1 minute of time for Mr. Johnson to complete his comments.

G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:

Mayor Baker	Commented that the school district is a separate entity from the City of Troy; and the employees are not City of Troy employees
City Attorney Bluhm	Commented that the Health Department is a County department and are also not City employees

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: a) Mayoral Appointments – None; b) City Council Appointments – None

a) Mayoral Appointments: None

b) City Council Appointments: None

I-2 Board and Committee Nominations: a) Mayoral Nominations – None; b) City Council Nominations – None

a) Mayoral Nominations: None

b) City Council Nominations: None

I-3 Request for Closed Session

Resolution #2021-08-123

Moved by Baker

Seconded by Hodorek

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (e) (Jack B. Wolfe v. Troy) and (h)(MCL 15.243(g)).

Yes: All-7

No: None

MOTION CARRIED

I-4 Bid Waiver – Emergency Vehicle Preemption - Opticom GPS System (*Introduced by: Chuck Riesterer, Fire Chief*)

Resolution #2021-08-124

Moved by Abraham

Seconded by Erickson Gault

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **APPROVES** a contract for the purchase of the Opticom GPS System Equipment from the sole authorized dealer *Carrier & Gable, Inc. of Farmington Hills, MI*, for an estimated total cost of \$281,342 as detailed in quote #36568.

Yes: All-7

No: None

MOTION CARRIED

I-5 Bid Waiver – Bauer Breathing Air Compressor Purchase – Fire Department
(Introduced by: Chuck Riesterer, Fire Chief)

Resolution #2021-08-125

Moved by Erickson Gault

Seconded by Hamilton

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to the only authorized distributor for Bauer compressors in Michigan, *Breathing Air Systems of Reynoldsburg, OH*, for the purchase and installation of a Bauer air compressor and fill station at Fire Station 6 for an estimated total cost of \$34,438.84.

Yes: All-7

No: None

MOTION CARRIED

I-6 Request to Retain Miller Canfield for Tax Issues (Introduced by: Lori Grigg Bluhm, City Attorney)

Resolution #2021-08-126

Moved by Hodorek

Seconded by Chamberlain-Creanga

RESOLVED, That Troy City Council **DETERMINES** that the public interest will be best served by continuing the engagement of Miller Canfield attorneys Gary R. Glenn, at \$600 per hour, and Samantha A. Kopacz, at \$470 per hour, plus costs, to assist the City with tax analysis and strategy recommendations for future action by the Troy City Council, and due to unanticipated developments, the total cost of the engagement will exceed the \$10,000 purchasing threshold.

BE IT FURTHER RESOLVED, That the City Attorney **WILL SERVE** as the City liaison, so that the attorney work product is protected from disclosure until such time as the proposed recommendations are presented to the Troy City Council for future action.

Yes: All-7

No: None

MOTION CARRIED

I-7 Budget Amendment and Standard Purchasing Resolution 4: H-GAC Cooperative Purchase – Storm Water Global Pump (Introduced by: Scott Carruthers, Streets and Drains Operations Manager)

Resolution #2021-08-127

Moved by Brooks

Seconded by Hodorek

RESOLVED, That the Troy City Council hereby **AWARDS** a contract to *Mersino Dewatering Inc. dba Global Pump of Davison, MI*, for the purchase of one (1) 6GST Global Standard Trash

Pump for an estimated total cost of \$50,810.37 at prices detailed in the quote and as per the H-GAC Purchasing Cooperative Contract #CMO2-21.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** a budget amendment in the amount of \$50,900 to the Streets General Equipment Capital Fund.

Yes: All-7
No: None

MOTION CARRIED

I-8 Budget Amendment and Standard Purchasing Resolution 2: Low Bidder Meeting Specifications – Trails and Pathway Paving - Phase 3 Jaycee Park, and Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Trails and Pathway – Construction Management (Introduced by: Kurt Bovensiep, Public Works Director)

Resolution #2021-08-128
Moved by Baker
Seconded by Chamberlain-Creanga

RESOLVED, That Troy City Council hereby **AWARDS** a contract to install the third phase of the Troy Trail in Jaycee Park to the low bidder meeting specification; *WCI Contractors, Inc. of Detroit, MI*, at unit prices contained in the bid tabulation opened August 12, 2021, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with an estimated total cost of \$856,561 and a 15% contingency not to exceed amount of \$128,484.15.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** expending budgeted capital funds to *Anderson, Eckstein, and Westrick, Inc. (AEW) of Shelby Township, MI*, for the construction management of a trail and pathway at Jaycee Park for an estimated total cost of \$97,301 not to exceed budgetary limitations.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** a budget amendment in the amount of \$332,400 to the Park Development- Land Improvements Trails and Pathways Capital Fund.

BE IT FINALLY RESOLVED, That the awards are **CONTINGENT** upon the contractors' submission of properly executed bid documents, insurance certificates and all other specified requirements.

Yes: All-7
No: None

MOTION CARRIED

I-9 Budget Amendment – Town Center Open Space Roll-Over Funds From Fiscal Year 2021 (Introduced by: Kurt Bovensiep, Public Works Director)

Resolution #2021-08-129

Moved by Chamberlain-Creanga
Seconded by Abraham

RESOLVED, That the Troy City Council hereby **APPROVES** a roll over budget amendment of \$150,000 to the 2022 Fiscal Year Capital Fund- Park Development-Land Improvements Civic Center Park.

Yes: All-7
No: None

MOTION CARRIED

J-10 Award Standard Purchasing Resolution 8: Best Value Award - Retreat Facilitator *(Introduced by: Robert J. Bruner, Assistant City Manager)*

Resolution #2021-08-130
Moved by Erickson Gault
Seconded by Hodorek

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide Retreat Facilitation Services to *The Leadership Group LLC of Walled Lake, MI*, as detailed in the attached proposal response and bid tabulation for a not to exceed amount of \$20,250; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor's submission of properly executed proposal and contract documents, including insurance certificates and all other specified requirements.

BE IT FINALLY RESOLVED, That the Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the Agreement; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7
No: None

MOTION CARRIED

J. CONSENT AGENDA:

J-1a Approval of "J" Items NOT Removed for Discussion

Resolution #2021-08-131-J-1a
Moved by Abraham
Seconded by Brooks

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented.

Yes: All-7

No: None

MOTION CARRIED

J-1b Address of “J” Items Removed for Discussion by City Council

J-2 Approval of City Council Minutes

Resolution #2021-08-131-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the following Minutes as submitted:

- a) City Council Minutes-Draft – August 9, 2021

J-3 Proposed City of Troy Proclamations:

Resolution #2021-08-131-J-3

- a) Proclamation to Celebrate Troy Resident and Miss India USA 2021 Winner Vaidehi Dongre
- b) Proclamation for National Recovery Month – September 2021
- c) Proclamation to Declare September 2021 as National Suicide Prevention Awareness Month in the City of Troy
- d) Proclamation to Recognize Patriot Week – September 11-17, 2021
- e) Proclamation for International Day of Peace – September 21, 2021

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 2: Award to Sole Bidder Meeting Specifications – As Needed Painting Services**

Resolution #2021-08-131-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a one (1) year contract with two (2) one-year renewal options to provide Painting Services on an as needed basis not to exceed budgetary limitations to the sole bidder meeting specifications; *Arisco Contracting Group, Inc. of Fraser, MI*, at unit prices contained in the bid tabulation opened August 12, 2021; a copy of which shall be **ATTACHED** to the original Minutes of this meeting; contract to expire June 30, 2024.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor’s submission of properly executed contract documents, including insurance certificates and all other specified requirements.

- b) **Standard Purchasing Resolution 4: State of Michigan MiDeal Purchasing Cooperative – Felling Dump Trailer - DPW**

Resolution #2021-08-131-J-4b

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *AIS Construction Equipment Company of New Hudson, MI*, for the purchase of one (1) Felling Dump Trailer model FT-12 DT HD, for an estimated total cost of \$15,473.39 as per the MiDeal Cooperative Purchasing contract #071B7700090.

c) Standard Purchasing Resolution 4: MiDeal Cooperative Purchasing Program – Motorola APX Radios and Accessories – Fire Department

Resolution #2021-08-131-J-4c

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *Motorola Solutions, Inc. of Schaumburg, IL* for the purchase of Motorola APX6000XE Portable Radios and Accessories as detailed in the **ATTACHED** quote as per the MiDeal Cooperative Purchasing Contract #190000001544 for an estimated cost of \$101,656.04, and **GRANTS AUTHORIZATION** to pay \$3,250 to Oakland County/State of Michigan for user connection fees for an estimated total cost of \$104,906.04.

d) Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Sidewalk Replacement and Installation Program, and Manhole Rehabilitation

Resolution #2021-08-131-J-4d

RESOLVED, That in the best interest of the City, Troy City Council hereby **AWARDS** a one (1) year contract with the option to renew for two (2) additional years to the lowest qualified bidder meeting specifications, *Merlo Construction of Milford, MI*, to provide Sidewalk Replacement Services not to exceed budgetary limitations at the unit prices as detailed in the bid tabulation opened August 12, 2021, a copy of which shall be **ATTACHED** to the original Minutes of this meeting and as detailed below by year; with the contract expiring June 30, 2024.

<u>1 Year Contract</u>	<u>Amount</u>
Contract year 1	\$ 500,000.00
Year 1 Renewal	\$ 500,000.00
Year 2 Renewal	\$ 500,000.00
Total for 3-year contract	\$1,500,000.00

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon the contractor's submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements.

J-5 Fiscal Year 2022 Municipal Credit and Community Credit Contract

Resolution #2021-08-131-J-5

RESOLVED, That Troy City Council hereby **APPROVES** the agreement between the Suburban Mobility Authority for Regional Transportation (SMART) and the City of Troy for the Municipal Credit and Community Credit Agreement, which will be used for the Troy RYDE transportation service, and the Mayor and City Clerk are **AUTHORIZED** to execute the necessary documents; a copy of this agreement shall be **ATTACHED** to the original Minutes of this meeting.

J-6 Jack B. Wolfe v City of Troy

Resolution #2021-08-131-J-6

RESOLVED, That Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Attorney to represent the City of Troy in any and all claims and damages in the matter of *Jack B. Wolfe v Troy* (Case No. 2021-189230-CZ).

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Attorney to pay necessary costs and fees in the defense of the action.

J-7 Firework Display Permit – St. Joseph Chaldean Catholic Church “Feast of the Holy Cross Celebration

Resolution #2021-08-131-J-7

RESOLVED, That Troy City Council hereby **ISSUES** a firework permit to St. Joseph Chaldean Catholic Church, for the public display of consumer grade fireworks at 2442 E Big Beaver Rd., Troy, Michigan, for the annual celebration “Feast of the Holy Cross” on Tuesday September 14, 2021.

BE IT FURTHER RESOLVED, That the Troy Fire Department **WILL INSPECT** the fireworks to be displayed in advance, they **WILL REVIEW** the proposed discharge location(s) and site, and **MAY TAKE ANY ACTION** to assure safety and compliance with applicable codes and standards for such a fireworks display.

J-8 Firework Display Permit – 2021 Troy Family Daze Festival

Resolution #2021-08-131-J-8

RESOLVED, That Troy City Council hereby **ISSUES** a firework permit to *Great Lakes Fireworks, LLC of Eastpointe, Michigan*, for the public display of fireworks at 3179 Livernois, Troy, Michigan, for the annual festival celebration sponsored by North Woodward Community Foundation / Troy Family Daze Festival on Saturday September 18, 2021, with a rain date of Sunday September 19, 2021.

BE IT FURTHER RESOLVED, That the Troy Fire Department **WILL INSPECT** the fireworks to be displayed in advance, and **WILL ALSO REVIEW** the proposed discharge location(s) and site, and **MAY TAKE ANY ACTION** to assure safety and compliance with applicable codes and standards for such a firework display.

J-9 Contract Amendment – Website Design Services

Resolution #2021-08-131-J-9

RESOLVED, That Troy City Council hereby **APPROVES** an amendment to the contract with *Revize of Troy, MI*, to include the interactive fillable forms feature and site map updates for a

one- time estimated cost of \$7,370 and ongoing maintenance, support, updates, and web hosting for an estimated annual cost of \$10,400.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted

L. COUNCIL REFERRALS:

Items Advanced to the City Manager by the Mayor and City Council Members for Placement on the Agenda

L-1 No Council Referrals

M. REPORTS:

M-1 Minutes – Boards and Committees:

- a) Election Commission-Final – January 29, 2021
- b) Retiree Healthcare Benefits Plan & Trust-Draft – May 12, 2021
- c) Volunteer Firefighters' Incentive Plan & Trust Board of Trustees-Final – May 12, 2021
- d) Employees' Retirement System Board of Trustees-Final – June 9, 2021

Noted and Filed

M-2 Department Reports: None Submitted

M-3 Letters of Appreciation:

- a) From Allan Salyer Regarding Road Repairs
- b) From Sabah Ammouri Regarding Excellent Customer Service
- c) From Chuck Whittall Regarding Excellent Customer Service

Noted and Filed

M-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted

M-5 Notice of Hearing for the Gas Customers of Consumers Energy Company - Case No. U-20542

Noted and Filed

M-6 Notice of Hearing for the Gas Customers of DTE Gas Company - Case No. U-20544

Noted and Filed

M-7 Notice of Hearing for the Electric Customers of DTE Electric Company - Case No. U-21010

Noted and Filed

N. COUNCIL COMMENTS:

N-1 Council Comments

Council Member Chamberlain-Creanga thanked Mr. Saylor for his note of appreciation regarding road work in Troy.

Council Member Hamilton commented that Troy Daze Family Festival is coming up September 16-19, 2021.

Council Member Hamilton asked if there is an update on the long-term engagement plan for trails and pathways. Mr. Miller answered that he will let City Council know when that project begins.

Council Member Chamberlain-Creanga thanked Cindy Stewart and Amy McKaig for all their hard work on the Troy Farmers Market.

Mayor Baker commented that the Frightful 5k registration is opening soon at troymi.gov/frightful5k.

Mayor Baker commented that the 20-year anniversary of 9/11 is coming up, and he encourages parents to have conversations with their children about the meaning behind the memorial day. He thanked all first responders for their service to the community.

The Meeting **RECESSED** at 8:35 PM.

The Meeting **RECONVENED** at 8:45 PM.

O. CLOSED SESSION

O-1 Closed Session**P. ADJOURNMENT:**

The Meeting **ADJOURNED** at 9:25 PM.

Mayor Ethan Baker

M. Aileen Dickson, MMC, MiPMC II
City Clerk

**PROCLAMATION TO CELEBRATE
HISPANIC HERITAGE MONTH
SEPTEMBER 2021**

WHEREAS, Michigan's Hispanic and Latino population has grown from 2010 to 2020, according to preliminary figures from the Census Bureau; figures from the 2020 census show that the 564,422 Hispanic and Latino residents in Michigan make up 5.6% of the state's population, up from 4.4% in 2010, and Troy's population is 3.4%, up from 2.1% in 2010; and

WHEREAS, With over 60 million Hispanic Americans residing in the United States, Hispanic Americans make up the largest minority group in the nation and have significantly contributed to our government, culture, and economy over generations; and

WHEREAS, The Hispanic community in America has made many important advances in areas of law, religion, agriculture, art, music, education, technology, architecture, cuisine, theatre, and exploration. Hispanic Americans have provided Michigan and the United States with unique social and cultural influences, fundamentally enriching the extraordinary character of our state and nation; and

WHEREAS, Michigan is fortunate to count among its population a large number of residents of Spanish and Latin American descent, who grow businesses, offer innovative ideas, strengthen our economy, create jobs, and contribute to our daily lives; and

WHEREAS, During this month, Michigan's Hispanic American community will celebrate **Hispanic Heritage Month** through a series of special events featuring Hispanic history, food, dance, and art, celebrating the rich tradition and many contributions this community has made to our community and beyond; and

WHEREAS, We appreciate and honor the countless achievements of Hispanic Americans and continue our efforts to ensure our community is a welcoming and inclusive place that provides just and equal opportunities for all; and

WHEREAS, The Theme for Hispanic Heritage Month, "**Esperanza: A Celebration of Hispanic Heritage and Hope**" invites us to celebrate Hispanic Heritage and to reflect on how great our tomorrow can be if we hold onto our resilience and hope. It encourages everyone to reflect on all of the contributions Hispanics have made in the past, and will continue to make in the future;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Troy hereby proclaim the **Month of September 2021 as Hispanic Heritage Month**; and

BE IT FURTHER RESOLVED, That we invite all Troy residents to recognize and celebrate the vital role our Hispanic and Latino population have played in our Nation's history, as well as their outstanding achievements today and into the future. We applaud our own Troy residents and business owners and celebrate their contributions to our community and beyond.

Presented this 27th day of September 2021.

**PROCLAMATION TO CELEBRATE
WELCOMING WEEK
SEPTEMBER 10 – 19, 2021**

WHEREAS, The City of Troy has long considered itself a city of immigrants, and thrives to be a welcoming and inclusive municipality for all residents to live, work, learn, and play; and

WHEREAS, The City of Troy recognizes how immigrants and refugees contribute to a strong regional economy and a diverse, vibrant community; and

WHEREAS, According to the U.S. Census Bureau, Troy is a city with the second-largest percentage of foreign-born residents in Metro Detroit. The City of Troy is proud of our many Immigrants who call this community home and appreciate their valuable contributions in building and enriching our nation; and

WHEREAS, The City of Troy recognizes the contribution of all individuals to create a vibrant culture, future-ready workforce, and a growing economy to make Oakland County and the southeast Michigan region more prosperous and more inclusive for all who call it home; and

WHEREAS, The 2021 theme for **Welcoming Week** is “**Belonging Begins With Us**” to remind everyone that we all have the power to make others feel safe and welcome in our communities. We encourage our community members to help us all build more meaningful connections in our neighborhoods, cities and towns, regardless of background or country of origin; and

WHEREAS, The City of Troy recognizes **September 10 – 19, 2021 as Welcoming Week**, a nationwide call for all to come together celebrating and leveraging our differences, and to build a vibrant and connected community where every resident has the opportunity to contribute, thrive, and have a sense of belonging regardless of immigration status, race, ethnicity, place or origin, gender, sexual orientation, religion, income, age, or other factors;

NOW, THEREFORE BE IT RESOLVED, That the City Council of the City of Troy does hereby proclaim **September 10 – 19, 2021 as Welcoming Week** in the City of Troy and urges all citizens to join us in recognizing this week to celebrate our differences; and

BE IT FURTHER RESOLVED, That the City Council urges all government agencies, organizations, schools, places of worship and individuals in our City to commemorate **Welcoming Week** as a time to come together to celebrate the wonderful things that each of our different cultures and backgrounds bring to the community. The City of Troy is pleased to join the celebration with other communities all over America.

Presented this 27th day of September 2021.

**PROCLAMATION
CHILDHOOD CANCER AWARENESS MONTH
SEPTEMBER 2021**

WHEREAS, Childhood cancer is the number one cause of death from disease among children. Every day, 43 children in the United States are diagnosed with cancer and the average age of diagnosis is 6 years old. One in 285 children will be diagnosed with cancer before the age of 20 and every year, an estimated 250,000+ new cases of cancer affect children under the age of 20 worldwide. That's almost 700 new kids affected every day. Childhood cancer is the **LEADING CAUSE OF DEATH** by disease in children under the age of 19 in the U.S; and

WHEREAS, One in every 1,000 eighteen year olds in the United States is a survivor of childhood cancer, as a result of overall cure rates that have risen to more than 80% over the past 40 years. Only 4% of federal government cancer research funding goes to childhood cancer research; and

WHEREAS, Lifelong follow up care is recommended for all childhood cancer survivors due to the possibility of late side effects associated with treatment; and

WHEREAS, The impact of a childhood cancer diagnosis produces multiple challenges to a family. Children and their families need and deserve the full support of their communities while undergoing treatment; and

WHEREAS, Survival rates for pediatric cancers have improved dramatically over the past 50 years. Today, innovative treatments such as proton therapy and molecularly targeted therapy give doctors even more tools to fight and win the battle against childhood cancers, while working to reduce side effects from treatments; and

WHEREAS, Proton therapy can be especially beneficial for young cancer patients, who are most vulnerable to side effects of traditional radiation therapy. Beaumont Hospital, Royal Oak is the first hospital in Michigan treating pediatric patients with proton technology; and

WHEREAS, Our community has the opportunity to make a significant impact on the lives of children currently being treated for cancer, childhood cancer survivors and their families. Thankfully our residents continue to take part in a number of activities to raise awareness about pediatric cancers;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy hereby proclaims **September 2021 as Childhood Cancer Awareness Month** in the City of Troy and joins with Beaumont Children's to honor all childhood cancer survivors for their strength and determination; and

BE IT FURTHER RESOLVED, That the City Council of the City of Troy applaud the dedicated doctors, nurses and staff at Beaumont Children's who dedicate their lives caring for children affected by cancer and thank them for close to 50 years of helping children fight cancer.

Presented this 27th day of September 2021.



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-04a

CITY COUNCIL AGENDA ITEM

Date: September 7, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Robert C. Maleszyk, Chief Financial Officer
Lisa Burnham, Controller
Kurt Bovensiepe, Public Works Director
Paul Trosper, Water & Sewer Operations Manager
William J. Huotari, City Engineer

Subject: Standard Purchasing Resolution #1: Award to Low Bidder
Contract 21-05 – 2021 Sewer Cleaning & Televising

History

City DPW staff proactively cleans and televises the smaller diameter sanitary sewers in the City. The larger diameter trunk line sewers require specialty equipment. In 2014, with a SAW Grant, the City started cleaning and televising the trunk line sewers. In 2017 another section of the trunk line sewers were cleaned and televised. This contract is a continuation of trunk line sanitary sewer cleaning and televising. The project work is anticipated to start in October 2021 and all work, including restoration, is scheduled to be complete by January 2022.

Purchasing

Bids were received and publicly read on September 1, 2021. The low bid of \$195,736.70 was submitted by Pipetek Infrastructure Services, 861 William, Plymouth, MI 48170, as shown on the attached bid tab.

Work was competitively bid and publicly opened with four (4) bidders responding. The award is contingent upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements.

Financial

Funds for this work are included in the 2021-22 Sewer Fund. (Account # 590.527.535.7973.204055) The budgeted amount includes funds for construction, inspection, testing, and contingencies.

Recommendation

It is recommended that City Council award the 2021 Sewer Cleaning & Televising contract to Pipetek Infrastructure Services, 861 William, Plymouth, MI 48170, for their low base bid of \$195,736.70.

In addition, we are requesting authorization to approve additional work, if needed, not to exceed \$400,000.00 due to unknown condition of the existing trunk line sanitary sewers. A copy of the bid tab and recommendation shall be attached to the original Minutes of this meeting.

Page 1 of 1



Legend

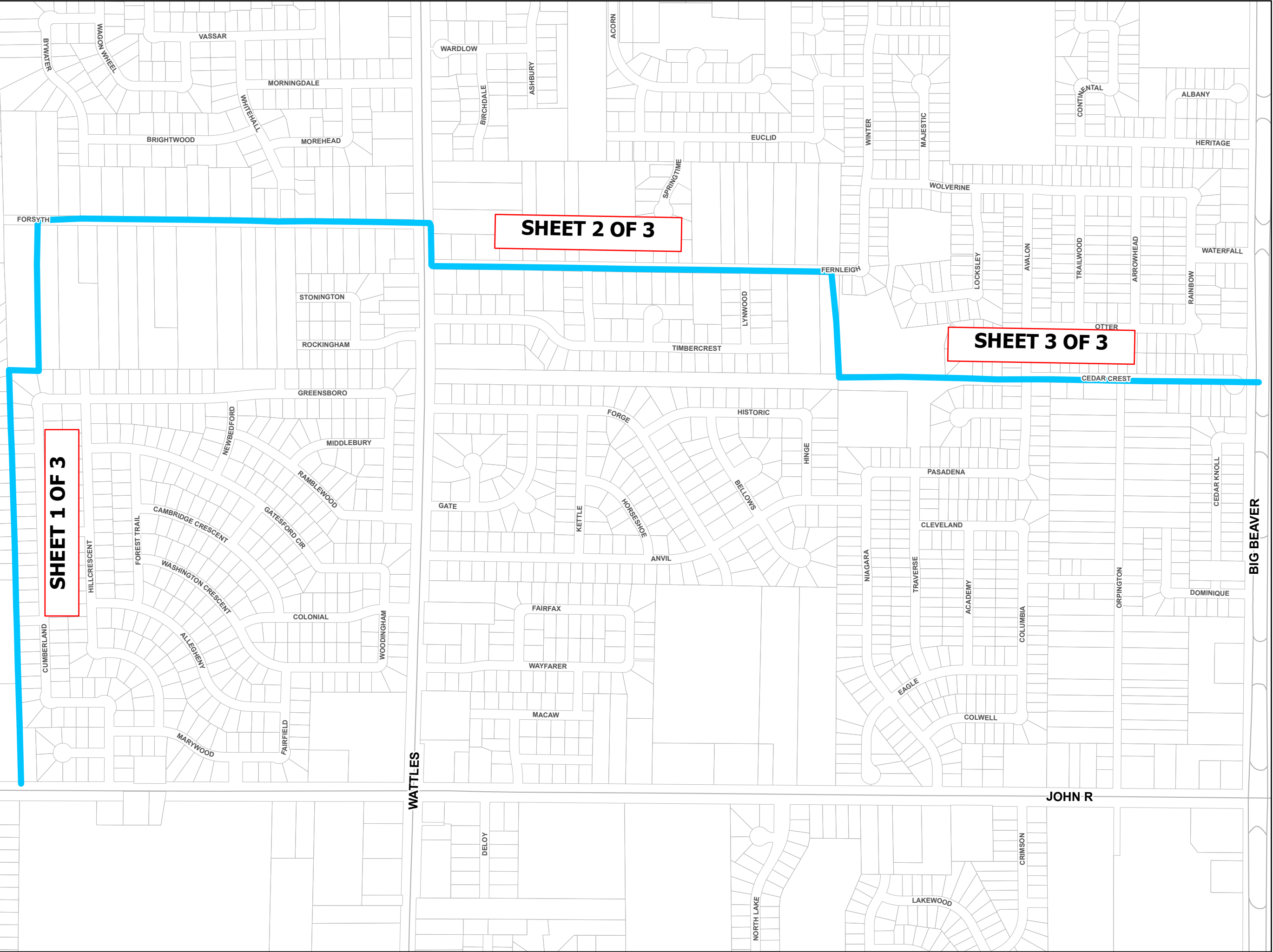
Pipe to Clean

TOTAL PIPE LENGTH
12,205ft



INDEX SHEET

Date: 7/21/2021





500 West Big Beaver
Troy, MI 48084
troymi.gov

J-05

CITY COUNCIL AGENDA ITEM

Date: September 7, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Kurt Bovensiepe, Public Works Director
William J. Huotari, City Engineer

Subject: 2022 Annual Permit for Work on State Trunk Line Right of Way and Performance Resolution for Municipalities

History:

The Michigan Department of Transportation (MDOT) recommends that an Annual Permit be applied for every year. The last application by Troy was in 2021. We have routinely applied for individual permits when we have projects within or encroaching on MDOT right of way.

The Annual Permit allows for emergency operations, maintenance activities, etc. to be completed without the need for an individual permit. Advance notice through the MDOT electronic Construction Permit System (CPS) is still required to notify MDOT that an agency will have activity in their right of way.

An individual permit is project specific and typically related to planned construction in MDOT right-of-way, such as a water main or sewer crossing.

Secondarily, the attached Performance Resolution for Municipalities (Form 2207B) was revised in May 2021 so an updated Resolution is required for 2022. The Resolution serves as the bond and insurance for a municipality so that we do not have to provide these items separately if and when a permit is needed.

Financial:

There is no cost to file the Annual Permit. Approval of the Performance Resolution for Municipalities will save time and potentially money as we would not be required to provide the required bonds and insurance as the Resolution is used in their place.

Recommendation:

Staff recommends that City Council approve the attached Performance Resolution for Municipalities.

Furthermore, staff recommends that the City Manager, Public Works Director and City Engineer be authorized to apply annually to MDOT for the necessary permit to work within State Highway Right of Way on behalf of the City.



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
OAKLAND TRANSPORTATION SERVICE CENTER

PAUL AJEGBA
DIRECTOR

September 1, 2021

2022 ANNUAL PERMIT FOR WORK ON STATE TRUNKLINE RIGHT OF WAY

The MDOT Oakland TSC is now accepting 2022 Annual Permit applications. All permit applications are to be submitted via the MDOT electronic Construction Permit System (CPS). The 2022 Annual Permit will be effective January 1, 2022. Your current 2021 Annual Permit shall continue to be used for any work occurring between now and December 31, 2021.

The Performance Resolution for Governmental Agencies (Form 2207B) was revised in May 2021, therefore, if you haven't done so already, an updated Resolution will be required for 2022. The form shall include the name or title of the designated person(s) authorized to sign permits and shall be uploaded into CPS with your Annual Permit application. I have attached a copy of the form and it can also be found on the internet at www.michigan.gov/mdot.

Each time you perform work under your Annual Permit you will need to submit an electronic Advance Notice via the MDOT electronic CPS system. No work shall be performed until the Advance Notice is approved by MDOT.

An Individual Permit is required for all proposed operations in the MDOT right of way not covered under the Annual Permit.

Municipalities, when working within their municipal limits, are exempt from permit fees.

Thank you for your cooperation. If you have any additional questions, feel free to contact me at 248-895-2558 or MDOT Permit Agent Fred Roeder at 248-208-5894.

Sincerely,

Stacey Gough
Oakland TSC Utility/Permit Engineer
goughs@michigan.gov

cc: File

PERFORMANCE RESOLUTION FOR MUNICIPALITIES

This Performance Resolution (Resolution) is required by the Michigan Department of Transportation for purposes of issuing to a Municipality an "Individual Permit for Use of State Highway Right of Way", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

RESOLVED WHEREAS, the _____ City of Troy
(County, City, Village, Township, etc.)

hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
7. The incorporation by the DEPARTMENT of this *Resolution* as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
8. This *Resolution* shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.

Title and/or Name:

City Manager, Public Works Director and City Engineer

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the _____ City Council
(Name of Board, etc.)
of the _____ City of Troy _____ of _____ Oakland County
(Name of MUNICIPALITY) (County)
at a _____ Regular _____ meeting held on the _____ 13th _____ day
of _____ September _____ A.D. _____ 2021 _____.

Signed

Title

Print Signed Name



500 West Big Beaver
Troy, MI 48084
troymi.gov

K-01a

CITY COUNCIL AGENDA ITEM

Date: September 7, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
R. Brent Savidant, Community Development Director

Subject: ANNOUNCEMENT OF PUBLIC HEARING – TROY CROSSING PLANNED UNIT DEVELOPMENT (File Number PUD JPLN2021-0008) – Proposed Amendment to Troy Crossing PUD, North side of Big Beaver, East of John R (Parcels 88-20-24-352-067 and -068), Section 24, Currently Zoned PUD 8 (Planned Unit Development 8) District

The applicant Brian Najor of Najor Companies submitted an application to amend Troy Crossing (AKA The Phoenix Troy Apartments) Planned Unit Development (PUD). The PUD was approved in 2017. The approved project featured two retail buildings plus four apartment buildings totaling 96 units. The four apartment buildings are nearing completion. The two retail buildings along Big Beaver have not been constructed and the applicant seeks to replace the approved retail buildings with another 3-story, 25-unit apartment building featuring 2,000 square feet of retail/restaurant on the ground floor.

The Planning Commission considered this application at a public hearing on August 24, 2021 and recommended approval of the rezoning by an 8-0 vote. In the resolution, the Planning Commission encouraged the applicant to enhance the development with additional landscaping, to consider moving the retail/restaurant space to the east side of the building and to increase the amount of retail/restaurant space on the ground floor up to 4,000 square feet. The applicant has not submitted revised plans which address these suggestions.

A City Council public hearing has been scheduled for September 27, 2021.

Attachments:

1. Agenda packet from August 24, 2021 Planning Commission meeting.
2. Minutes from August 24, 2021 Planning Commission Regular meeting (excerpt).

DATE: August 19, 2021

TO: Planning Commission

FROM: R. Brent Savidant, Community Development Director

SUBJECT: PUBLIC HEARING - TROY CROSSING PLANNED UNIT DEVELOPMENT (File Number PUD JPLN2021-0008) – Proposed Amendment to Troy Crossing PUD, North side of Big Beaver, East of John R (Parcels 88-20-24-352-067 & -068), Section 24, Currently Zoned PUD 8 (Planned Unit Development 8) District.

The applicant Brian Najor of Najor Companies submitted an application to amend Troy Crossing (AKA The Phoenix Troy Apartments) Planned Unit Development (PUD). The PUD was approved in 2017. The approved project featured two retail buildings plus four apartment buildings totaling 96 units. The four apartment buildings are nearing completion. The applicant seeks to replace the two approved retail buildings along Big Beaver with another 25-unit apartment building featuring 2,000 square feet of retail/restaurant on the ground floor.

The Planning Commission is a recommending body for this application.

The attached report prepared by Carlisle/Wortman Associates, Inc. (CWA), the City's Planning Consultant, summarizes the project as revised. CWA prepared the report with input from various City departments including Planning, Engineering, Public Works and Fire. City Management supports the findings of fact contained in the report and the recommendations included therein.

Attachments:

1. Maps
2. Report prepared by Carlisle/Wortman Associates, Inc.

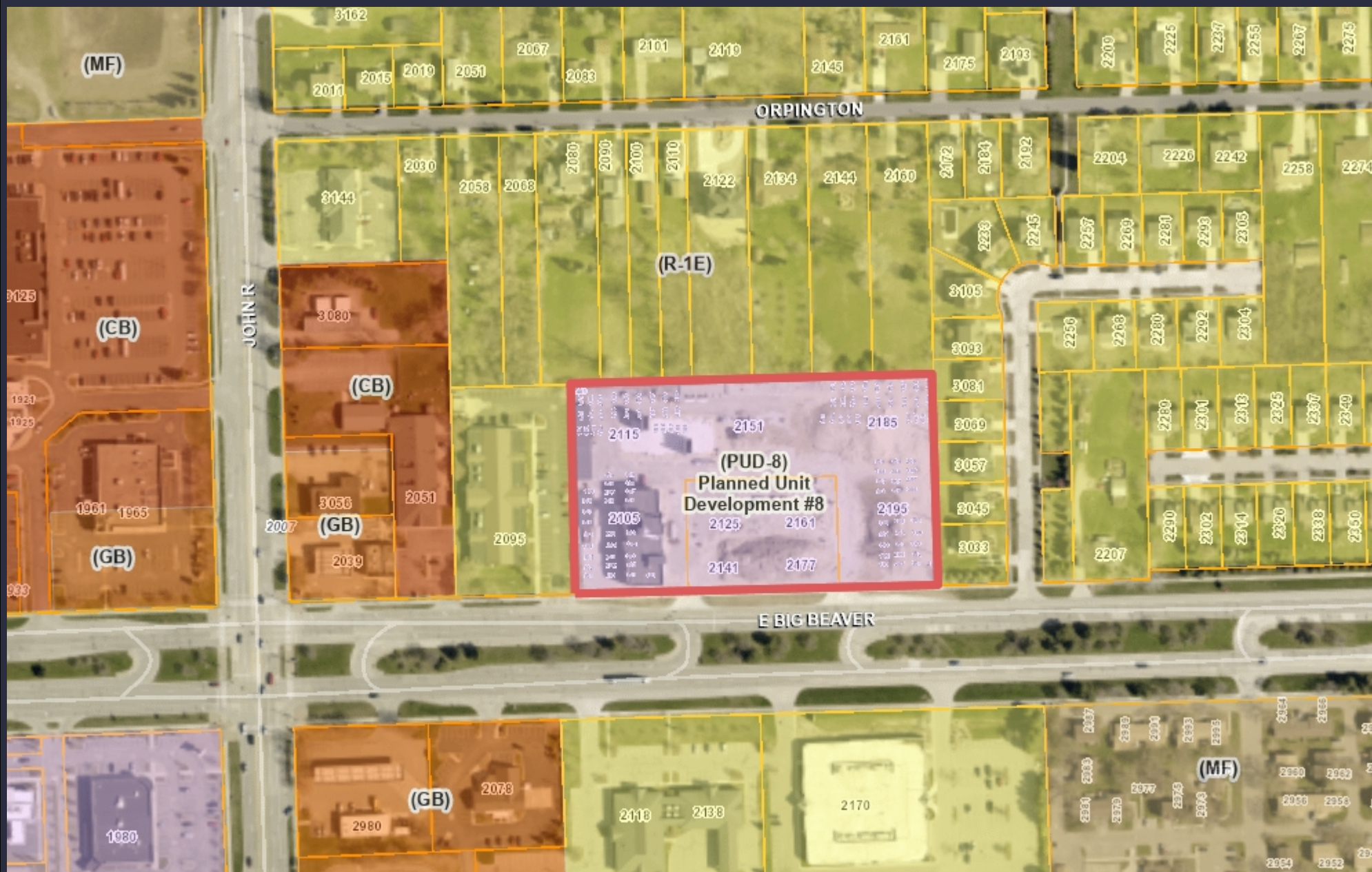
G:\PUD's\PUD 018 JPLN2021-0008 Troy Crossing (aka The Phoenix Troy Apts)\PC Memo 08 24 2021.doc



595 0 297 595 Feet



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



595 0 297 595 Feet



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



Carlisle | Wortman
ASSOCIATES, INC.

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

PUD AMENDMENT For City of Troy, Michigan

Date: August 16, 2021

Applicant:	Najor Companies
Project Name:	Big Beaver – Troy Crossing PUD
Plan Date:	June 5, 2017
Location:	North side of Big Beaver, east of John R.
Zoning:	Planned Unit Development
Action Requested:	Planned Unit Development Amendment
Required Information:	Deficiencies noted

PROJECT AND SITE DESCRIPTION

The Troy Crossing Planned Unit Development received PUD and site plan approval in 2017. The 2017 approval included four (4) 3-story apartment buildings (totaling 108 units), two retail/restaurant facilities (totaling approximately 10,000 sq.ft), and a community center. The retail buildings front Big Beaver Road, with the apartment buildings along the north, east and west sides of the property. Arranged as a plaza style development, the four apartment buildings and retail centers all face the center parking lot and landscaped area.

To date all four (4) 3-story apartment buildings have been constructed. The applicant notes that due to market conditions, they are seeking an PUD amendment to convert the two retail/restaurant facilities, into one building that will include 25 additional residential units and approximately 2,000 sq/ft of restaurant/retail. Parking is sufficient with the change from retail to residential.

The proposed architecture matches the built apartments.

SUMMARY

Planning Commission is to hold a public hearing and make a recommendation to the City Council.

Yours Truly,



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

Response to Section 6 of the PDP Application:

In September 2019, the City of Troy Council approved the PUD, known as Big Beaver Place, consisting of four apartment buildings totaling 108 units and two retail buildings of up to 12,000 square feet in total. At this time, the apartment buildings are in various stages of development with tenants having moved into building number one in April 2021 and a planned completion of building two in July 2021. The two remaining apartment buildings are scheduled to be completed by early 2022. The demand for these premium quality units at this development has been extremely strong with 67 of the total 108 units having been leased as of the beginning of June 2021. Now that we have tenants moved in and we have received a substantial amount of feedback from prospective residents, we believe that the two retail buildings approved would be a detriment to the surrounding apartment community in the form of additional traffic and noise.

In lieu of the two retail buildings, we are proposing to construct a single three-story building consisting of 2,129 square feet of retail and/or restaurant use on the west end of the ground floor and 25 additional apartment units. The retail/restaurant uses will maintain the mixed-use component of the PUD while at a scale that is more appropriate for this principally residential community. The uses envisioned for this retail component would be complimentary to the apartment residents and include such offerings as a coffee shop, small restaurant and/or personal service uses. The elevations of the proposed building would be consistent with the other buildings in the development. The building will be situated in the same area as the previously approved retail building and will retain many of the landscape and hardscape elements such as planter boxes and pavers.

(Per First American Title Insurance Co. (Title Connect, LLC) commitment number TC13-80740, commitment date 04-04-19)

[illegible]

Lands in the Southwest 1/4 of Section 24, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, being part of Lots 16 through 19, "Big Beaver Poultry Farms" Subdivision, as recorded in Liber 23, Page 14, Oakland County Records, more particularly described as:

Commencing at the Southwest Corner of said Section 24; thence along the South line of said Section 24, S82°42'05"E, 535.07 feet (platted as S89°29'E, 534.86 feet - 1/2 mile, right-of-way); thence along the North line of Big Beaver Road (102 feet - 1/2 mile, right-of-way); thence along said North line S89°41'E, 186.32 feet (platted as S89°29'E); to the POINT OF BEGINNING; thence S00°18'03"E, 183.50 feet; thence S89°41'E, 249.00 feet; thence S00°18'03"E, 183.50 feet to the aforementioned North line of Big Beaver Road; thence along said North line, N89°41'E, 249.00 feet to the POINT OF BEGINNING.

(Per First American Title Insurance Co. (Title Connect, LLC) commitment number TC13-80740, commitment date 04-04-18.)

Subject to the easements, restrictions and reservations contained in the Big Beaver Poultry Farms Plat recorded at Liber 23, Page(s) 1-4, Oakland County Records. [DOES NOT AFFECT THE SUBJECT PROPERTY]

- 13 Terms and Conditions contained in Right of Way in favor of Michigan Bell Telephone Company as disclosed by instrument recorded in Liber 7219, page 708. [DOES NOT AFFECT THE SUBJECT PROPERTY]
- 14 Terms and Conditions contained in Development Agreement as disclosed by instrument recorded in Liber 30785, page 864 as amended by First Amendment recorded in Liber _____ page _____ [AFFECTS ALL OF THE SUBJECT PROPERTY]
- 15 Covenants, conditions and restrictions and other provisions but omitting restrictions, if any, based on race, color, religion, sex, handicap, familial status or national origin as contained in instruments recorded in Liber 10701, page 574, County and County Records. [DOES NOT AFFECT THE SUBJECT PROPERTY]

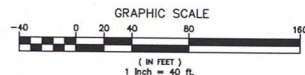
A. At the time of survey there was no evidence observed of any landfills, drainage fields, or use as a solid waste dump or sanitary landfill.

B. The site is currently under construction. The survey shows conditions as of January 23, 2017.

C. No evidence of potential wetlands were observed on the subject property at the time the survey was conducted, nor have we received any documentation of any wetlands being located on the subject property.

D. The sewers and water lines are based on record maps provided by the City of Dearborn Engineering Department and visual observation.

E. The existing conditions as shown herein, are as of the "last day of field work" noted in the certification.



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HAVE NOT RECEIVED INFORMATION AS OF 1-18-17
CONSUMERS ENERGY CO #22-BI-24-3, DATED 4-20-15
HAVE NOT RECEIVED INFORMATION AS OF 1-18-17
U.S.A. FIRM INVESTIGATION CASE NO. 96-00000000
"BOUNDARY AND TOPOGRAPHIC SURVEY BIG BEAVER PLACE", FAZ
KAYN & ASSOC., PROJECT #06-04-SURV-DIG 10-23-06

To: Troy Crossing, LLC
Title Connect, LLC
First American Title Insurance Company;
Bank of Ann Arbor

This is to certify that this map or plot and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA and Title Surveys," jointly established and adopted by ALTA and NSPS in 2018, and includes Items 2, 3, 4, 9, 11(a), 13, 16-18 and 19 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further states that in my professional opinion, as a land surveyor registered in the State of Michigan, the Reliance Positioning Survey of this survey does not exceed that which is specified therein. The last day of field work was completed on January 23, 2017

Todd D. Shelly, PS
Michigan Professional Surveyor No. 41111
Agent for PEA, Inc.

FLOODPLAIN NOTE:
BY GRAPHICAL PLOTTING, SITE IS WITHIN ZONE "X", AREA
DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHAN-
FLOODPLAIN PER FLOOD INSURANCE RATE MAP NUMBER
26125C0553G, DATED JANUARY 16, 2009.

STATE OF MICHIGAN
TODD D. SHELLEY
PROFESSIONAL
SURVEYOR
NO.
41111

[illegible]

**3 FULL WORKING DAYS
BEFORE YOU DIG CALL**

811

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f 248.689.1044
www.peainc.com

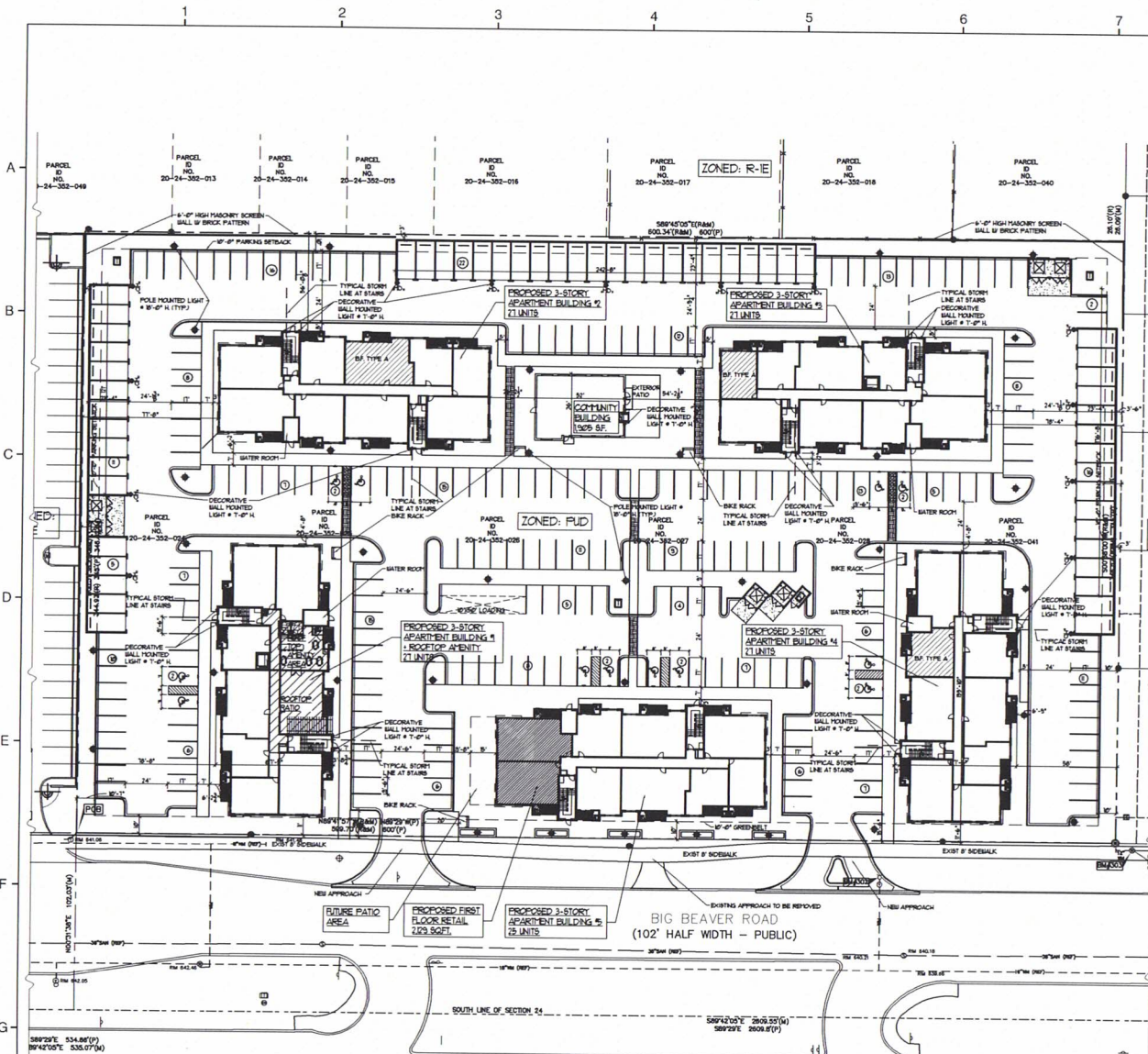
NAJOR COMPANIES
500 NORTH-OLD WOODWARD
BIRMINGHAM, MI 48002

ALTA/NSPS LAND TITLE SURVEY
NAJOR BIG BEAVER PUD
PART OF THE N. 1/4, S. 1/4, E. 1/4, OF
SECTION 16, T. 12 N., R. 10 E.,
CITY OF TROY, CLAWSON COUNTY, MICHIGAN.

DEES	DA	CL	SUR	MIS	P-M	JPB
PROJECTED JUNE 2008 - NAJOR BIG BEAVER PUD - (CITY OF TROY) - (CLAWSON CO.) - (MI) - (ALTA) - (N. 1/4, S. 1/4, E. 1/4, OF SECTION 16, T. 12 N., R. 10 E., CITY OF TROY, CLAWSON COUNTY, MICHIGAN.)						

ORIGINAL ISSUE DATE: AUGUST 21, 2019
FEA JOB NO. 2016-286
SCALE: 1" = 40'
DRAWING NUMBER 1

1



PROPOSED BUILDING			
CODE COMPLIANCE CITY OF TROY CODE OF ORDINANCES PROGRAM BUILDING CODE 202			
ZONING ANALYSIS	REQUIRED / ALLOWED	PROVIDED	REFERENCE
PROPERTY AREA	30700 SF	30700 SF	
OPEN SPACE	80%	SEE LANDSCAPE DRAWINGS	
ZONED	R-E	R-E	
CONSTRUCTION TYPE	NO	NO	
USE GROUP	NO	NO	
BUILDING AREA	15,400 SF	15,400 SF	
RETAIL/RESTAURANT BUILDING 4	4,000 SF	4,000 SF	
RETAIL/RESTAURANT BUILDING 5	4,000 SF	4,000 SF	
RESIDENTIAL UNIT 1	6 EFFICIENCY UNITS - 6 (1) BEDROOM UNIT - 1 (3) BEDROOM UNITS - 2 (1) UNITS	6 EFFICIENCY UNITS - 6 (1) BEDROOM UNIT - 1 (3) BEDROOM UNITS - 2 (1) UNITS	
RESIDENTIAL UNIT 2	6 EFFICIENCY UNITS - 6 (1) BEDROOM UNIT - 1 (3) BEDROOM UNITS - 2 (1) UNITS	6 EFFICIENCY UNITS - 6 (1) BEDROOM UNIT - 1 (3) BEDROOM UNITS - 2 (1) UNITS	
RESIDENTIAL UNIT 3	6 EFFICIENCY UNITS - 6 (1) BEDROOM UNIT - 1 (3) BEDROOM UNITS - 2 (1) UNITS	6 EFFICIENCY UNITS - 6 (1) BEDROOM UNIT - 1 (3) BEDROOM UNITS - 2 (1) UNITS	
RESIDENTIAL UNIT 4	6 EFFICIENCY UNITS - 6 (1) BEDROOM UNIT - 1 (3) BEDROOM UNITS - 2 (1) UNITS	6 EFFICIENCY UNITS - 6 (1) BEDROOM UNIT - 1 (3) BEDROOM UNITS - 2 (1) UNITS	
RESIDENTIAL UNIT 5	6 EFFICIENCY UNITS - 6 (1) BEDROOM UNIT - 1 (3) BEDROOM UNITS - 2 (1) UNITS	6 EFFICIENCY UNITS - 6 (1) BEDROOM UNIT - 1 (3) BEDROOM UNITS - 2 (1) UNITS	
COMMUNITY BUILDING	15,400 SF	15,400 SF	
BUILDING HEIGHT	N/A - DETERMINED BY PID PLAN PRESENTED	15' 0"	ORD. SEC. 167
HEIGHT	N/A - DETERMINED BY PID PLAN PRESENTED	15' 0"	ORD. SEC. 167
BUILDING SETBACKS	N/A - DETERMINED BY PID PLAN PRESENTED	15' 0"	ORD. SEC. 167
FRONT	N/A - DETERMINED BY PID PLAN PRESENTED	15' 0"	ORD. SEC. 167
SIDE	N/A - DETERMINED BY PID PLAN PRESENTED	15' 0"	ORD. SEC. 167
REAR	N/A - DETERMINED BY PID PLAN PRESENTED	15' 0"	ORD. SEC. 167
GREENBELT	N/A - DETERMINED BY PID PLAN PRESENTED	15' 0"	ORD. SEC. 167
ALONG FRONT OF PROPERTY	N/A - DETERMINED BY PID PLAN PRESENTED	15' 0"	ORD. SEC. 167
PARKING SETBACKS	N/A - DETERMINED BY PID PLAN PRESENTED	15' 0"	ORD. SEC. 167
FRONT	N/A - DETERMINED BY PID PLAN PRESENTED	15' 0"	ORD. SEC. 167
SIDE	N/A - DETERMINED BY PID PLAN PRESENTED	15' 0"	ORD. SEC. 167
REAR	N/A - DETERMINED BY PID PLAN PRESENTED	15' 0"	ORD. SEC. 167
PARKING	N/A - DETERMINED BY PID PLAN PRESENTED	15' 0"	ORD. SEC. 167
MULTI-FAMILY RESIDENTIAL	2 SPACES FOR EACH DWELLING UNIT 800 UNITS x 2 = 1,600 SPACES 1 SPACE FOR EACH EFFICIENCY 30 UNITS x 1 = 30 SPACES TOTAL 1,630 PARKING SPACES	1,630 SPACES	
RETAIL	1 SPACE FOR EACH 100 SF OF GROSS FLOOR AREA (1200 SF) / 100 = 12 SPACES	12 SPACES	
STANDARD RESTAURANT	1 SPACE FOR 2 SEATS 10 SEATS / 2 = 5 SPACES	5 SPACES	
TOTAL	1,630 SPACES (1,630 SPACES)	1,630 SPACES	
SPACE SIZE	5'-0" x 22'-0", 8'-0" x 22'-0", 8'-0" x 22'-0" ASBL	5'-0" x 22'-0", 8'-0" x 22'-0", 8'-0" x 22'-0" ASBL	
PARKING LANDSCAPE ISLAND SIZE	5'-0" x 15'-0", 8'-0" x 15'-0", 8'-0" x 15'-0" ASBL	5'-0" x 15'-0", 8'-0" x 15'-0", 8'-0" x 15'-0" ASBL	
LOADING/UNLOADING	TO BE DETERMINED BY PLANNING DEPT.	TO BE DETERMINED BY PLANNING DEPT.	
SPACE SIZE	8'-0" x 15'-0"	8'-0" x 15'-0"	
SPACES REQUIRED	1 SPACE - 1,600 GFA, 1 SPACE - 1 SPACE FOR EACH ADDITIONAL 10,000 GFA	1 SPACE	

SERRA - MARKO & ASSOCIATES
ARCHITECTURAL DESIGNERS
 189 E Big Beaver, Suite 108 Troy, MI 48063
 Tel: 248.457.6903 Fax: 248.457.6906
 Email: info@s-m-associates.com
 Website: www.s-m-associates.com

ALL DRAWINGS SHALL BE REVIEWED BY THE FIELD BY THE
 TOWN OF TROY. THE TOWN OF TROY SHALL BE RESPONSIBLE FOR
 THE CONSTRUCTION OF ALL UTILITIES.
 PREPARED IN COLLABORATION
 WITH DYANA ASSOCIATES, INC.
 Troy, Michigan
 189 E Big Beaver, Suite 108
 Troy, MI 48063
 Tel: 248.457.6903 Fax: 248.457.6906
 Email: info@s-m-associates.com
 Website: www.s-m-associates.com

PROJECT NAME:
TROY CROSSING

PER OWNER CHANGES
07-23-2020

ADDRESS:
BIG BEAVER RD.
TROY, MI 48063

JOB NO.		15-0353	
ISSUANCES			
NO	DESCRIPTION	DATE	BY
1	SITE PLAN APPROVAL	10/03/16	BA/EM
2	UPDATED SITE PLAN	11/28/16	BA/EM
3	SITE PLAN APPROVAL	02/21/17	BA/EM
4	PER CITY COMMENTS	06/05/17	BA/EM
5	PER CITY COMMENTS	07/19/17	BA/EM
6	FINAL SITE PLAN	07/10/18	BA/EM
7	PER OWNER CHANGES	07/23/20	BA/EM

PROPOSED SITE PLAN
 SCALE: 1/8" = 1'-0"
 SHEET TITLE
 PROPOSED SITE PLAN
 SHEET NO.
 A0.1.1



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185m





Google Earth

2/2021 Google

Troy Crossing

Big Beaver Rd. Troy, MI 48083

05/04/2021 Fifth Apartment Building



NAJOR COMPANIES
600 N. OLD WOODWARD AVE., SUITE 100, BIRMINGHAM, MI 48009 PH: (248)433-7000

SERRA-MARKO AND ASSOCIATES INC.
189 E. BIG BEAVER, SUITE 106, TROY, MI 48083 PH: (248)457-6903

PEA
2430 ROCHESTER COURT, SUITE 100, TROY, MI 48083 PH: (248)689-9090

PEA
2430 ROCHESTER COURT, SUITE 100, TROY, MI 48083 PH: (248)689-9090

OWNER

ARCHITECT

CIVIL ENGINEER

LANDSCAPE CONSULTANT

DRAWING LIST:

GENERAL:
G00.01 ZONING ANALYSIS
ARCHITECTURAL:
A01.01 PROPOSED SITE PLAN
A01.02 APARTMENT FIRST FLOOR PLAN
A01.03 APARTMENT SECOND FLOOR PLAN
A01.04 APARTMENT THIRD FLOOR PLAN
A01.05 APARTMENT ELEVATIONS
A01.06 APARTMENT ELEVATIONS



PROJECT SUMMARY:
APARTMENT BUILDING 1-4: 4 EFFICIENCY UNITS
2 (1) BEDROOM UNITS
2 (2) BEDROOM UNITS
TOTAL: 21 UNITS EACH
APARTMENT BUILDING 5: 6 EFFICIENCY UNITS
6 (1) BEDROOM UNITS
2 (2) BEDROOM UNITS
TOTAL: 29 UNITS
FIRST FLOOR RETAIL/RESTAURANT AREA: 1,100 SQFT.
PARKING REQUIRED:
1 SPACE FOR EACH DWELLING UNIT, 1 SPACE FOR EACH EFFICIENCY UNIT
40 DWELLING UNITS x 1 = 40 PARKING SPACES
30 EFFICIENCY UNITS x 1 = 30 PARKING SPACES
TOTAL: 70 PARKING SPACES
RETAIL: 1 PARKING SPACE PER 250 SQFT. OF GROSS AREA
1,100 SQFT. / 250 = 4.4 PARKING SPACES
CAFE/RESTAURANT: 1 SPACE FOR 2 SEATS
50 SEATS / 2 = 25 PARKING SPACES
TOTAL PARKING REQUIRED (RETAIL): 145 PARKING SPACES
TOTAL PARKING PROVIDED (RETAIL): 30 PARKING SPACES
TOTAL PARKING PROVIDED: 34 PARKING SPACES

PROPOSED BUILDING			
CODE COMPLIANCE: CITY OF TROY CODE OF ORDINANCES, MINIMUM BUILDING CODE 360			
ANALYSIS	REQUIRED / ALLOWED	PROVIDED	REFERENCE
PROPERTY AREA		1,100 SQ. FT.	
OPEN SPACE	MIN.	SEE LANDSCAPE DRAWINGS	
LAND	MIN.	SEE	
CONSTRUCTION TYPE		100 (RETAIL) / 100 (APARTMENTS)	MINC-D, SEC. 402
USE GROUP		BLT, A-2 (R-2)	MINC-D, SEC. 300
BUILDING AREA			
RETAIL/RESTAURANT BUILDING 1		5,400 SQ. FT.	
RETAIL/RESTAURANT BUILDING 2		4,800 SQ. FT.	
RETAIL/RESTAURANT BUILDING 3		4,800 SQ. FT.	
RETAIL/RESTAURANT BUILDING 4		4,800 SQ. FT.	
RETAIL/RESTAURANT BUILDING 5		4,800 SQ. FT.	
RETAIL/RESTAURANT BUILDING 6		4,800 SQ. FT.	
RETAIL/RESTAURANT BUILDING 7		4,800 SQ. FT.	
RETAIL/RESTAURANT BUILDING 8		4,800 SQ. FT.	
RETAIL/RESTAURANT BUILDING 9		4,800 SQ. FT.	
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RETAIL/RESTAURANT BUILDING 96		4,800 SQ. FT.	
RETAIL/RESTAURANT BUILDING 97		4,800 SQ. FT.	
RETAIL/RESTAURANT BUILDING 98		4,800 SQ. FT.	
RETAIL/RESTAURANT BUILDING 99		4,800 SQ. FT.	
RETAIL/RESTAURANT BUILDING 100		4,800 SQ. FT.	

SERRA - MARKO & ASSOCIATES
ARCHITECTURAL DESIGNERS
189 E Big Beaver, Suite 106 Troy, MI 48083
Tel: 248.457.6903 Fax: 248.457.6906
Email: info@s-m-associates.com
Website: www.s-m-associates.com

ALL DIMENSIONS SHALL BE GIVEN IN THE FIELD BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.
PREPARED IN COLLABORATION WITH D'AMMA ASSOCIATES, INC.
STATE OF MICHIGAN
JULIO GALEO
REGISTERED ARCHITECT
No. 0000000000

PROJECT NAME:
TROY CROSSING

FIFTH APARTMENT
BUILDING
05-04-2021

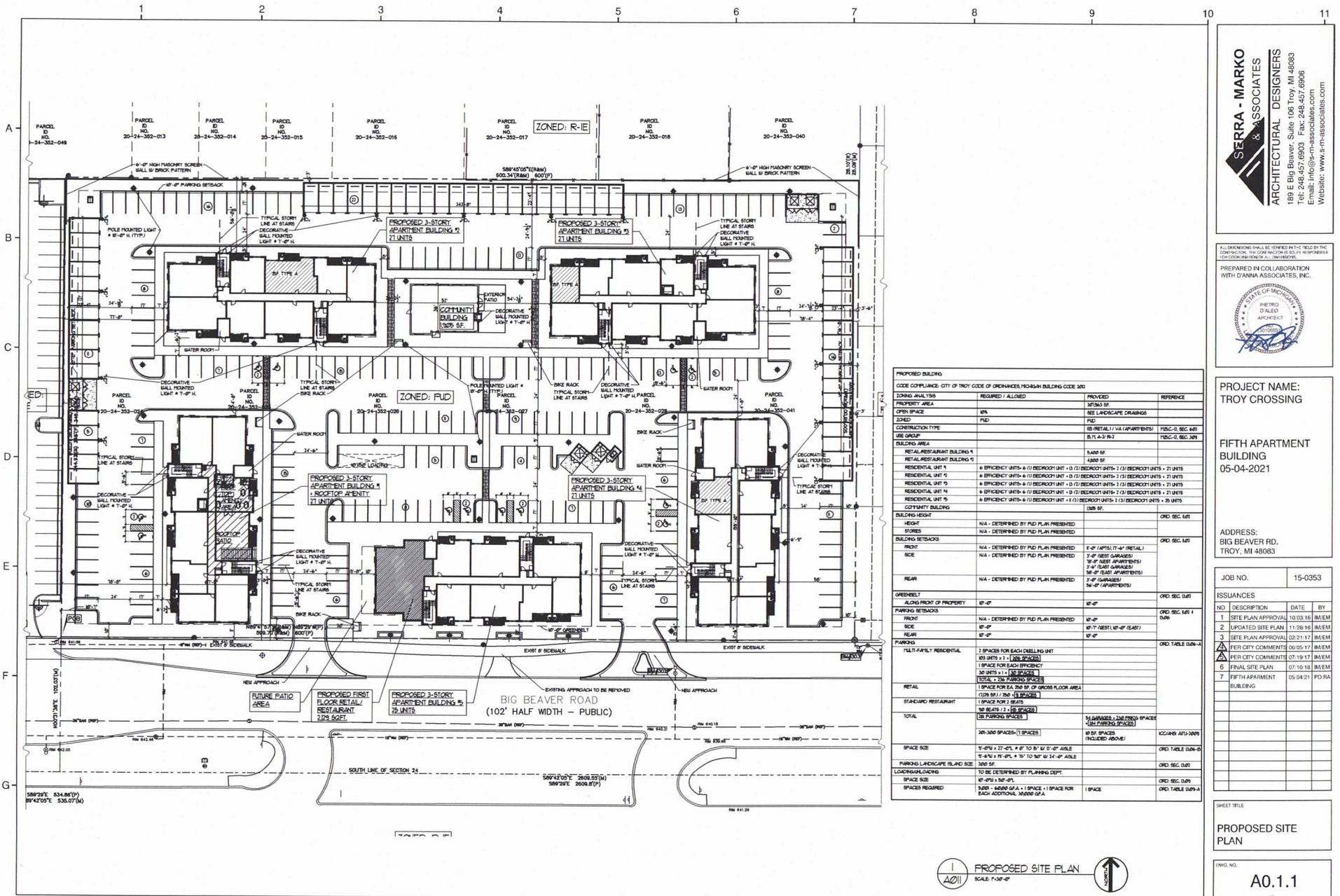
ADDRESS:
BIG BEAVER RD.
TROY, MI 48083

JOB NO. 15-0353

ISSUANCES			
NO.	DESCRIPTION	DATE	BY
1	SITE PLAN APPROVAL	10/23/16	BAEM
2	UPDATED SITE PLAN	11/28/16	BAEM
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6	FINAL SITE PLAN	07/19/18	BAEM
7	FIFTH APARTMENT BUILDING	05/04/21	PD/BA

SHEET TITLE:
ZONING ANALYSIS

DWG. NO.:
G0.0.1



PROPOSED BUILDING			
CODE COMPLIANCE: CITY OF TROY CODE OF ORDINANCES PROGRAM BUILDING CODE 300	REQUIRED / ALLOWED	PROVIDED	REFERENCE
ZONING ANALYSIS	REQUIRED	300.01 SF	
OPEN SPACE	MIN	SEE LANDSCAPE DRAWINGS	
ZONED	R-1E	R-1E	
CONSTRUCTION TYPE	MIN	150 RETAIL / 150 APARTMENTS	IBC-5, SEC. 401
USE GROUP	MIN	150 RETAIL / 150 APARTMENTS	IBC-5, SEC. 401
BUILDING AREA		5,400 SF	
RETAIL/RESTAURANT BUILDING 1		4,800 SF	
RETAIL/RESTAURANT BUILDING 2		4,800 SF	
RETAIL/RESTAURANT BUILDING 3		4,800 SF	
RETAIL/RESTAURANT BUILDING 4		4,800 SF	
RETAIL/RESTAURANT BUILDING 5		4,800 SF	
RETAIL/RESTAURANT BUILDING 6		4,800 SF	
RETAIL/RESTAURANT BUILDING 7		4,800 SF	
RETAIL/RESTAURANT BUILDING 8		4,800 SF	
RETAIL/RESTAURANT BUILDING 9		4,800 SF	
RETAIL/RESTAURANT BUILDING 10		4,800 SF	
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RETAIL/RESTAURANT BUILDING 98		4,800 SF	
RETAIL/RESTAURANT BUILDING 99		4,800 SF	
RETAIL/RESTAURANT BUILDING 100		4,800 SF	

SERRA - MARKO & ASSOCIATES
ARCHITECTURAL DESIGNERS
189 E Big Beaver, Suite 106 Troy, MI 48063
Tel: 248.457.6903 Fax: 248.457.6906
Email: info@s-m-a-associates.com
Website: www.s-m-a-associates.com

ALL DRAWINGS SHALL BE VERIFIED BY THE FIELD BY THE DESIGNER. THE DESIGNER SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL INFORMATION.

PREPARED IN COLLABORATION WITH D'AMMA ASSOCIATES, INC.

PROJECT NAME:
TROY CROSSING

FIFTH APARTMENT BUILDING
05-04-2021

ADDRESS:
BIG BEAVER RD.
TROY, MI 48063

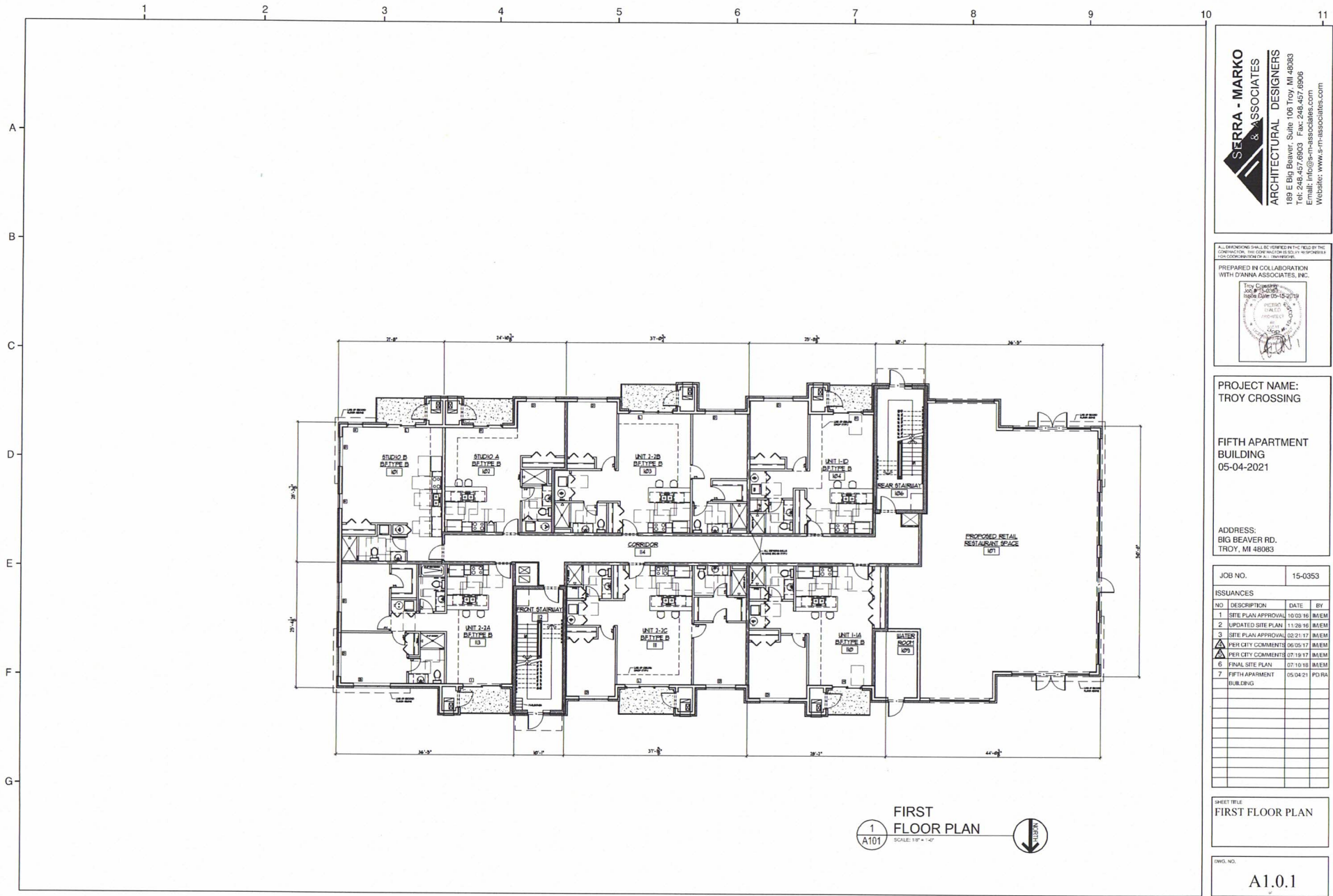
JOB NO. 15-0353

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7	FIFTH APARTMENT BUILDING	05-04-21	PD/BA

SHEET TITLE
PROPOSED SITE PLAN

OWN. NO.
A0.1.1



1
A101
FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

SERRA MARKO & ASSOCIATES
ARCHITECTURAL DESIGNERS
189 E Big Beaver, Suite 108 Troy, MI 48063
Tel: 248.457.6903 Fax: 248.457.6908
Email: info@s-m-associates.com
Website: www.s-m-associates.com

ALL DIMENSIONS SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR. THIS CONSTRUCTION IS SOLELY THE RESPONSIBILITY OF THE CONTRACTOR AND NOT THE ARCHITECT.
PREPARED IN COLLABORATION WITH D'AMICO ASSOCIATES, INC.



PROJECT NAME:
TROY CROSSING

FIFTH APARTMENT BUILDING
05-04-2021

ADDRESS:
BIG BEAVER RD.
TROY, MI 48063

JOB NO. 15-0353

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7	FIFTH APARTMENT BUILDING	05/04/21	PO/RA

SHEET TITLE:
FIRST FLOOR PLAN

DWG. NO.
A1.0.1

APARTMENT BUILDING ELEVATION KEYED NOTES

- 1 PRE-FIN METAL COPING
- 2 HPI DOOR
- 3 LIFESTONE OR PRE-CAST SILL
- 4 BURNISHED BLOCK
- 5 BRICK
- 6 GEMENT SIDING (COLOR TBD)
- 7 OPEN STEEL CANOPY
- 8 DECORATIVE ELEMENT
- 9 PRE-FINISHED METAL PANEL
- 10 DECORATIVE WALL MOUNTED LIGHT FIXTURE
- 11 ROLL GLASS SET IN ALUM. FRAME UNDOU
- 12 ROLL 10" GLASS SET IN ALUM. FRAME DOOR
- 13 ROLL GLASS SET IN ALUM. FRAME SLIDING DOOR
- 14 ALUM. RAILING (BRONZE FIN. APPEARANCE)
- 15 DOWNPOUT (SEE PLUMBING FOR SIZE)
- 16 NOT USED
- 17 MECHANICAL SHUT
- 18 NOT USED
- 19 FASCIA WRAPPED IN PRE-FINISHED METAL (SEE SECTIONS FOR SIZES)
- 20 HVAC GRILLE (SEE MECHANICAL PLANS)
- 21 DRAIN EDGE METAL COPING
- 22 BUILDING ADDRESS NUMBERS TO BE A MINIMUM OF 4" HIGH WITH A "THIN" FINISH OF GRAY AND IN A COLOR THAT CONTRASTS THE BACKGROUND
- 23 TINTED GLASS UNDOU SET IN ALUMINUM FRAME
- 24 TINTED GLASS DOOR SET IN ALUMINUM FRAME



1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

SERRA - MARKO & ASSOCIATES
ARCHITECTURAL DESIGNERS
189 E Big Beaver, Suite 106 Troy, MI 48063
Tel: 248.457.6903 Fax: 248.457.6906
Email: info@serramarko.com
Website: www.serramarko.com

ALL DIMENSIONS SHALL BE DETERMINED BY THE FIELD BY THE CONTRACTOR. THESE DIMENSIONS SHALL BE RESPONSIBLY FOR CORRECTING ANY DISCREPANCIES.

PREPARED IN COLLABORATION WITH D'ANNA ASSOCIATES, INC.



PROJECT NAME:
TROY CROSSING

FIFTH APARTMENT
BUILDING
05-04-2021

ADDRESS:
BIG BEAVER RD.
TROY, MI 48063

JOB NO. 15-0353

ISSUANCES

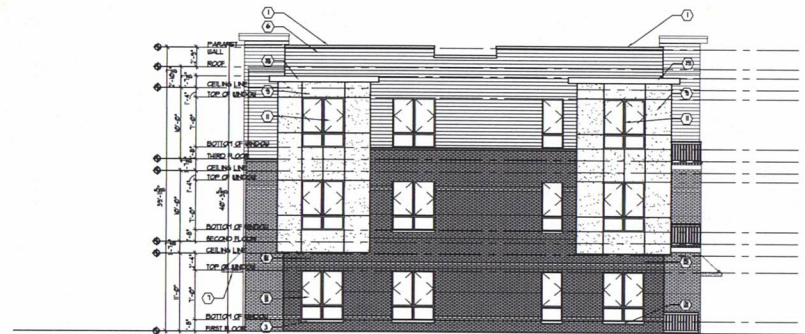
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7	FIFTH APARTMENT BUILDING	05/04/21	PD RA

SHEET TITLE
BUILDING
ELEVATIONS

DWG. NO.
A2.0.1

APARTMENT BUILDING ELEVATION KEYED NOTES

- (1) PRE-FIN. METAL CORING
- (2) MET. DOOR
- (3) LIMESTONE OR PRE-CAST SILL
- (4) BURNISHED BLOCK
- (5) BRICK
- (6) CEMENT SIDING (COLOR TBD)
- (7) OPEN STEEL CANOPY
- (8) DECORATIVE ELEMENT
- (9) PRE-FINISHED METAL PANEL
- (10) DECORATIVE WALL MOUNTED LIGHT FIXTURE
- (11) INSUL. GLASS SET IN ALUM. PRIME WINDOW
- (12) INSUL. TEMP. GLASS SET IN ALUM. PRIME DOOR
- (13) INSUL. GLASS SET IN ALUM. PRIME SLIDING DOOR
- (14) ALUM. RAILING (ROUGH IRON APPEARANCE)
- (15) DOWNPOUT (SEE PLUMBING FOR SIZE)
- (16) NOT USED
- (17) MECHANICAL SHUT
- (18) NOT USED
- (19) PANEL WRAPPED IN PRE-FINISHED METAL (SEE SECTION FOR SIZE)
- (20) HVAC GRILLE (SEE MECHANICAL PLANS)
- (21) DRAIN EDGE METAL CORING
- (22) BUILDING ADDRESS NUMBERS TO BE A FINISH OF 4" HSL WITH A FINISH FINISH OF 60° AND IN A COLOR THAT CONTRASTS THE BACKGROUND.
- (23) TINTED GLASS WINDOW SET IN ALUMINUM PRIME
- (24) TINTED GLASS DOOR SET IN ALUMINUM PRIME



1 EAST ELEVATION
SCALE: 1/8" = 1'-0"



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"

SERRA-MARKO & ASSOCIATES
ARCHITECTURAL DESIGNERS
188 E Big Beaver, Suite 105 Troy, MI 48063
Tel: 248.467.2666
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Website: www.s-m-associates.com

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PREPARED IN COLLABORATION WITH D'ANNA ASSOCIATES, INC.



PROJECT NAME:
TROY CROSSING

FIFTH APARTMENT
BUILDING
05-04-2021

ADDRESS:
BIG BEAVER RD.
TROY, MI 48063

JOB NO. 15-0353

ISSUANCES

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SHEET TITLE:
BUILDING
ELEVATIONS

DRWG. NO.
A2.0.2

PLANNED UNIT DEVELOPMENT (PUD)

6. **PUBLIC HEARING - TROY CROSSING PLANNED UNIT DEVELOPMENT (File Number PUD JPLN2021-0008)** – Proposed Amendment to Troy Crossing PUD, North side of Big Beaver, East of John R (Parcels 88-20-24-352-067 and -068), Section 24, Currently Zoned PUD 8 (Planned Unit Development 8) District

Mr. Carlisle presented a review of the proposed Amendment to Troy Crossing Planned Unit Development. He compared the differences of the 2017 approved plan and proposed amendment as relates to the residential and commercial facilities. Mr. Carlisle reported parking is sufficient with the change from retail to residential and the proposed architecture matches the apartments that have been constructed and/or currently under construction. Mr. Carlisle said if the amendment to the PUD is approved, the applicant would be required to submit a revised landscape plan and photometrics plan for Building 5. He said a public hearing is scheduled this evening and the Planning Commission role is to make a recommendation to City Council.

Mr. Carlisle provided a brief explanation of a PUD application.

Mr. Savidant provided a brief history of the original Planned Unit Development as relates to the public benefit and mix of retail and residential uses.

Applicant Bryan Najor and General Contractor Richard Atto were present.

Mr. Najor addressed the development with respect to the changing market. He said residential is a highly sought after component now and commercial is shrinking. Mr. Najor said the proposed amendment would accommodate the market for additional residential. His focus on a retail/restaurant component is a less intense use that would be harmonious with existing apartment residents.

There was discussion on:

- Building height; initially 4 story.
- Success of development; compliments to property owner/applicant.
- Square footage of retail component; reduction, retail options.
- Community Center on site; fitness center and kitchen planned in future.
- Public benefit for City as a whole, not only apartment residents.
- Standards for Approval; how they relate to application at time of approval and currently with proposed amendment.
- Location of retail component; west or east elevations.
- Landscaping/screening; administration to work with applicant on landscape/hardscape.
- Preserving integrity of original PUD agreement.
- Demographics of apartment residents; fully occupied; on-going list of potential new residents.

Mr. Atto addressed the marketing strategy and flexibility in the location of the retail component.

PUBLIC HEARING OPENED

There was no one present who wished to speak.

PUBLIC HEARING CLOSED

Mr. Savidant suggested a non-binding Resolution to encourage the developer to consider additional square footage for retail provided there is sufficient parking and allow flexibility in amending the PUD agreement.

Resolution # PC-2021-08-xxx (withdrawn)

Moved by: Rahman

Support by: Perakis

WHEREAS, The applicant Najor Companies submitted an application to amend Troy Crossing Planned Unit Development (PUD), aka The Phoenix Troy Apartments, located on the north side of Big Beaver, east of John R, in Section 24, approximately 4.77 acres in area; and

WHEREAS, Troy Crossing PUD was approved as a mixed use development including four 3-story apartment buildings and two retail/restaurant facilities; and

WHEREAS, The applicant has proposed to replace the two approved 1-story retail/restaurant facilities with one 3-story building featuring whatever possible apartments the applicant can make and 4,000 square feet of retail/restaurant on the ground floor on both the east and west sides; and

WHEREAS, The proposed 3-story building is similar in design to the four buildings on site which are nearing completion; and

WHEREAS, The proposed revision to the PUD meets the Standards for Approval set forth in Section 11.03.

BE IT RESOLVED, That the Planning Commission recommends to City Council that Concept Development Plan Approval and Preliminary Development Plan Approval for the proposed amendment to Troy Crossing PUD, aka The Phoenix Troy Apartments, be **granted**.

Discussion on the motion on the floor.

Ms. Dufrane said better direction is needed on the Resolution so that she and the applicant's attorney have something that is workable and feasible to amend the PUD agreement. She said also that it appears the applicant is not in support of 4,000 square feet of retail.

Mr. Savidant stated he understands the intent of the Resolution on the floor. He suggested it might read to encourage additional landscaping, encourage the retail

space along the east side versus the west side and encourage additional retail square footage, noting this can be accomplished under design considerations.

Mr. Rahman withdrew the Resolution on the floor. Ms. Perakis was in support.

Resolution # PC-2021-08-063

Moved by: Lambert
Support by: Rauch

WHEREAS, The applicant Najor Companies submitted an application to amend the Troy Crossing Planned Unit Development (PUD), aka The Phoenix Troy Apartments, located on the north side of Big Beaver, east of John R, in Section 24, approximately 4.77 acres in area; and

WHEREAS, the Troy Crossing PUD was approved as a mixed use development including four 3-story apartment buildings and two retail/restaurant facilities; and

WHEREAS, The applicant has proposed to replace the two approved 1-story retail/restaurant facilities with one 3-story building featuring 25 apartment units and 2,000 square feet of retail/restaurant on the ground floor; and

WHEREAS, The proposed 3-story building is similar in design to the four buildings on site which are nearing completion; and

WHEREAS, The proposed revision to the PUD meets the Standards for Approval set forth in Section 11.03.

WHEREAS, We encourage the applicant to enhance the landscaping, to consider moving the retail/restaurant space to the east side of the building and to encourage the applicant to increase the amount of retail/restaurant space on the ground floor up to 4,000 square feet.

BE IT FURTHER RESOLVED, That the Planning Commission recommends to City Council that Concept Development Plan Approval and Preliminary Development Plan Approval for the proposed amendment to Troy Crossing PUD, aka The Phoenix Troy Apartments, be **granted**.

Yes: All present (8)
Absent: Tagle

MOTION CARRIED



500 West Big Beaver
Troy, MI 48084
troymi.gov

K-01b

CITY COUNCIL AGENDA ITEM

Date: September 7, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
R. Brent Savidant, Community Development Director

Subject: ANNOUNCEMENT OF PUBLIC HEARING – CONDITIONAL REZONING- (CR JPLN2021-001) – Proposed Pine View Condominiums, West side of Dequindre, north of Long Lake (88-20-12-476-070), Section 12, From NN (Neighborhood Node “J” and EP (Environmental Protection) to NN (Neighborhood Node “J”).

The applicant GFA Development, Inc. seeks a conditional rezoning of the subject parcel from NN (Neighborhood Node “J”) and EP (Environmental Protection) to NN (Neighborhood Node “J”). The applicant provided a complete Preliminary Site Plan application as a condition of approval, along with other conditions listed in the application.

The Planning Commission considered a Preliminary Site Plan application for a by-right 25-unit townhome development at the November 12, 2019 Regular meeting. At that meeting the Planning Commission appeared generally in favor the development. The applicant expressed a desire to use the 40-foot wide EP portion of the site for guest parking and additional landscaping. The Planning Commission discussed the item and postponed the item “to allow the developer ample time to consider all the opinions and ideas expressed by the Commission”.

The applicant submitted a Conditional Rezoning application to rezone the EP area along the north to NN, with a 25-unit townhome development (the same number of units proposed in 2019). The area rezoned from EP to NN would be utilized for guest parking and increased landscape materials. The Planning Commission considered the conditional rezoning application at a public hearing on August 24, 2021. The recommendation of denial received a 4-4 vote. The recommendation of approval also received a 4-4 vote.

A City Council public hearing has been scheduled for September 24, 2021.

Attachments:

1. Agenda packet from August 24, 2021 Planning Commission Regular meeting.
2. Minutes from August 24, 2021 Planning Commission Regular meeting.

DATE: August 19, 2021

TO: Planning Commission

FROM: R. Brent Savidant, Community Development Director

SUBJECT: PUBLIC HEARING - CONDITIONAL REZONING- (CR JPLN2021-001) –
Proposed Pine View Condominiums, West side of Dequindre, north of Long Lake
(88-20-12-476-070), Section 12, From NN (Neighborhood Node “J” and EP
(Environmental Protection) to NN (Neighborhood Node “J”).

The applicant GFA Development, Inc. seeks a conditional rezoning of the subject parcel from NN (Neighborhood Node “J” and EP (Environmental Protection) to NN (Neighborhood Node “J”). The applicant provided a complete Preliminary Site Plan application as a condition of approval, along with other conditions listed in the application.

The Planning Commission considered a Preliminary Site Plan application for a by-right 25-unit townhome development at the November 12, 2019 Regular meeting. At that meeting the Planning Commission appeared generally in favor the development. The applicant expressed a desire to use the EP portion of the site for guest parking and additional landscaping. The Planning Commission discussed the item and postponed the item “to allow the developer ample time to consider all the opinions and ideas expressed by the Commission”. The applicant is back before the Planning Commission with a Conditional Rezoning application for a 25-unit townhome development, and proposes to rezone the EP area along the north NN. This area would be utilized for guest parking and increased landscape materials.

The Planning Commission is a recommending body for this application.

The attached report prepared by Carlisle/Wortman Associates, Inc. (CWA), the City's Planning Consultant, summarizes the project. CWA prepared the report with input from various City departments including Planning, Engineering, Public Works and Fire. City Management supports the findings of fact contained in the report and the recommendations included therein.

Attachments:

1. Maps
2. Report prepared by Carlisle/Wortman Associates, Inc.
3. Minutes from November 12, 2019 Planning Commission meeting (excerpt)

G:\CONDITIONAL REZONING\JPCR2021-001 PINE VIEW CONDOMINIUMS\PC Memo 08 24 2021.docx



GIS Online



595 0 297 595 Feet



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



GIS Online



595 0 297 595 Feet



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



Carlisle | Wortman
ASSOCIATES, INC.

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

Date: November 5, 2019
August 16, 2021

Conditional Rezoning and Preliminary Site Plan Review For City of Troy, Michigan

Applicant:	GFA Development 3301 Mirage Drive Troy, MI 48083
Project Name:	Pineview
Plan Date:	September 18, 2019
Location:	West side of Dequindre Road between 18 Mile Road and English Drive
Zoning:	EP, Environmental Protection Neighborhood Node (NN) – J
Action Requested:	Conditional Rezoning and Preliminary Site Plan Approval

SITE DESCRIPTION

The subject site is located on the west side of Dequindre Road between 18 Mile Road and English Drive. The site is 2.39 acres and is vacant, undeveloped property. There is a 40-foot wide strip of EP, Environmental Protection zoned property. The applicant is seeking to conditionally rezone the EP portion of the site to NN, in order to use that strip as landscaping, and provide guest parking.

A site plan application was previously reviewed by the Planning Commission. At that meeting the Planning Commission appeared generally in favor the development but the applicant noted a desire to use the EP portion of the site for guest parking. It was noted that EP zoning did not

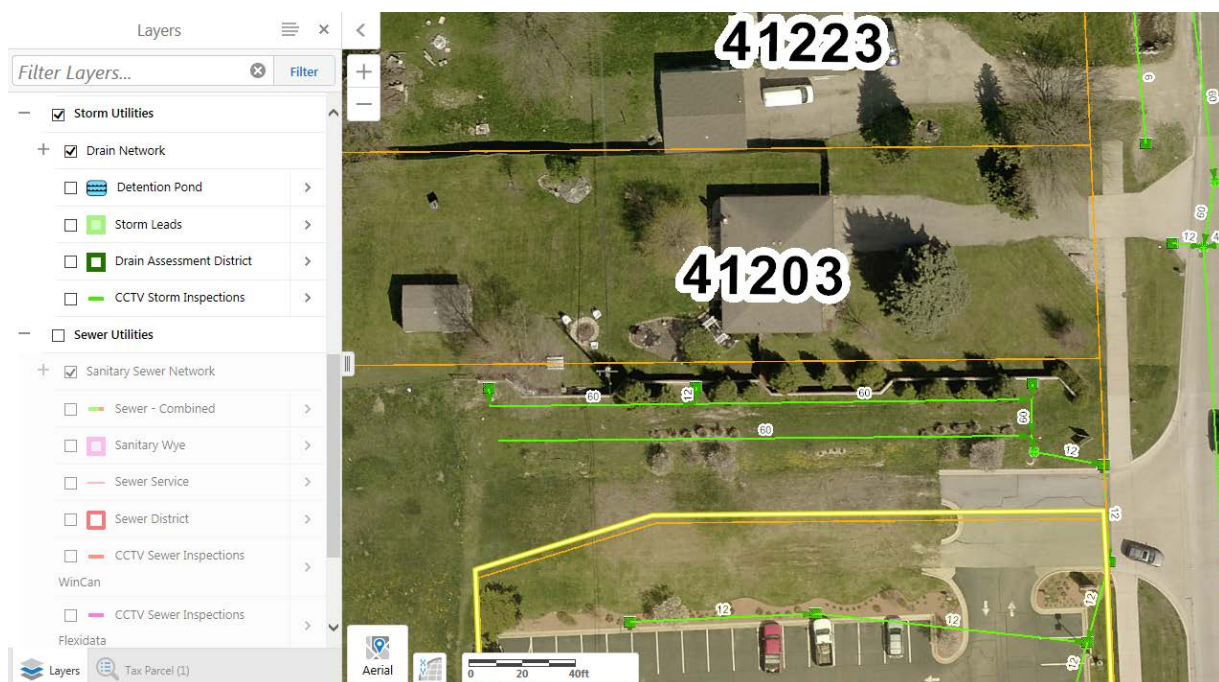
Richard K. Carlisle, *President* Douglas J. Lewan, *Executive Vice President* John L. Enos, *Principal*
David Scurto, *Principal* Benjamin R. Carlisle, *Principal* Sally M. Elmiger, *Principal* Craig Strong, *Principal* R. Donald Wortman, *Principal*
Laura K. Kreps, *Associate* Paul Montagno, *Associate*

allow parking. The item was postponed to allow the applicant to submit a conditional rezoning application to rezone the EP portion of the site.

The applicant proposes to landscape, install underground detention, put a sidewalk, and put guest parking within the currently EP zoned portion of the site. There is already a 60' storm drain and a concrete screenwall within the area zoned EP. These items will remain. The remaining (all of the building area) area of the property is zoned Neighborhood Node (NN).

The applicant proposes two different building types. The buildings in the interior are narrower and provide for a front porch and entrance. The exterior buildings have a front entrance on the garage elevation and an elevated deck on the rear elevation.

Figure 1: 60-inch drain



The applicant proposes to develop the site as twenty-five (25) attached townhomes, accessed by an existing shared access drive with Taco Bell off of Dequindre road. The buildings are proposed to have individual, direct unit access from the proposed interior drive. At the center of the development, twelve (12) of the units will have pedestrian access to a pedestrian circulation area and courtyard. All proposed townhomes are two (2) stories, accompanied by a 2-car garage.

Multiple family residential is a permitted use in the NN. An aerial image of the subject site, with a zoning districts overlay, is provided in **Figure 1**.

Figure 1. Subject Site



Size of Subject Property:

The parcel is 2.389 net acres

Proposed Uses of Subject Parcel:

Twenty-five (25) attached townhomes

Current Use of Subject Property:

The subject property is currently unimproved and vacant.

Current Zoning:

The property is currently zoned NN, Neighborhood Node District

Surrounding Property Details:

Direction	Zoning	Use
North	R1-C, Single Family	Single Family Residential
South	NN, Neighborhood Node	Neighborhood Commercial
East	NN, Neighborhood Node	Neighborhood Commercial
West	R1-C, Single Family	Single Family Residential

VOLUNTARY REZONING CONDITIONS

Voluntary conditions offered by the applicant include:

1. Site Plan as a condition of approval
2. Screen wall and trees adjacent to Taco Bell shall remain.
3. Development shall be limited to a maximum of 7-buildings and 25 total units.
4. Maximum building height shall be 2 – ½ story.
5. Minimum guaranteed open space shall be 15%
6. Minimum guaranteed landscape area shall be 15%
7. Building material shall be a mix of brick, asphalt shingles, plank siding, with variety of color palates and durable low-maintenance or maintenance free materials
8. Each unit shall have a 2-car garage. A minimum of 10-guest parking spaces shall be provided
9. No exterior refuse containers shall be proposed. Individual waste and recycling containers shall be stored in each unit's garage and placed at the curb on collection days
10. Minor modifications to the site plan shall be permitted and administratively approved by the Planning Director. Minor changes would not adversely or substantially affect the conditions of the rezoning.

Items to be addressed: A conditional rezoning agreement between the City and the applicant will be required prior to City Council consideration.

NATURAL FEATURES

Topography: A topographic survey has been provided on sheet C-1.0 and shows that the site has a generally flat landscape.

Wetlands: There are no wetlands on site.

Floodplain: There are no floodplains onsite.

Woodlands: The applicant has identified a total of 23 regulated trees on the site. Of the trees surveyed, 1 is a landmark tree and 22 are woodland trees. The applicant is preserving 21 of the 22 woodland trees.

Replacement Details		
Protected Tree	Inches Removed	Replacement Required
Landmark	22 inches	22 inches
Woodland	6 inches	3 inches
Preservation/Mitigation	Inches Preserved	Credit

Landmark	0 inches	0 inches
Woodland	197 inches	394 inches
Protected Replacement Required	25 Inches	
Preservation Credit	394 Inches	
Total	+ 369-inch credit	
Total Tree Mitigation	Zero. The number of inches preserved and credited exceed the mitigation required.	

Items to be addressed: None.

BUILDING ARRANGEMENT

The site configuration consists of twenty-five (25) townhomes in five clusters of three homes, one cluster of four homes, and a row of six homes. The clusters are configured around a central courtyard with pedestrian sidewalks connecting to a “meandering” sidewalk, through the currently EP zoned portion of the site, that provides access to the east and Dequindre Road. We find the proposed configuration suitable for the type and size of the development proposed.

Items to be addressed: None.

AREA, WIDTH, HEIGHT, SETBACKS

Table 5.03.B.3, Building Form C of Section 5.03, Standards Applicable to All Districts of the Zoning Ordinance establishes the dimensional requirements for the NN, Neighborhood Node District. The requirements and proposed dimensions are shown in the following table.

	Required	Provided	Compliance
Front (east property line)	10-foot build-to-line	25 feet (this property is a flag lot, however, and this requirement is not applicable)	Complies
Side (north)	30-foot minimum setback	40', 6"	Complies
Side (south)	N/A, building may be placed up to property line	9 feet	Complies
Rear (west)	30-foot minimum setback	40 feet	Complies.
Building Height	Maximum 2.5 stories/30 feet	2.5 stories (per voluntarily offered conditions)	Complies
Minimum Open Space	15%	15%	Complies

Parking Location	Cannot be located in front yard	Within garages and in guest spaces	Complies
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Please note that the applicant is providing decks that project 2-feet into the required rear yard. Uncovered decks are permitted to encroach up to 15-feet into a rear yard.

Items to be addressed: None.

PARKING

Section 13.06.G of the Zoning Ordinance requires:

	Required	Provided
Residential: 2 spaces per unit	25 Units = 50 spaces	50 garage spaces + 18 guest spaces = 68 spaces
Barrier Free	0	0
Bicycle Parking	1	1
Loading	0	0
Total	50 spaces	50 spaces within garages and 18 guest spaces

The applicant is providing 2-car garages and 10 surface guest spaces.

Items to be Addressed: None

SITE ACCESS AND CIRCULATION

Vehicular access to the site is via Dequindre Road. The Engineering Department and Fire Department have reviewed the vehicular circulation and find it sufficient.

The Engineering Department has reviewed the pedestrian circulation and notes the following comments:

- *Improve pedestrian connectivity within the site, by adding or extending sidewalks to provide a continuous internal pedestrian walkway around the site and to each unit.*
 - *As shown on the preliminary site plan, there are no sidewalks connecting to the (presumed) front entry for Units 1-6 and Units 13-19.*
 - *The existing lone crosswalk is inconvenient for pedestrians traveling to/from the easterly buildings.*
 - *Add crosswalk markings to emphasize pedestrian crossing locations within the site.*

Items to be addressed: Incorporate the Engineering Departments pedestrian connectivity comments.

LANDSCAPING

A landscaping plan has been provided on sheet L-1.0 and are supplemented by tree protection and planting details on sheet L-1.1. The applicant should verify that the plant list provided on sheet L-1.0 corresponds to drawings provided. The following table discusses the development's compliance with the landscape requirements set forth in Section 13.02.

	Required:	Provided:	Compliance:
North Property Line:			
<u>Landscape buffering:</u> Required buffering between two differentiating land uses. Alternative 1 or 2.	1 large evergreen every 10 feet or 1 narrow evergreen every 3 feet. Approx. $370' / 10 = 37$ trees	39 evergreen screening trees	Complies
East Property Line:			
<u>Street Trees:</u> The Ordinance requires that the greenbelt shall be landscaped with a minimum of one (1) deciduous tree for every thirty (30) lineal feet, or fraction thereof, of frontage abutting a public road right-of-way.	60-foot ROW = 2 trees	2 trees	Complies
West Property Line:			
<u>Landscape buffering:</u>	1 large evergreen every 10 feet or 1 narrow evergreen every 3 feet. $240' / 10 = 24$ trees	26 evergreen screening trees	Complies
South Property Line:			
<u>Landscape buffering:</u>	1 large evergreen every 10 feet or 1 narrow evergreen every 3 feet. Alternative screening method may be considered by the Planning Commission.	Six (6) foot fence along property boundary.	Planning Commission shall consider alternative screening proposed.
Overall:			
<u>Site landscaping:</u> A minimum of twenty percent (20%) of the site area shall be comprised of landscape material. Up to twenty-five percent (25%) of the required landscape area may be brick, stone, pavers, or other public plaza elements, but shall not include any parking area or required sidewalks.	20%	Figure not provided	Unknown

<u>Mitigation:</u>	The tree inventory and calculations are in compliance with the requirements of the ordinance. T
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Transformer / Trash Enclosure:

The applicant has not indicated a central trash enclosure. It is assumed that each unit will have trash bins in the garage to be rolled out for trash pickup.

Items to be Addressed: 1) Planning Commission to consider the use of a fence in place of required screening at the south edge of the property; and 2). Provide site landscaping calculation.

PHOTOMETRICS

A photometric plan has not been provided. For final site plan a photometric plan and fixture details are required to be submitted.

Items to be Addressed: Submit photometric plans and fixture details.

FLOOR PLAN AND ELEVATIONS

Applicant did not provide floor plans and elevations. Applicant should provide floor plans and elevations before the Planning Commission meeting.

Items to be Addressed: Provide floor plans and elevations.

DESIGN STANDARDS and SITE PLAN REVIEW STANDARDS

The Neighborhood Node design standards as well as Site Plan review standards provide the Planning Commission with direction when reviewing the proposed site plan and design features of this development.

Section 5.06.E. outlines Design Standards:

1. *Building Orientation and Entrance*
2. *Ground Story Activation*
3. *Transitional Features*
4. *Site Access, Parking, and Loading*

Please see Section 5.06.E for standard details.

We find that the design standards have been met.

Section 8.06 outlines Site Plan Review Design Standards.

1. *Development shall ensure compatibility to existing commercial districts and provide a transition between land uses.*
2. *Development shall incorporate the recognized best architectural building design practices.*
3. *Enhance the character, environment and safety for pedestrians and motorists.*

Please see Section 8.06 for standard details

The applicant is providing a medium density multiple family residential project. The project transitions from a number of commercial uses and the rear yards of single family residential to the north and east. The applicant has provided the required evergreen screen between those yards and the multiple family development. We find that the site plan standards have been met.

REZONING STANDARDS

According to Rezoning Procedures in Section 16.04C, a conditional rezoning may only be approved upon a finding and determination that all of the following are satisfied:

- a. The conditions, proposed development, and/or proposed use of the land are designed or proposed for public health, safety, and welfare purposes.

CWA: *The purpose of the rezoning is in significant part to allow for additional guest parking and include a pedestrian sidewalk. These improvements are not possible without the rezoning. The applicant has provided sufficient landscaping along the northern property to mitigate any potential impacts upon the northern property line. These improvements are conditions of rezoning as the site plan documents are conditions of approval.*

- b. The conditions, proposed development and/or proposed use are not in material conflict with the Master Plan, or, if there is material conflict with the Master Plan, such conflict is due to one of the following:
 1. A change in City policy since the Master Plan was adopted.
 2. A change in conditions since the Master Plan was adopted.
 3. An error in the Master Plan.

CWA: *The purpose of the rezoning is in significant part to allow for additional guest parking and include a pedestrian sidewalk. These improvements are not possible without the rezoning. The applicant has provided sufficient landscaping along the northern property to mitigate any potential impacts upon the northern property line. Providing additional guest parking, when necessary, and better pedestrian connections, coupled landscaping buffer to protect adjacent properties is consistent with the Master Plan.*

- c. The conditions, proposed development and/or proposed use are in accordance with all terms and provisions of the zoning district to which the land is to be rezoned, except as otherwise allowed in the Conditional Rezoning Agreement.

CWA: *The conditions provided by the applicant, including the site plan, are consistent with all terms and provisions of the zoning district.*

- d. Public services and facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.

CWA: *The rezoning will not impact nor affect public services or facilities.*

- e. The conditions, proposed development and/or proposed use shall insure compatibility with adjacent uses of land.

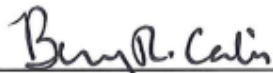
CWA: *The conditions provided by the applicant, including the site plan, insure compatibility with adjacent uses of land.*

RECOMMENDATION

Planning Commission to consider the use of a fence in place of required screening at the south edge of the property. Based on that discussion, we recommend that the Planning Commission recommend to the City Council conditional rezoning and preliminary site plan with the following conditions:

1. Submit photometric plans and fixture details
2. Address the Engineering Departments pedestrian connection comments
3. Provide site landscaping calculation.
4. Provide floor plans and elevations.
5. A conditional rezoning agreement between the City and the applicant.

Sincerely,



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

6. PRELIMINARY SITE PLAN REVIEW (File Number SP JPLN2019-0032) – Proposed GFA Long Lake Multifamily Development, West side of Dequindre, North of Long Lake (PIN 88-20-12-476-070), Section 12, Currently Zoned NN (Neighborhood Node “J”) and EP (Environmental Protection) Zoning Districts

Mr. Carlisle reviewed the Preliminary Site Plan application for the proposed multifamily development. He addressed the EP-zoned strip of property along the northern property line, shared access with Taco Bell, parking, landscaping and elevations. Mr. Carlisle said the application meets requirements of the NN zoning district and the Site Plan standards. He recommends shifting the development 10 feet to the east to provide a better transition with the residential homes on the west.

Mr. Carlisle recommended Preliminary Site Plan approval with the conditions as identified in his report dated November 5, 2019.

Gary Abitheira addressed the application as relates to the EP-zoned property along the northern property line, shared access and the target market for townhomes.

Chair Faison opened the floor for public comment.

- Avis Landmesser, 568 Ottawa; asked for clarification on general site plan specifics.
- Azhagu Subramanian, 5114 Fedora; addressed buffer transition and privacy.

Chair Faison closed the floor for public comment.

There was discussion on:

- Shared access drive with Taco Bell.
- Design layout as relates to proximity of Taco Bell.
- Courtyard and sidewalk connectivity; opportunity to create additional green space.
- Transition buffer to adjacent residential.
- Property zoned EP; intent of EP zoning district historically.
- Potential to rezone EP-zoned property for better design layout; traditional versus conditional rezoning.
- Building materials in relation to target market; millennials.

Resolution # PC-2019-11-078

Moved by: Krent

Support by: Tagle

RESOLVED, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed GFA Long Lake Multifamily Development, located on the West side of Dequindre, North of Long Lake (PIN 88-20-12-476-070), Section 12, Currently Zoned NN (Neighborhood Node “J”) and EP (Environmental Protection) Zoning Districts, be postponed for the following reason:

1. To allow the developer ample time to consider all the opinions and ideas expressed by the Commission.

Yes: All present (9)

MOTION CARRIED

PEA GROUP

2430 Rochester Court, Suite 100
Troy, MI 48083

844.813.2949
peagroup.com

June 8, 2021
PEA Project No: 2016-368

Mr. Brent Savidant
Community Development Director
City of Troy Planning Department
500 W. Big Beaver
Troy, MI 48084

**RE: Conditional Rezoning Application
Parcel # 20-12-476-070
Dequindre Road, north of E. Long Lake Road
City of Troy, Oakland County, Michigan**

Dear Mr. Savidant:

On behalf of **GFA Development, Inc**, we respectfully request a change in the zoning for Parcel # 20-12-476-070.

Pursuant to the provisions of the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, and pursuant to all applicable provisions of law, we are requesting the Zoning Map of the City of Troy be amended to conditionally rezone Parcel Number 20-12-476-070, from Neighborhood Node J and EP to Neighborhood Node J, in order to construct 7-attached single-family dwelling buildings totally 25-units.

Location & Existing Conditions:

The property is located on the east side of Dequindre Road just north of the East Long Lake Road intersection (behind Taco Bell). The parcel is 2.389 acres in size and is currently undeveloped. Surrounding uses include single-family dwellings to the north and west. To the east and south are commercial businesses.

A shared drive exists for the subject parcel and Taco Bell. A landscaped berm, mature trees and 6' high concrete screen wall separate the adjacent residential home and Taco Bell. Underground detention for the Taco Bell is located under the berm.

Existing Zoning & Future Land Use:

Most of the site is zoned NN (Neighborhood Node). The northerly 40-feet of the property is zoned EP (Environmental Protection), to provide a buffer to the adjacent R-1C zoning (One Family Residential District). **(See Exhibit A)**

Prior to 2006, the City of Troy Zoning Ordinance did not have a zoning mechanism to provide open space buffers. Even though there may not be environmentally sensitive issues, the EP (Environmental Protection) zoning district was commonly used to provide a buffer between two different zoning classifications.

According to the Master Plan, The Future Land Use for the subject parcel is Neighborhood Node.

Proposed Use & Site Plan:

Under the proposed rezoning (**see Exhibit B**), the entire site would become a part of the Neighborhood Node J. The existing screen wall and trees would remain adjacent to Taco Bell and new Landscape screening would be provided along the northerly and westerly property lines (residential zoned areas).

With exception to the proposed guest parking, the area currently designated EP will remain an open space buffer.

The existing underground detention area will be expanded to the west to provide the required storm water detention for this development.

The proposed development (**see Site Plan Sheets C-0.0, C-1.0, C-2.0, C-3.1, C-4.0, L-1.0, T-1.0**), shall be limited to 7-buildings and 25 total units. Each unit is an attached two and a half-story single-family residential unit. Each unit will be 1,400 to 1,700-SF and include an attached 2-car garage. The buildings materials shall consist of a mix of brick, asphalt shingles, plank siding, with variety of color palates and durable low-maintenance or maintenance free materials.

Voluntary Conditions:

Under Section 405 of the Zoning Enabling Act, the petitioner voluntarily offers uses and restrictions of the property as a condition to rezoning the land. These conditions result in recognizable and material benefits to the city that would unlikely be achieved otherwise under the site's existing zoning.

The following conditions are provided voluntarily as conditions of rezoning approval:

1. Screen wall and trees adjacent to Taco Bell shall remain.
2. Development shall be limited to a maximum of 7-buildings with 25 total units.
3. Maximum Building Height shall be 2-1/2 story.
4. Minimum guaranteed Open Space shall be 15%.
5. Minimum guaranteed Landscape Area shall be 15%
6. Building Materials shall be a mix of brick, asphalt shingles, plank siding, with variety of color palates and durable low-maintenance or maintenance free materials.
7. Each Unit shall have a 2-car garage. A minimum of 10-guest parking space shall be provided.
8. No exterior refuse containers shall be proposed. Individual waste and recycling containers shall be stored in each unit's garage and placed at the curb on collection days.
9. Minor modifications to the site plan shall be permitted and administratively approved by the Planning Director. Minor changes would not adversely or substantially affect the conditions of the rezoning.

Rezoning Standards:

As set forth in Section 16.03.C, the Planning Commission shall consider the following:

1. The proposed rezoning is consistent with the Master Plan. If the current zoning is in the material conflict with the Master Plan, such conflict is due to one of the following:

- a. A change in City policy since the Master Plan was adopted.*
- b. A change in conditions since the Master Plan was adopted.*
- c. An error in the Master Plan.*

- The City of Troy Master Plan designates the subject parcel as Neighborhood Node J.
- Node J is defined as predominantly commercial, catering to both local needs and regional traffic, new development and redevelopment should be mostly commercial, identifying opportunities for small office mixed-use and variations in floor area to allow for a wide range of commercial types. Pedestrian access to the adjoining area and effective screening should be primary areas of focus during the site design process.
- The proposed townhouse development is a less intense use than a commercial or small office mixed-use.
- Landscape screening will be provided along residential zoning districts.

2. The proposed rezoning will not cause nor increase any non-conformity.

- There are no natural features to protect on this parcel, as per the definition of EP. The EP zoned area was provided to create an open space buffer from the commercial businesses to the single-family residence.
- Rezoning the EP area to Neighborhood Node will not provide any noticeable visual difference to what is currently provided. The proposed screening satisfies the intent to provide a buffer as was intended by the then Planning Commission. Additional landscape screening will be provided along the northerly property line.

3. Public services and facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.

- The proposed number of multiple-family dwelling units is compatible with surrounding uses and zoning in terms of:
 - Environment
 - Density
 - Traffic volumes
 - Aesthetics
 - Infrastructure
 - Potential influence on property values
- All public utilities are available at the property and sized to accommodate the development.
- Dequindre Road is capable of safely and efficiently accommodating expected traffic volumes generated by the proposed number of multiple-family dwelling units.

4. The rezoning will not impact public health, safety, or welfare.

- The capacity of public utilities and services is sufficient to accommodate the proposed number of multiple-family dwelling units without compromising the city's health, safety and welfare.

5. The rezoning will ensure compatibility with adjacent uses of land.

- Rezoning to NN is constant with the Future Land Use Map.
- The proposed number of multiple-family dwelling units is consistent with the characteristics of surrounding buildings and uses.
- Rezoning would create a uniform district that could not be provided prior to the Michigan Zoning Enabling Act.
- The Townhouse development will provide a transition between the Commercial Businesses and the Single-Family District.

Rezoning Standards / Reasons of Recommendation:

- A. Creates a uniform Zoning district that could not be provided prior to the Michigan Zoning Enabling Act.
- B. The site's physical and other environmental features are compatible with the proposed number of multiple-family dwelling units.
- C. The proposed number of multiple-family dwelling units is compatible with surrounding uses and zoning in terms of the environment, density, traffic volumes, aesthetics, infrastructure, and potential influence on property values.
- D. The street system is capable of safely and efficiently accommodating expected traffic volumes generated by the proposed number of multiple-family dwelling units.
- E. The capacity of public utilities and services is sufficient to accommodate the proposed number of multiple-family dwelling units without compromising the city's health, safety and welfare.
- F. There is an apparent demand in the City for multiple-family dwelling units in relation to the amount of land in the city currently zoned and available to accommodate the demand.
- G. The rezoning of the property does not unreasonably impact the adjacent properties.

The proposed rezoning will allow the site to be developed in a manner consistent with the City of Troy's Master Plan and maintain the intended open space buffer between proposed condominium and the existing single-family homes.

Thank you for your consideration,

PEA Group, Inc.



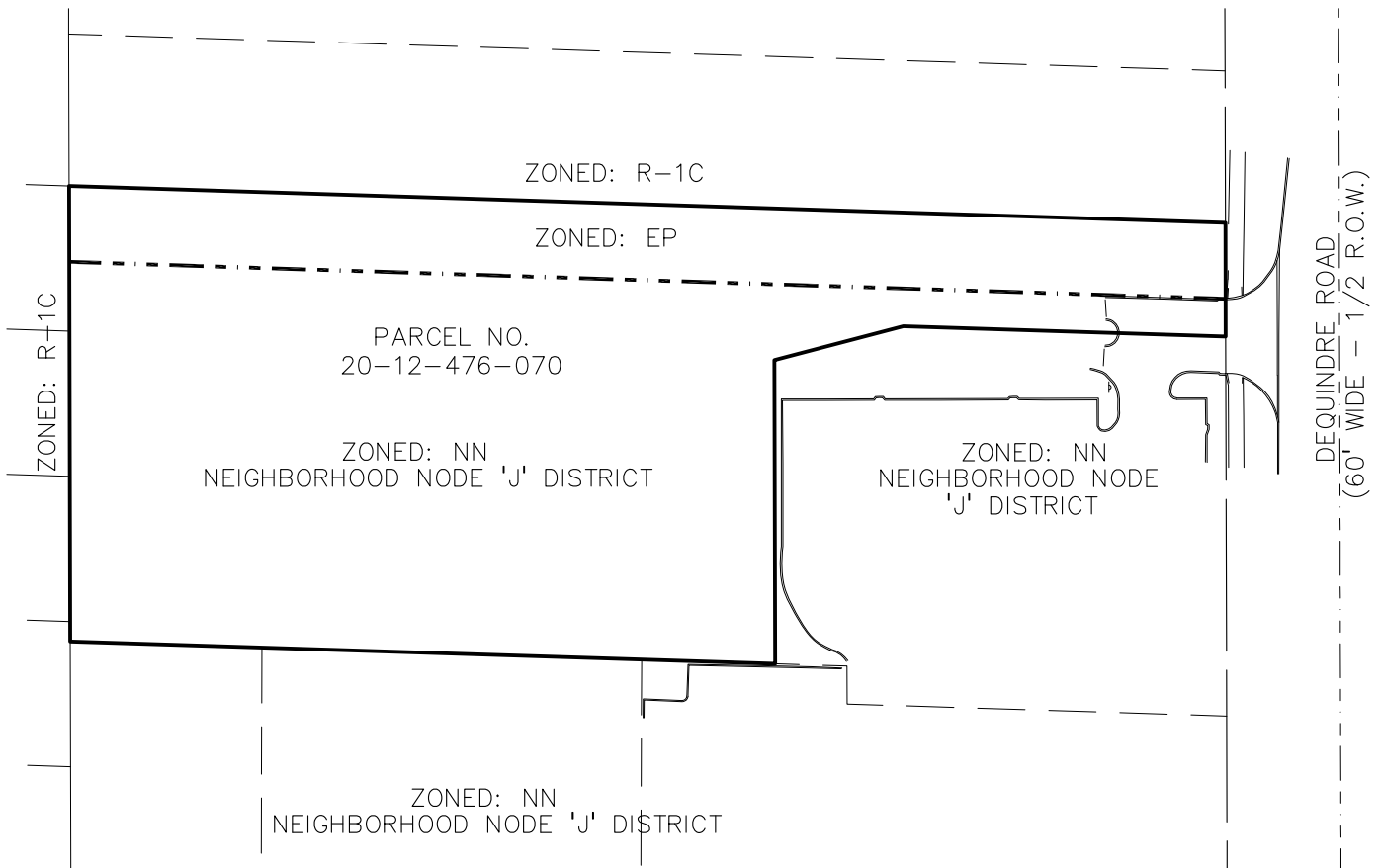
John B. Thompson, PE
Senior Project Manager

Cc: Gary Abitheira, GFA Development, Inc.

Attachment: Application

Exhibit A – Existing Zoning
Exhibit B – Proposed Zoning
Exhibit C – Site Plan

EXHIBIT A
EXISTING ZONING



GFA DEVELOPMENT, INC.
986 ELMSFORD DRIVE
TROY, MI 48083

0 50 100
SCALE: 1" = 100'



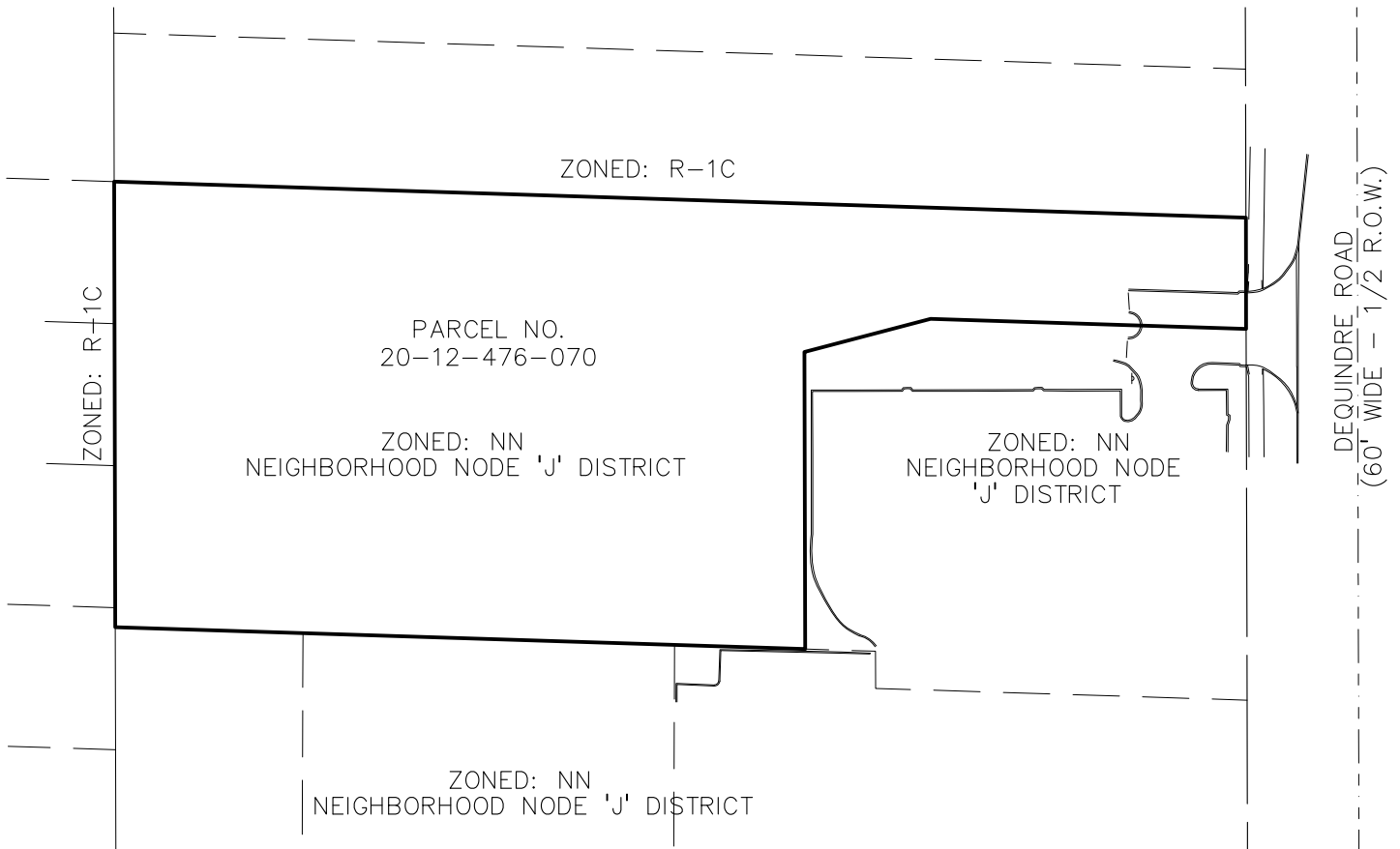
GFA 18 MILE & DEQUINDRE
PART OF THE SE 1/4 OF SECTION 12, T. 2N., R. 11E.,
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

SHEET 1 OF 1
MAY 24, 2021
2016-368

**PEA
GROUP**

t: 844.813.2949
www.peagroup.com

EXHIBIT B
PROPOSED ZONING



GFA DEVELOPMENT, INC.
986 ELMSFORD DRIVE
TROY, MI 48083

0 50 100
SCALE: 1" = 100'



GFA 18 MILE & DEQUINDRE
PART OF THE SE 1/4 OF SECTION 12, T. 2N., R. 11E.,
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

SHEET 1 OF 1
MAY 24, 2021
2016-368

PEA
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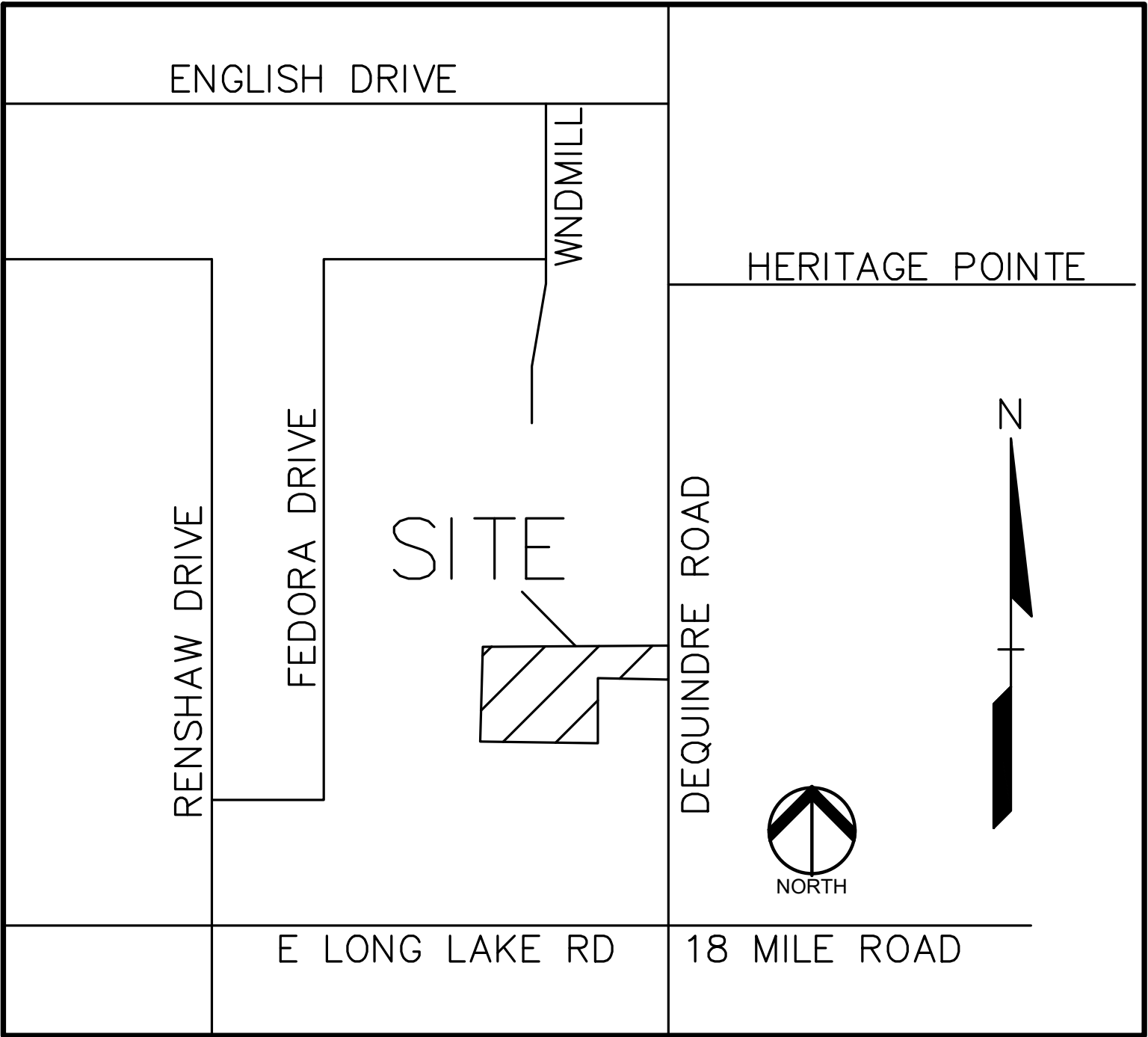
PRELIMINARY SITE PLANS

GFA 18 MILE & DEQUINDRE

PART OF THE SOUTHEAST 1/4 OF SECTION 12, T.02N., R. 11E.,
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

PERMIT / APPROVAL SUMMARY		
DATE SUBMITTED	DATE APPROVED	PERMIT / APPROVAL

LEGAL DESCRIPTION (Per City of Troy Assessor) PARCEL ID 20-12-476-070 Land in the City of Troy, Oakland County, Michigan, described as follows: Part of Lots 10, 11 and 12 of JENNINGS SUBDIVISION, as recorded in Liber 59, Page 8, Oakland County Records, beginning at point distant North 00 degrees 08 minutes 52 West 60 feet and North 89 degrees 32 minutes 26 seconds West 60 feet and North 00 degrees 08 minutes 52 West 493.11 feet from the Southeast section corner; thence North 88 degrees 10 minutes 33 seconds West 170 feet; thence South 75 degrees 18 minutes 21 seconds West 70.21 feet; thence South 00 degrees 08 minutes 52 seconds East 159.88 feet; thence North 88 degrees 11 minutes 10 seconds West 371.57 feet; thence North 00 degrees 08 minutes 43 seconds West 240 feet; thence South 88 degrees 10 minutes 33 seconds East 609.56 feet; thence South 00 degrees 08 minutes 52 seconds East 59.99 feet to beginning.



LOCATION MAP
NO SCALE

INDEX OF DRAWINGS	
NUMBER	TITLE
C-0.0	COVER SHEET
C-1.0	TOPOGRAPHIC SURVEY
C-2.0	PRELIMINARY SITE PLAN
C-3.0	PRELIMINARY GRADING PLAN
C-4.0	PRELIMINARY UTILITY PLAN
L-1.0	PRELIMINARY LANDSCAPE PLAN
T-1.0	PRELIMINARY PRESERVATION PLAN

DESIGN TEAM

OWNER/APPLICANT/DEVELOPER	CIVIL ENGINEER
GFA DEVELOPMENT, INC. 986 ELMSFORD DRIVE TROY, MI 48083 CONTACT: GARY ABITHEIRA PHONE: 248.840.2828 EMAIL: GFAHOMES@GMAIL.COM	PEA GROUP 2430 ROCHESTER COURT, STE. 100 TROY, MI 48083-1872 CONTACT: JOHN B. THOMPSON, PE PHONE: 844.813.2949 EMAIL: JTHOMPSON@PEAGROUP.COM
ARCHITECT	LANDSCAPE ARCHITECT
MGA ARCHITECTS/DESIGNERS MOISEV/GORDON ASSOCIATES, INC. 4351 DELEMERE COURT ROYAL OAK, MI 48073 CONTACT: ANDREW J. MOISEEV, RA PHONE: 248.549.4500 EXT. 221 EMAIL: ANDREWWM@MGA-ARCHITECTS.NET	PEA GROUP 45 W. GRAND RIVER AVE., STE. 501 DETROIT, MI 48226 CONTACT: KIMBERLY DIETZEL, RLA PHONE: 844.813.2949 EMAIL: KDIEZEL@PEAGROUP.COM



REVISIONS	
DESCRIPTION	DATE
ORIGINAL ISSUE DATE	9/18/2019
CONDITIONAL REZONE APPLICATION	6/8/2021



LEGAL DESCRIPTION
(Per City of Troy Assessor)

PARCEL ID 20-12-476-070

Land in the City of Troy, Oakland County, Michigan, described as follows:

Part of Lots 10, 11 and 12 of JENNINGS SUBDIVISION, as recorded in Liber 59, Page 8, Oakland County Records, beginning at point distant North 00 degrees 08 minutes 52 West 60 feet and North 89 degrees 32 minutes 26 seconds West 60 feet and North 00 degrees 08 minutes 52 West 493.11 feet from the Southeast section corner; thence North 88 degrees 10 minutes 33 seconds West 170 feet; thence South 75 degrees 18 minutes 21 seconds West 70.21 feet; thence South 00 degrees 08 minutes 52 seconds East 159.86 feet; thence North 88 degrees 11 minutes 10 seconds West 371.57 feet; thence North 00 degrees 08 minutes 43 seconds West 240 feet; thence South 88 degrees 10 minutes 33 seconds East 609.56 feet; thence South 00 degrees 08 minutes 52 seconds East 59.99 feet to beginning.

FLOODPLAIN NOTE:
BY GRAPHICAL PLOTTING, SITE IS WITHIN ZONE 'X'. AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD INSURANCE RATE MAP NUMBER 26125C0552F, DATED SEPTEMBER 29, 2006.

BENCHMARKS
(GPS DERIVED - NAVD88)

BM #300
PUNCH MARK ON ARROW OF A HYDRANT LOCATED ON THE WEST SIDE OF DEQUINDRE ROAD, APPROX. 45'± NORTHEAST OF THE NORTHEAST PROPERTY CORNER.
ELEV. - 645.78

BM #301
PUNCH MARK ON THE NORTHWEST BOLT OF A LIGHT POLE LOCATED AT THE NORTH SIDE OF THE ARBY'S PARKING LOT, APPROX. 26'± SOUTH OF THE SOUTH PROPERTY LINE.
ELEV. - 645.29

LEGEND

●

IRON FOUND

⊗

IRON SET

⊗

NAIL FOUND

⊗

NAIL & CAP SET

⊗

BRASS PLUG SET

⊗

MONUMENT FOUND

⊗

MONUMENT SET

⊗

SEC. CORNER FOUND

R

RECORDED

M

MEASURED

C

CALCULATED

—OH-ELEC—

OH-ELEC. PHONE OR CABLE TV OH LINE, POLE & GUY WIRE

—UG-CATV—

UNDERGROUND CABLE TV, CATV PEDESTAL

—UG-PHONE—

TELEPHONE U.G. CABLE, PEDESTAL & MANHOLE

—UG-ELEC—

ELECTRIC U.G. CABLE, MANHOLE, METER & HANDHOLE

—GAS—

GAS MAIN, VALVE & GAS LINE WARMER

—WATER—

WATERMAIN, HYD. GATE VALVE, TAPPING SLEEVE & VALVE

—SEWER—

SANITARY SEWER, CLEANOUT & MANHOLE

—STORM—

STORM SEWER, CLEANOUT & MANHOLE

—COMB—

COMBINED SEWER & MANHOLE

—SQUARE—

SQUARE, ROUND & BEEHIVE CATCH BASIN, YARD DRAIN

—POST—

POST INDICATOR VALVE

—WATER—

WATER VALVE BOX/HYDRANT VALVE BOX, SERVICE SHUTOFF

—MBOX—

MARLBOROUGH, TRANSFORMER, IRRIGATION CONTROL VALVE

—UNID—

UNIDENTIFIED STRUCTURE

—SPOT—

SPOT ELEVATION

—CONTOUR—

CONTOUR LINE

—FENCE—

FENCE

—RAIL—

GUARD RAIL

—LIGHT—

STREET LIGHT

—SIGN—

SIGN

—CONC—

CONCRETE

—ASPH—

ASPHALT

—GRAVEL—

GRAVEL SHOULDER

—WETLAND—

WETLAND

0

15

30

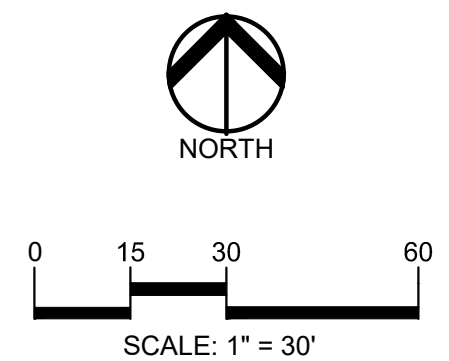
60

SCALE: 1" = 30'

REFERENCE DRAWINGS

GAS - CONSUMERS ENERGY QUARTER SECTION MAP 02-61-12-4, DATED 10-21-05
CITY OF TROY UTILITY GIS MAP
TACO BELL GRADING AND UTILITY PLAN, DESIGN, INC. PROJECT NO. 61055, DWG. NAME 0602T, DATED 11-07-07
TACO BELL SITE PLAN, DESIGN, INC. PROJECT NO. 61055, DWG. NAME 0555P, DATED 06-27-07

PEA GROUP
t. 844.813.2949
www.peagroup.com



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CLIENT
GFA DEVELOPMENT, INC.
988 ELMFORD DR.
TROY, MI 48063

PROJECT TITLE
GFA 18 MILE & DEQUINDRE
PART OF THE SE 1/4 OF SECTION 12, T.02N, R.11E, TROY, OAKLAND COUNTY, MI

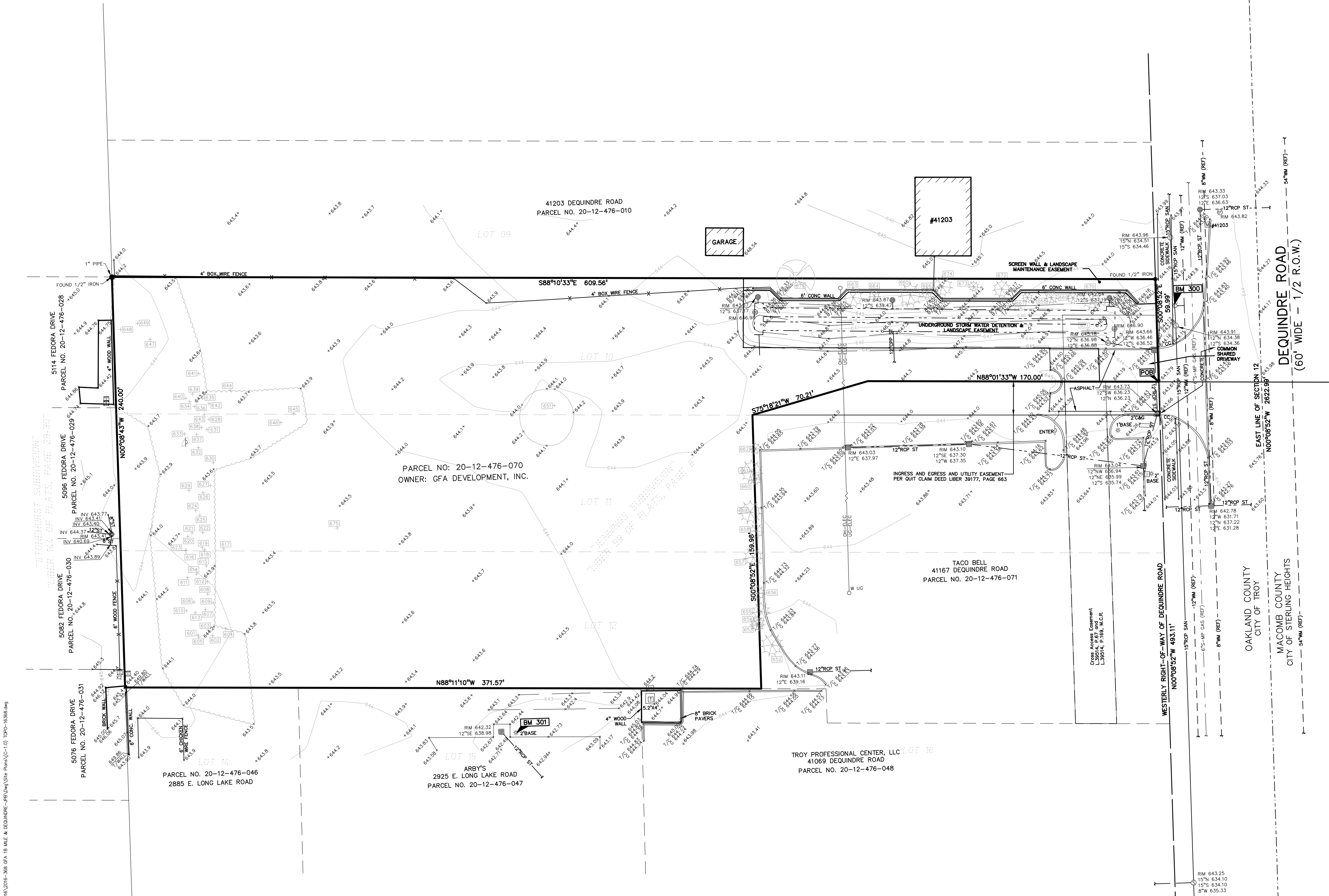
REVISIONS		
CONDITIONAL REZONE APP.	6/8/21	

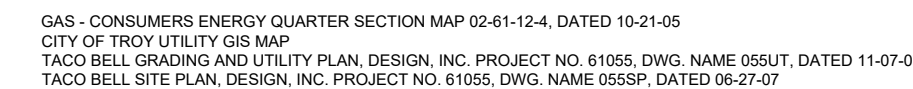
DRAWING TITLE
TOPOGRAPHIC SURVEY

PEA JOB NO.	2016-368
P.M.	JBT
DN.	TMK
DES.	TMK
DRAWING NUMBER:	

NOT FOR CONSTRUCTION

C-1.0





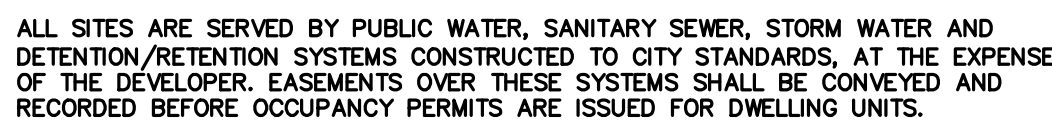
SITE SOILS INFORMATION:
ACCORDING TO THE USDA NATURAL RESOURCES CONSERVATION SERVICE WEB SOIL
SURVEY FOR OAKLAND COUNTY, THE SITE CONSISTS OF THE FOLLOWING SOIL TYPES:

52A - SELFUDGE LOAMY SAND, 0 TO 3 PERCENT SLOPES

PROJECT TITLE
**GFA 18 MILE &
DEQUINDRE**
PART OF THE SE 1/4 OF SECTION 12,
T.02N., R.11E.
TROY, OAKLAND COUNTY, MI

DRAWING NUMBER:

C-2.0



BM #301
PUNCH MARK ON THE NORTHWEST BOLT OF A LIGHT POLE
LOCATED AT THE NORTH SIDE OF THE ARBY'S PARKING
LOT, APPROX. 26'± SOUTH OF THE SOUTH PROPERTY LINE.
ELEV. - 645.29

C-3.0

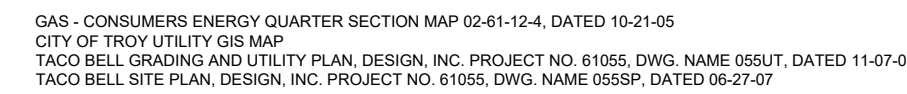
S:\PROJECTS\2016\2016-368 GFA 18 MILE & DEQUINRE-JFB\DWG\Site Plans\C-3.0 GRADE-16368.dwg

PIPE STORAGE:	
L=	612 ft.
SIZE=	60 in.
C.F./FT.=	19.625 c.f./ft.
VOLUME=	12,010.50 c.f.

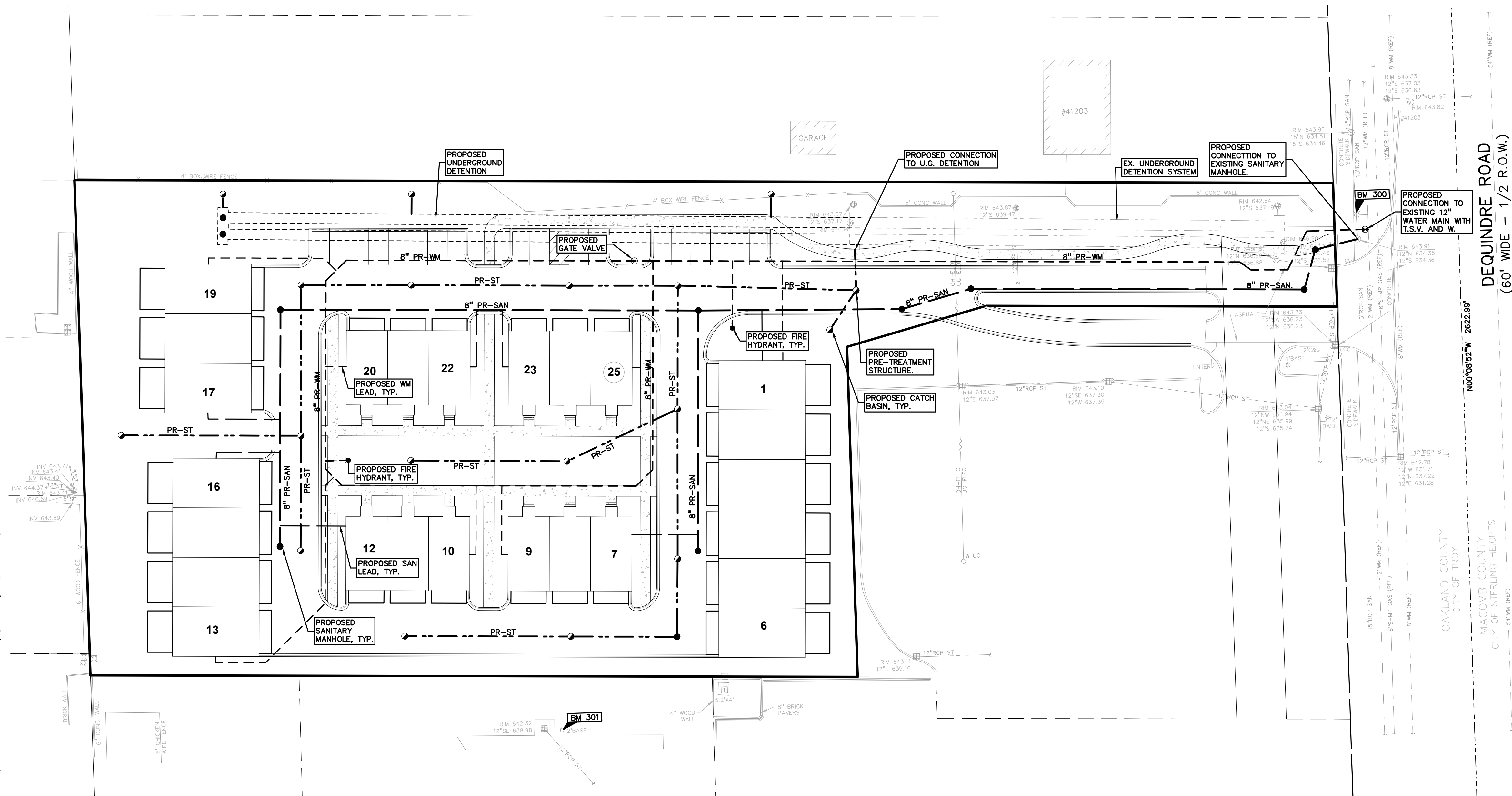
$$V_t = (V_s)(A)(Cr): \quad 7214$$

DETENTION SYSTEM PROVIDED: 60" SLCPP PIPE
STORAGE PER LINEAR FOOT OF PIPE: 19.63 C.F.
NUMBER OF ROWS PROVIDED: 2
LENGTH OF ROWS PROVIDED: 200 L.F.
TOTAL STORAGE VOLUME PROVIDED (2 X 200 X 19.63): 7852 C.F.

ALL WORK IN THE DEQUINDRE ROAD RIGHT-OF-WAY IS UNDER THE JURISDICTION OF THE ROAD COMMISSION FOR OAKLAND COUNTY AND REQUIRES A PERMIT.



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CLIENT
**GFA
DEVELOPMENT,
INC.**
986 ELMSFORD DR.
TROY, MI 48063

PROJECT TITLE
**GFA 18 MILE &
DEQUINDRE**
PART OF THE SE 1/4 OF SECTION 12,
T.02N., R.11E.
TROY, OAKLAND COUNTY, MI

[illegible]

ORIGINAL ISSUE DATE:
SEPTEMBER 18, 2019

DRAWING TITLE

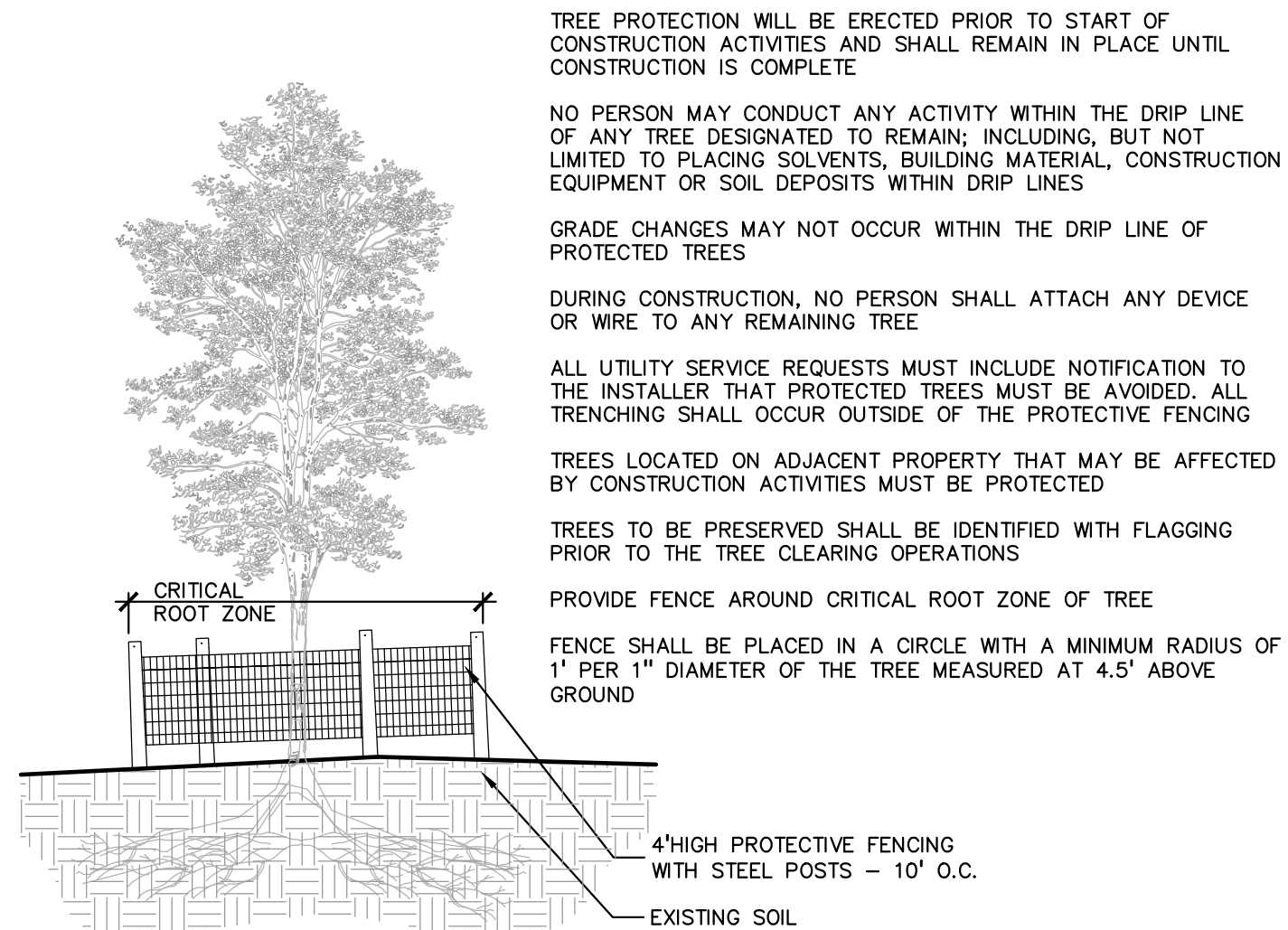
**PRELIMINARY
UTILITY PLAN**

PEA JOB NO.	2016-368
P.M.	JBT
DN.	TMK
DES.	TMK
DRAWING NUMBER:	

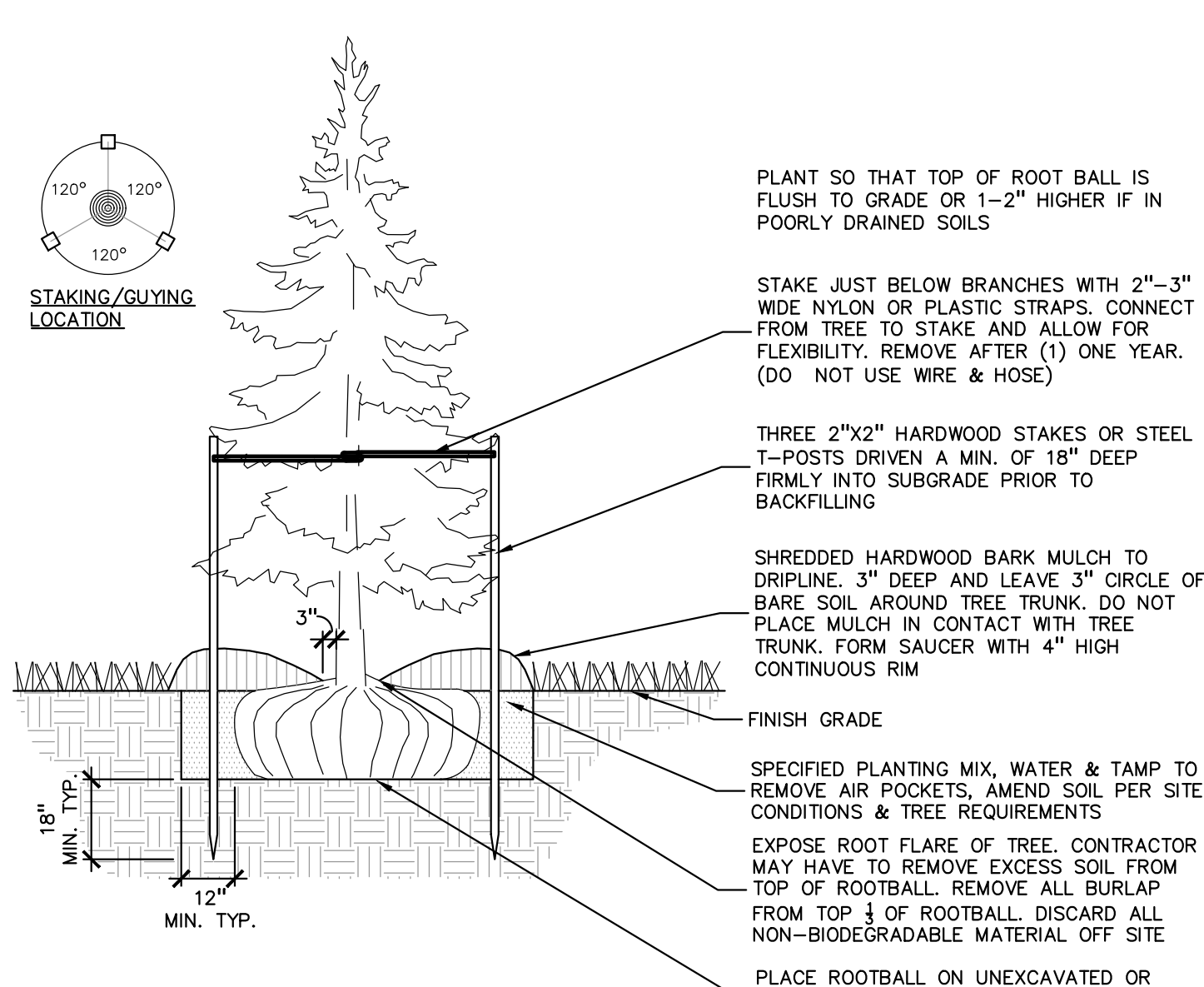
NOT FOR CONSTRUCTION

C-4.0

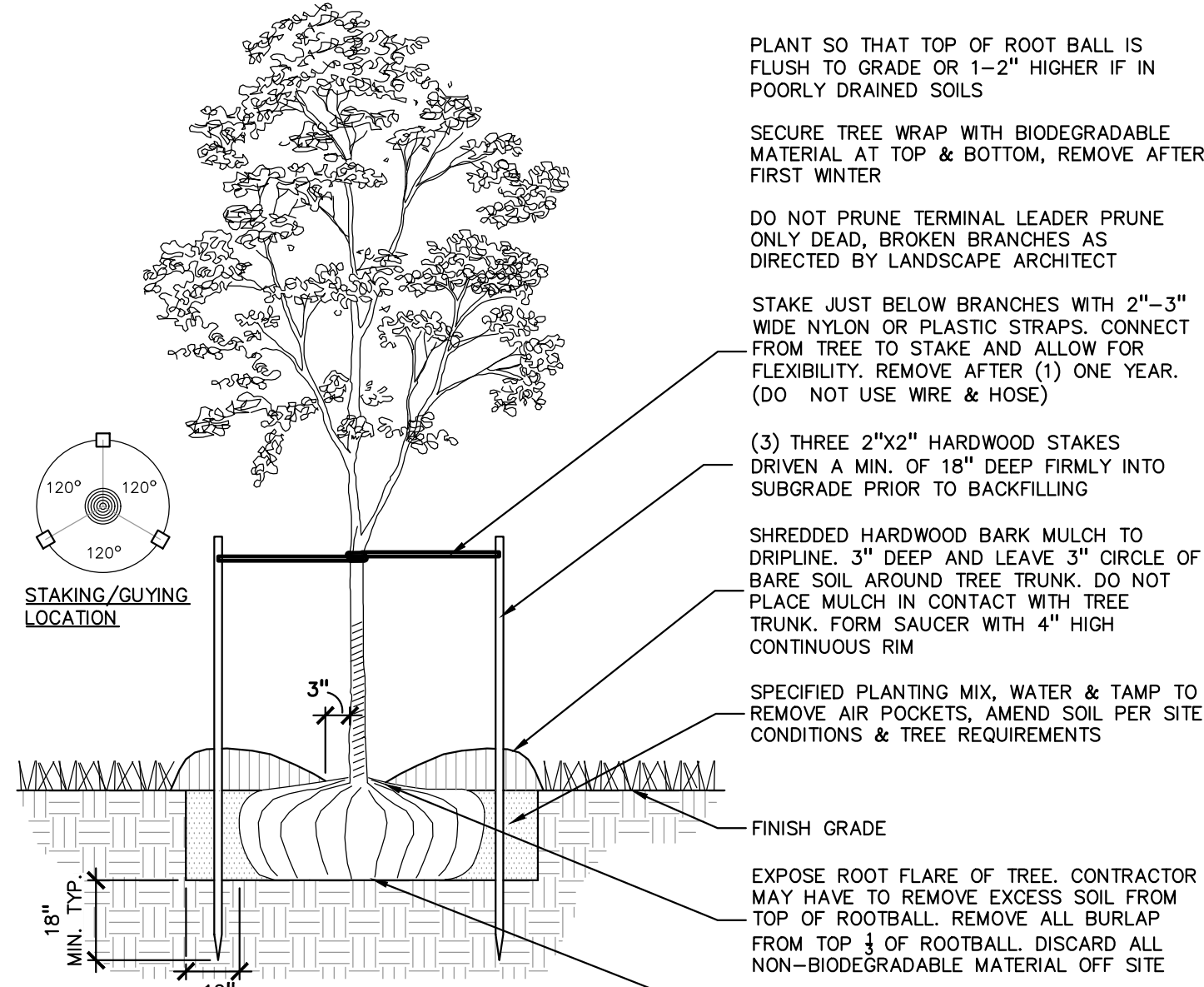
DECIDUOUS TREE PLANT LIST:				
QUANTITY	KEY SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE SPEC
3	AS2.5	Sugar Maple	<i>Acer saccharum</i> 'Green Mountain'	2.5" Cal. B&B
2	QR2.5	Red Oak	<i>Quercus rubra</i>	2.5" Cal. B&B
5	TOTAL DEC.			
EVERGREEN TREE PLANT LIST:				
QUANTITY	KEY SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE SPEC
7	AC8	Concolor Fir	<i>Abies concolor</i>	8' Ht. B&B
7	PA8	Norway Spruce	<i>Picea abies</i>	8' Ht. B&B
8	PC8	Columnar Norway Spruce	<i>Picea abies</i> 'Cupressina'	8' Ht. B&B
14	PG8	Black Hills Spruce	<i>Picea glauca</i> 'Densata'	8' Ht. B&B
5	PO8	Serbian Spruce	<i>Picea omorika</i>	8' Ht. B&B
6	PB8	Lacebark Pine	<i>Pinus bungeana</i>	8' Ht. B&B
11	PN8	Austrian Pine	<i>Pinus nigra</i>	8' Ht. B&B
7	PS8	Eastern White pine	<i>Pinus strobus</i>	8' Ht. B&B
65	TOTAL EVG.			



3 TREE PROTECTION DETAIL
SCALE: 1" = 3'-0"



2 EVERGREEN TREE PLANTING DETAIL
SCALE: 1" = 3'-0"



1 DECIDUOUS TREE PLANTING DETAIL
SCALE: 1" = 3'-0"

KEY

- = EVERGREEN SCREENING TREES
- = PARKING LOT TREES
- = GREENBELT TREES
- = IRRIGATED SEED LAWN
- = EXISTING TREES W/ TREE PROTECTION FENCING

LANDSCAPE CALCULATIONS:
PER CITY OF TROY ZONING ORDINANCE; NN

GREENBELT TREES:
REQUIRED: 1 DEC TREE / 30 LF OF STREET FRONTAGE. 60' OF RIGHT OF WAY/ 30 = 2 DEC TREES REQUIRED.
PROVIDED: 2 PROPOSED TREES

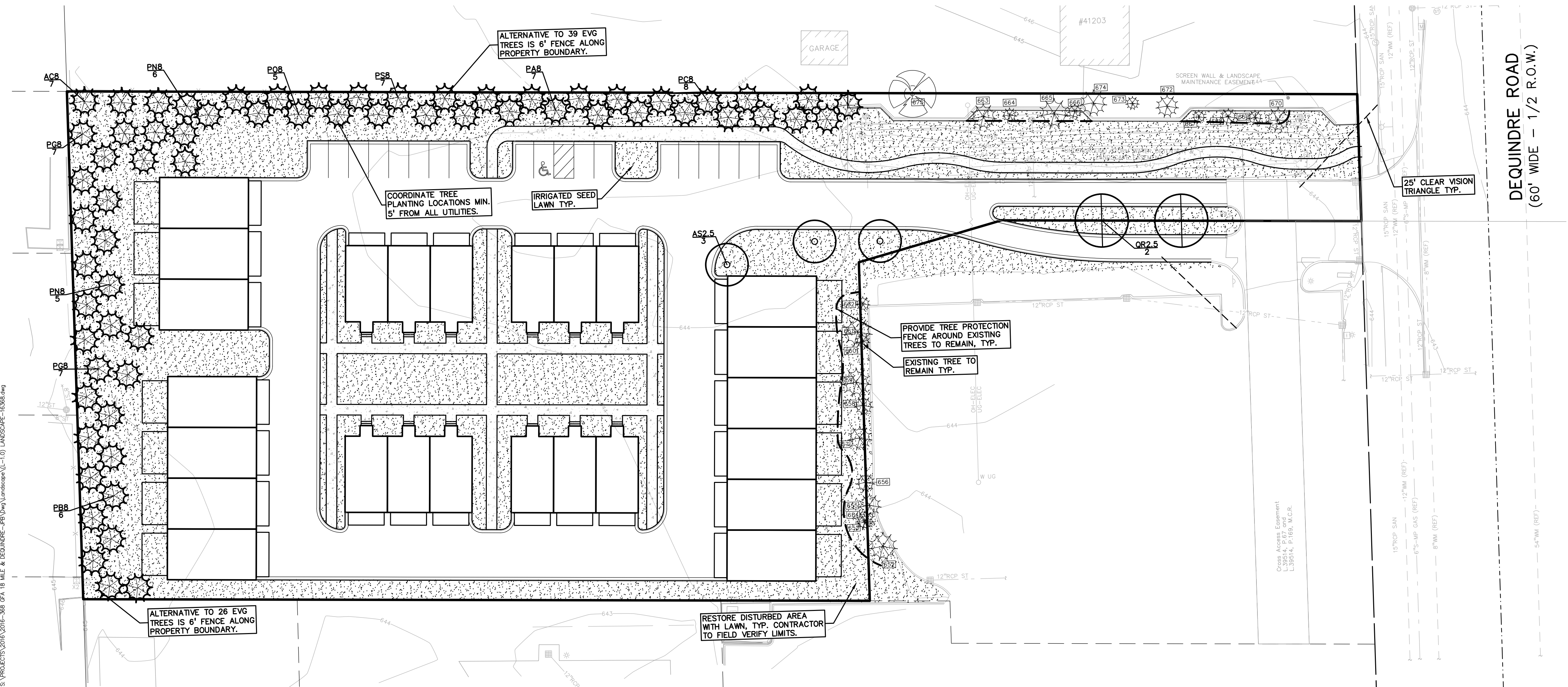
PARKING LOT TREES:
REQUIRED: 1 TREE / 8 PARKING SPACES. 18 SPACES / 8 = 3 TREES
PROVIDED: 3 TREES

REPLACEMENT TREES:
REQUIRED: REPLACE 50% OF REMOVED DBH OF WOODLAND TREES, AND 100% OF REMOVED LANDMARK TREES DBH. 1 WOODLAND AND 1 LANDMARK TREES REMOVED, SEE CALCULATIONS THIS SHEET. 384" DBH CREDIT SAVED, 0 REPLACEMENT TREES REQUIRED.
PROVIDED: 27 EXISTING TREES SAVED, NO REPLACEMENT REQUIRED.

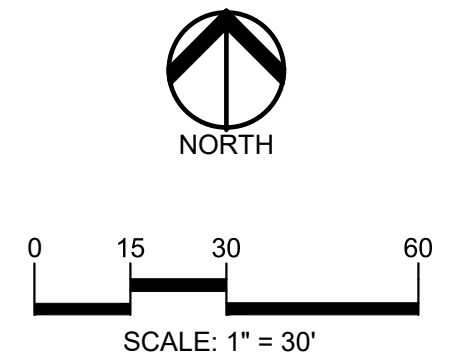
SCREENING TREES:
REQUIRED: 1 LARGE EVG TREE / 10 LF (USE ALT 2: MULTIFAMILY ADJACENT TO SINGLE FAMILY RESIDENTIAL -NORTH & WEST).
- NORTH: 370 LF/10 = 37 LG EVG (6' FENCE ALONG REMAINING PROPERTY BOUNDARY.)
- WEST: 240 LF /10 = 24 LG EVG
PROVIDED: 65 TREES (NORTH- 39 LG EVG; WEST- 26 LG EVG)

GENERAL PLANTING NOTES:

- LANDSCAPE CONTRACTOR SHALL VISIT SITE, INSPECT EXISTING SITE CONDITIONS AND REVIEW PROPOSED PLANTING AND RELATED WORK. IN CASE OF DISCREPANCY BETWEEN PLAN AND PLANT LIST, PLAN SHALL GOVERN QUANTITIES. CONTACT LANDSCAPE ARCHITECT WITH ANY CONCERNS.
- CONTRACTOR SHALL VERIFY LOCATIONS OF ALL ON SITE UTILITIES PRIOR TO BEGINNING CONSTRUCTION ON HIS/HER PHASE OF WORK. ELECTRIC, GAS, TELEPHONE, CABLE TELEVISION MAY BE LOCATED BY CALLING MISS DIG 1-800-482-7171. ANY DAMAGE OR INTERRUPTION OF SERVICES SHALL BE THE RESPONSIBILITY OF CONTRACTOR. CONTRACTOR SHALL COORDINATE ALL RELATED ACTIVITIES WITH OTHER TRADES ON THE JOB AND SHALL REPORT ANY UNACCEPTABLE JOB CONDITIONS TO OWNER'S REPRESENTATIVE PRIOR TO COMMENCING.
- ALL PLANT MATERIAL TO BE PREMIUM GRADE NURSERY STOCK AND SHALL SATISFY AMERICAN ASSOCIATION OF NURSERYMEN STANDARD FOR NURSERY STOCK. ALL LANDSCAPE MATERIAL SHALL BE NORTHERN GROWN, NO. 1. GRADE.
- CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON LANDSCAPE PLAN PRIOR TO PRICING THE WORK.
- THE OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL NOT MEETING SPECIFICATIONS.
- ALL SINGLE STEM SHADE TREES TO HAVE STRAIGHT TRUNKS AND SYMMETRICAL CROWNS.
- ALL SINGLE TRUNK SHADE TREES TO HAVE A CENTRAL LEADER; TREES WITH FORKED OR IRREGULAR TRUNKS WILL NOT BE ACCEPTED.
- ALL MULTI STEM TREES SHALL BE HEAVILY BRANCHED AND HAVE SYMMETRICAL CROWNS. ONE SIDED TREES OR THOSE WITH THIN OR OPEN CROWNS SHALL NOT BE ACCEPTED.
- ALL EVERGREEN TREES SHALL BE HEAVILY BRANCHED AND FULL TO THE GROUND, SYMMETRICAL IN SHAPE AND NOT SHEARED FOR THE LAST FIVE GROWING SEASONS.
- ALL TREES TO HAVE CLAY OR CLAY LOAM BALLS, TREES WITH SAND BALLS WILL BE REJECTED.
- NO MACHINERY IS TO BE USED WITHIN THE DRIP LINE OF EXISTING TREES; HAND GRADE ALL LAWN AREAS WITHIN THE DRIP LINE OF EXISTING TREES.
- ALL TREE LOCATIONS SHALL BE STAKED BY LANDSCAPE CONTRACTOR AND ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF THE PLANT MATERIAL.
- IT IS MANDATORY THAT POSITIVE DRAINAGE IS PROVIDED AWAY FROM ALL BUILDINGS.
- ALL PLANTING BEDS SHALL RECEIVE 3" SHREDDED HARDWOOD BARK MULCH WITH PRE EMERGENT, SEE SPECIFICATIONS. SHREDDED PALETTE AND DYED MULCH WILL NOT BE ACCEPTED.
- ALL LANDSCAPED AREAS SHALL RECEIVE 3" COMPACTED TOPSOIL.
- SEE SPECIFICATIONS FOR ADDITIONAL COMMENTS, REQUIREMENTS, PLANTING PROCEDURES AND WARRANTY STANDARDS.
- FOR NON-LAWN SEED MIX AREAS, AS NOTED ON PLAN, BRUSH MOW ONCE SEASONALLY FOR INVASIVE SPECIES CONTROL.



S:\PROJECTS\2016-2018\016-368 GFA 18 MILE & DEQUINDRE-18100 Landscape\18100 Landscape-18100.dwg



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CLIENT
GFA DEVELOPMENT, INC.
988 ELMFORD DR.
TROY, MI 48063

PROJECT TITLE
GFA 18 MILE & DEQUINDRE
PART OF THE SE 1/4 OF SECTION 12,
T.02N, R.11E,
TROY, OAKLAND COUNTY, MI

REVISIONS

CONDITIONAL REZONE APP.	6/8/21

ORIGINAL ISSUE DATE:
SEPTEMBER 18, 2019

DRAWING TITLE
PRELIMINARY LANDSCAPE PLAN

PEA JOB NO.	2016-368
P.M.	JBT
DN.	TMK
DES.	TMK
DRAWING NUMBER:	

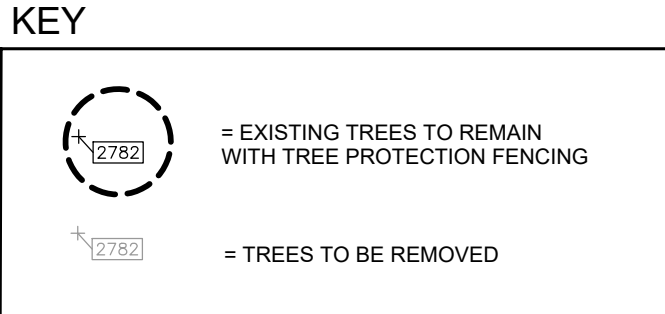
NOT FOR CONSTRUCTION

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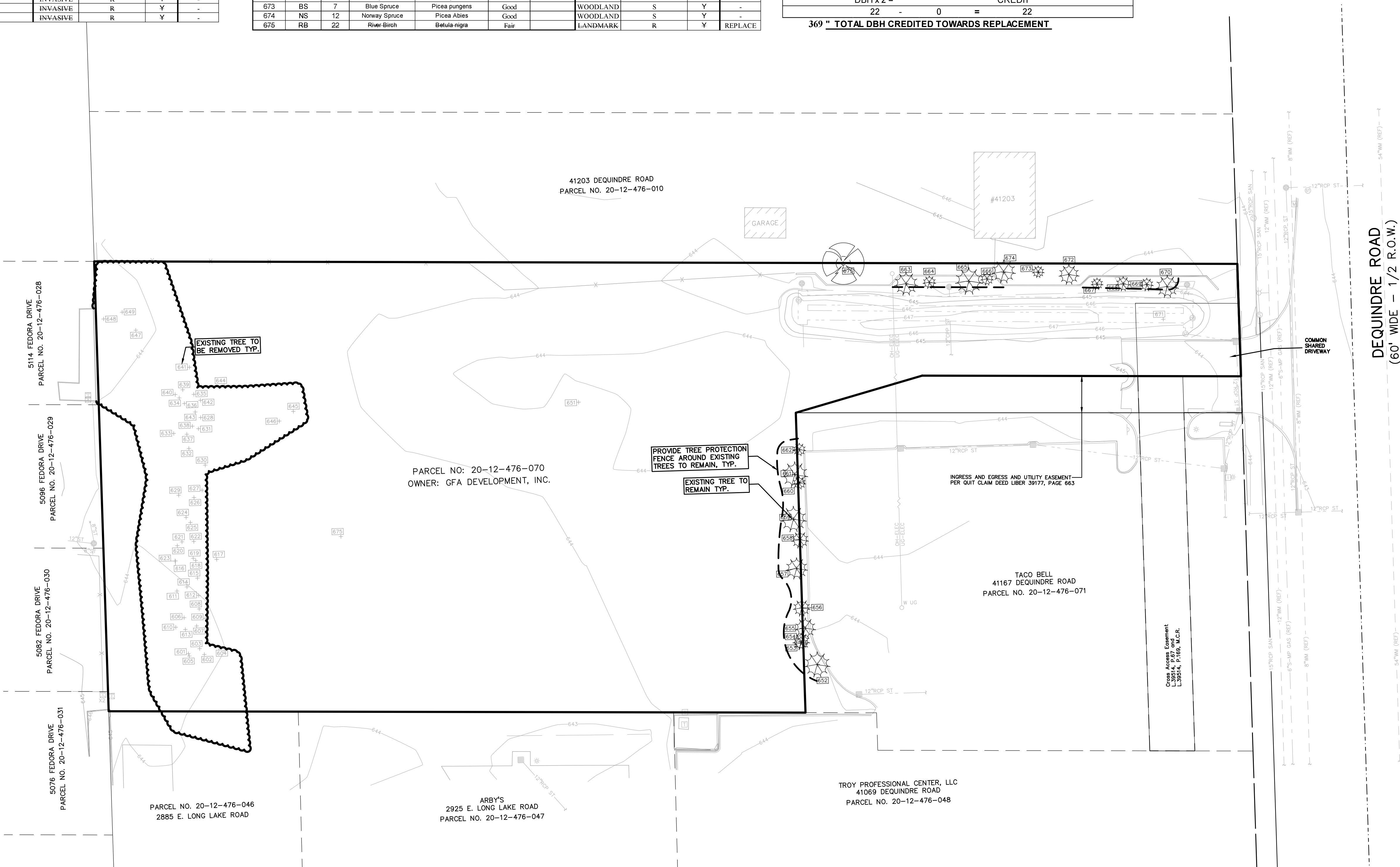
S:\PROJECTS\2016\2016-368 GFA 18 MILE & DEQUINDRE-JPS\04g Landscaping\1-10 TREE PRESERVATION-10368.dwg

TAG	CODE	DBH	COMMON NAME	LATIN NAME	COND	NOTE	CLASS	SAVE / REMOVE	ON-SITE	REPLACE
601	EE	25	Siberian Elm	Ulmus pumila	Very Poor		INVASIVE	R	Y	-
602	NS	6	Norway Spruce	Picea Abies	Very Poor		WOODLAND	R	Y	-
603	EE	14	Siberian Elm	Ulmus pumila	Fair	4	INVASIVE	R	Y	-
604	CC	6	Choke Cherry	Prunus virginia	Poor		WOODLAND	R	Y	-
605	EE	6	Siberian Elm	Ulmus pumila	Good		INVASIVE	R	Y	-
606	EE	22	Siberian Elm	Ulmus pumila	Good		INVASIVE	R	Y	-
607	EE	7	Siberian Elm	Ulmus pumila	Very Poor		INVASIVE	R	Y	-
608	EE	22	Siberian Elm	Ulmus pumila	Very Poor		INVASIVE	R	Y	-
609	EE	25	Siberian Elm	Ulmus pumila	Good		INVASIVE	R	Y	-
610	EE	6	Siberian Elm	Ulmus pumila	Very Poor		INVASIVE	R	Y	-
611	EE	13	Siberian Elm	Ulmus pumila	Poor		INVASIVE	R	Y	-
612	EE	14	Siberian Elm	Ulmus pumila	Fair		INVASIVE	R	Y	-
613	EE	17	Siberian Elm	Ulmus pumila	Fair		INVASIVE	R	Y	-
614	EE	13	Siberian Elm	Ulmus pumila	Poor		INVASIVE	R	Y	-
615	EE	19	Siberian Elm	Ulmus pumila	Fair		INVASIVE	R	Y	-
616	EE	8	Siberian Elm	Ulmus pumila	Poor		INVASIVE	R	Y	-
617	EE	24	Siberian Elm	Ulmus pumila	Poor		INVASIVE	R	Y	-
618	EE	14	Siberian Elm	Ulmus pumila	Very Poor		INVASIVE	R	Y	-
619	EE	12	Siberian Elm	Ulmus pumila	Fair		INVASIVE	R	Y	-
620	EE	13	Siberian Elm	Ulmus pumila	Poor		INVASIVE	R	Y	-
621	EE	18	Siberian Elm	Ulmus pumila	Fair		INVASIVE	R	Y	-
622	EE	8	Siberian Elm	Ulmus pumila	Poor		INVASIVE	R	Y	-
623	EE	8	Siberian Elm	Ulmus pumila	Fair		INVASIVE	R	Y	-
624	EE	9	Siberian Elm	Ulmus pumila	Very Poor		INVASIVE	R	Y	-
625	EE	20	Siberian Elm	Ulmus pumila	Fair		INVASIVE	R	Y	-
626	EE	9	Siberian Elm	Ulmus pumila	Poor		INVASIVE	R	Y	-
627	EE	11	Siberian Elm	Ulmus pumila	Very Poor		INVASIVE	R	Y	-
628	EE	8	Siberian Elm	Ulmus pumila	Very Poor		INVASIVE	R	Y	-
629	EE	20	Siberian Elm	Ulmus pumila	Fair		INVASIVE	R	Y	-
630	EE	13	Siberian Elm	Ulmus pumila	Very Poor		INVASIVE	R	Y	-
631	EE	6	Siberian Elm	Ulmus pumila	Very Poor		INVASIVE	R	Y	-
632	EE	19	Siberian Elm	Ulmus pumila	Fair		INVASIVE	R	Y	-
633	MW	8	White Mulberry	Morus alba	Fair		INVASIVE	R	Y	-
634	EE	12	Siberian Elm	Ulmus pumila	Fair		INVASIVE	R	Y	-
635	EE	14	Siberian Elm	Ulmus pumila	Fair		INVASIVE	R	Y	-
636	EE	8	Siberian Elm	Ulmus pumila	Poor		INVASIVE	R	Y	-
637	EE	20	Siberian Elm	Ulmus pumila	Poor		INVASIVE	R	Y	-

TAG	CODE	DBH	COMMON NAME	LATIN NAME	COND	NOTE	CLASS	SAVE / REMOVE	ON-SITE	REPLACE
638	EE	9	Siberian Elm	Ulmus pumila	Fair		INVASIVE	R	Y	-
639	EE	22	Siberian Elm	Ulmus pumila	Fair		INVASIVE	R	Y	-
640	MW	7	White Mulberry	Morus alba	Poor		INVASIVE	R	Y	-
641	E	12	American Elm	Ulmus americana	Fair		INVASIVE	R	Y	-
642	EE	8	Siberian Elm	Ulmus pumila	Very Poor		INVASIVE	R	Y	-
643	EE	22	Siberian Elm	Ulmus pumila	Poor		INVASIVE	R	Y	-
644	BW	7	Black Walnut	Juglans nigra	Poor		WOODLAND	R	Y	-
645	CA	11	Crab Apple	Malus canadensis	Very Poor		WOODLAND	R	Y	-
646	EE	20	Siberian Elm	Ulmus pumila	Poor		INVASIVE	R	Y	-
647	E	10	American Elm	Ulmus americana	Good		INVASIVE	R	Y	-
648	EE	16	Siberian Elm	Ulmus pumila	Good		INVASIVE	R	Y	-
649	EE	7	Siberian Elm	Ulmus pumila	Fair		INVASIVE	R	Y	-
650	BX	20	Box elder	Acer negundo	Very Poor		INVASIVE	S	Y	-
651	EE	13	Siberian Elm	Ulmus pumila	Fair	4	INVASIVE	R	Y	-
652	DF	13	Douglas Fir	Pseudotsuga menziesii	Good		WOODLAND	S	Y	-
653	BS	6	Blue Spruce	Picea pungens	Good		WOODLAND	S	Y	-
654	NS	8	Norway Spruce	Picea Abies	Good		WOODLAND	S	Y	-
655	NS	10	Norway Spruce	Picea Abies	Good		WOODLAND	S	Y	-
656	BS	7	Blue Spruce	Picea pungens	Poor		WOODLAND	S	Y	-
657	NS	10	Norway Spruce	Picea Abies	Good		WOODLAND	S	Y	-
658	BS	7	Blue Spruce	Picea pungens	Good		WOODLAND	S	Y	-
659	NS	13	Norway Spruce	Picea Abies	Fair		WOODLAND	S	Y	-
660	NS	6	Norway Spruce	Picea Abies	Good		WOODLAND	S	Y	-
661	NS	14	Norway Spruce	Picea Abies	Good		WOODLAND	S	Y	-
662	BS	6	Blue Spruce	Picea pungens	Good		WOODLAND	S	Y	-
663	DF	13	Douglas Fir	Pseudotsuga menziesii	Good		WOODLAND	S	Y	-
664	BS	7	Blue Spruce	Picea pungens	Good		WOODLAND	S	Y	-
665	DF	15	Douglas Fir	Pseudotsuga menziesii	Good		WOODLAND	S	Y	-
666	BS	6	Blue Spruce	Picea pungens	Good		WOODLAND	S	Y	-
667	BS	6	Blue Spruce	Picea pungens	Fair		WOODLAND	S	Y	-
668	DF	8	Douglas Fir	Pseudotsuga menziesii	Good		WOODLAND	S	Y	-
669	BS	7	Blue Spruce	Picea pungens	Good		WOODLAND	S	Y	-
670	NS	12	Norway Spruce	Picea Abies	Good		WOODLAND	S	Y	-
671	FC	6	Flowering Cherry	Prunus spp.	Good		WOODLAND	R	Y	REPLACE
672	DF	11	Douglas Fir	Pseudotsuga menziesii	Good		WOODLAND	S	Y	-
673	BS	7	Blue Spruce	Picea pungens	Good		WOODLAND	S	Y	-
674	NS	12	Norway Spruce	Picea Abies	Good		WOODLAND	S	Y	-
675	RB	22	River Birch	Betula nigra	Fair		LANDMARK	R	Y	REPLACE



WOODLAND TREES			
WOODLAND TREES REMOVED:	1	(REPLACE AT 50% OF REMOVED DBH)	
6" DBH x 0.5 =	3"	REPLACEMENT	
WOODLAND TREES SAVED: 21 (CREDIT OF 2X DBH)			
197 DBH x 2 =	394"	CREDIT	
3 -	394	= -391	
" DBH REQUIRED FOR WOODLAND REPLACEMENT			
LANDMARK TREES			
LANDMARK TREES REMOVED:	1	(REPLACE AT 100% OF REMOVED DBH)	
22" DBH x 1 =	22"	REPLACEMENT	
LANDMARK TREES SAVED: 0 (CREDIT OF 2X DBH)			
" DBH x 2 =	"	CREDIT	
22 -	0	= 22	
369" TOTAL DBH CREDITED TOWARDS REPLACEMENT			



PEA GROUP

t: 844.813.2949
www.peagroup.com

STATE OF MICHIGAN
KIMBERLY DIETZ
LANDSCAPE ARCHITECT
NO. 741

NORTH

0 15 30 60
SCALE: 1" = 30'

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

CAUTION!!
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

CLIENT

GFA DEVELOPMENT, INC.
988 ELMSFORD DR.
TROY, MI 48063

PROJECT TITLE

GFA 18 MILE & DEQUINDRE
PART OF THE SE 1/4 OF SECTION 12,
T.02N., R.11E.
TROY, OAKLAND COUNTY, MI

REVISIONS

CONDITIONAL REZONE APP.	6/8/21
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ORIGINAL ISSUE DATE:
SEPTEMBER 18, 2019

DRAWING TITLE

PRELIMINARY PRESERVATION PLAN

PEA JOB NO. 2016-368

P.M. JBT

DN. TMK

DES. TMK

DRAWING NUMBER:

CITY OF TROY

CONDITIONAL REZONING APPLICATION

CITY OF TROY PLANNING DEPARTMENT
500 W. BIG BEAVER
TROY, MICHIGAN 48084
PHONE: 248-524-3364
E-MAIL: planning@troymi.gov



**CONDITIONAL REZONING
REVIEW FEE
\$1,800.00**

**ESCROW FEE
\$1,500.00**

REGULAR MEETINGS OF THE CITY PLANNING COMMISSION ARE HELD ON THE SECOND AND FOURTH TUESDAYS OF EACH MONTH AT 7:00 P.M. AT CITY HALL.

PLEASE FILE A COMPLETE CONDITIONAL REZONING APPLICATION, TOGETHER WITH THE APPROPRIATE FEE, NOT LESS THAN THIRTY (30) DAYS PRIOR TO THE DATE OF THAT MEETING.

A PLANNING COMMISSION PUBLIC HEARING SHALL BE SCHEDULED FOLLOWING A DETERMINATION BY THE PLANNING DEPARTMENT THAT THE CONDITIONAL REZONING APPLICATION IS COMPLETE AND MEETS THE REQUIREMENTS OF THE TROY ZONING ORDINANCE.

-
1. NAME OF THE PROPOSED DEVELOPMENT: _____
 2. ADDRESS OF THE SUBJECT PROPERTY: _____
 3. CURRENT ZONING CLASSIFICATION OF SUBJECT PROPERTY: _____
 4. PROPOSED ZONING CLASSIFICATION OF SUBJECT PROPERTY: _____
 5. TAX IDENTIFICATION NUMBER(S) OF SUBJECT PROPERTY: _____
 6. PLEASE PROVIDE A STATEMENT THAT ADDRESSES THE FOLLOWING ARCHITECTURAL DESIGN QUESTIONS:
 - A. DESCRIPTION OF CONTEXT OF SITE AND HOW PROJECT RESPONDS TO CHARACTER OF THE AREA
 - B. DESCRIPTION OF THE PROJECT'S DESIGN CONCEPT
 - C. DESCRIPTION OF HOW THE PROJECT ACHIEVES THE DESIGN CONCEPT
 - D. DESCRIPTION OF THE DEVELOPMENT PROGRAM (INTENDED USES, KNOWN OR POSSIBLE TENANTS, ETC.).
 - E. DESCRIPTION OF HOW THE BUILDING MATERIALS ENHANCE THE DESIGN CONCEPT
 - F. IF THE PROJECT IS IN A FORM-BASED DISTRICT, PROVIDE DESCRIPTION OF HOW THE PROJECT MEETS THE TRANSPARENCY REQUIREMENTS
 - G. NOTE ANY OTHER IMPORTANT ELEMENTS, FEATURES OR DESIGN CONCEPTS NOT COVERED ABOVE THAT WILL HELP THE PLANNING COMMISSION UNDERSTAND HOW THE PROJECT FOSTERS EXCELLENCE IN THE DESIGN OF THE BUILT ENVIRONMENT

APPLICANT:

NAME _____
COMPANY _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
TELEPHONE _____
E-MAIL _____

PROPERTY OWNER:

NAME _____
COMPANY _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
TELEPHONE _____
E-MAIL _____

7. THE APPLICANT BEARS THE FOLLOWING RELATIONSHIP TO THE OWNER OF THE SUBJECT PROPERTY:
SAME _____

8. **SIGNATURE OF THE APPLICANT** _____ **DATE** _____

9. **SIGNATURE OF THE PROPERTY OWNER** _____ **DATE** _____

BY THIS SIGNATURE, THE PROPERTY OWNER AUTHORIZES PLACEMENT OF A SIGN ON THE PROPERTY TO INFORM THE PUBLIC OF THE REQUEST FOR CONDITIONAL REZONING.

CONDITIONAL REZONING

7. **PUBLIC HEARING - CONDITIONAL REZONING- (CR JPLN2021-001)** – Proposed Pine View Condominiums, West side of Dequindre, north of Long Lake (88-20-12-476-070), Section 12, From NN (Neighborhood Node “J” and EP (Environmental Protection) to NN (Neighborhood Node “J”)

Mr. Carlisle presented a review of the Pine View Condominiums. He addressed the 40-foot wide strip of E-P zoning and referenced the previous action taken by the Planning Commission to postpone the item to allow the applicant to submit a conditional rezoning application to rezone the E-P portion so it could be used for guest parking. Mr. Carlisle said the layout design has not changed and noted the southern portion of the property is a by-right development. He noted of significant importance are the applicant's voluntary conditions numbered 1, 4, 7 and 8. Mr. Carlisle addressed the landscaping, required screening at the south edge of the property, the engineering department pedestrian connection improvements and design and site plan standards. Mr. Carlisle recommended that the Planning Commission recommend to the City Council conditional rezoning and preliminary site plan approval with the conditions as identified in his report dated August 16, 2021.

Gary Abitheira clarified as a voluntary condition to the application, the maximum height would be a 3 story building, noting an error in the Planning Consultant report stating the maximum height of a 2-1/2 story building. He addressed the number of units, landscaping and elevations.

Mr. Savidant addressed the intent of the application dated November 12, 2019 and the recently adopted text amendment limiting the building height of development within the Neighborhood Node zoning district that abuts residential.

There was discussion on:

- E-P zoning district; uses, zoning tool to separate incompatible land uses.
- Landscaping buffer, amenity to application.
- Maintenance of E-P strip of land.
- Height of surrounding residential homes.
- Shared driveway with Taco Bell; as relates to traffic, cross access easement.
- Elevations; garage and interior entrance on same side.
- Property to the north; open space, potential headlight shining on residential.
- Existing concrete wall at Taco Bell; applicant prefer trees and landscape.
- Proposed fence on south side; material and height.
- Guest parking; no requirement to provide, good design consideration, appropriate screening for headlights.

PUBLIC HEARING OPENED

- Pamela Prewitt, 41203 Dequindre; addressed concerns with safety and traffic congestion relating to Taco Bell; traffic back-ups block her driveway, addressed maintenance of E-P strip of land.
- Doug Roach, 5237 Windmill; addressed concerns with safety, congestion, parking, and light pollution.

PUBLIC HEARING CLOSED

Mr. Carlisle and Mr. Savidant acknowledged the traffic concern addressed by the residents would be reported and looked into by the Engineering.

Mr. Savidant encouraged residents who experience light pollution from nearby commercial to contact the Planning Department and any violation of the Zoning Ordinance would be enforced.

Discussion continued on:

- Maintenance responsibility of property to north.
- Pedestrian sidewalk as relates if E-P zoning stays in place.
- Density; building height, building form.
- Potential traffic congestion with shared access.
- Intent of applicant with by-right development on southern portion.
- Type of desired housing; results of Master Plan survey.

Resolution # PC-2021-08-064

Moved by: Rauch

Seconded by: Perakis

RESOLVED, That the Planning Commission hereby recommends to the City Council that the NN “J” and EP to NN “J” conditional rezoning request, as per Section 16.04 of the City of Troy Zoning Ordinance, located on the west side of Dequindre, north of Long Lake, within Section 12, being approximately 2.389 acres in size, be **denied**, for the following reasons:

1. The request does not comply with the Master Plan, including but not limited to its definition of transitional density.
2. The conditions offered by the applicant do not reasonably protect the adjacent properties.
3. The rezoning and conditions offered by the applicant would be incompatible with surrounding zoning and land use and do not comply with the Zoning Ordinance, including but not limited to building form.

Yes: Hutson, Malalahalli, Perakis, Rauch

No: Faison, Krent, Lambert, Rahman

Absent: Tagle

MOTION FAILED**Resolution # PC-2021-08-065**

Moved by: Rahman

Seconded by: Lambert

RESOLVED, That the Planning Commission hereby recommends to the City Council that the NN “J” and EP to NN “J” conditional rezoning request, as per Section 16.04 of the City of Troy Zoning Ordinance, located on the west side of Dequindre, north of Long Lake, within Section 12, being approximately 2.389 acres in size, be **granted**, for the following reasons:

1. The request complies with the Master Plan.
2. The EP district does not include any significant natural features.
3. The rezoning would permit greater flexibility in use and development of the property.
4. The conditions offered by the applicant reasonably protect the adjacent properties.
5. The rezoning would be compatible with surrounding zoning and land use.
6. The site can be adequately served with municipal water and sewer.

BE IT FURTHER RESOLVED, That the Planning Commission recommends the following site plan design considerations:

1. Submit photometric plans and fixture details.
2. Address the Engineering Department pedestrian connection comments.
3. Provide site landscaping calculation.
4. Provide floor plans and elevations.
5. Consider residents’ feedback on headlight glaring and traffic safety.

Discussion on the motion on the floor.

Ms. Perakis addressed standards that must be met.

Mr. Rauch addressed primary entrance on interior streets and transitional density.

Ms. Dufrane address conditional rezoning applications with respect to conditions offered by applicant.

Vote on the motion on the floor.

Yes: Faison, Krent, Lambert, Rahman
No: Hutson, Malalahalli, Perakis, Rauch
Absent: Tagle

MOTION FAILED



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Date: September 13, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Kurt Bovensiep, Public Works Director
Paul Trosper, Water and Sewer Operations Manager

Subject: 2021 Lead and Copper Rule Monitoring Update

Lead and Copper Rule

- The Lead and Copper Rule is a United States federal regulation which limits the concentration of lead and copper allowed in public drinking water at the consumer's tap. The purpose of the Lead and Copper Rule (LCR) is to protect public health by minimizing lead and copper levels in drinking water.
- The U.S. Environmental Protection Agency first issued the rule in 1991 pursuant to the Safe Drinking Water Act after studies concluded that copper and lead have an adverse effect on individuals.
- The rule establishes action levels for lead and copper based on a 90th percentile level of tap water samples. An action level exceedance is not a violation, but triggers other requirements to minimize exposure to lead and copper in drinking water, including water quality parameter monitoring, corrosion control treatment, source water monitoring/treatment, public education, and lead service line replacement.
- To the best of our knowledge, none of the homes in the City of Troy contain lead service lines. Any trace amounts of lead can be attributed to the particular fixtures from which the water samples were drawn or the solder used on the home's plumbing system.

Troy Lead and Copper Rule Monitoring

- The City of Troy Water & Sewer Division recently completed the 2021 round of water quality testing for lead and copper.
- In 2018, the Department of Environment, Great Lakes, and Energy (EGLE) expanded the number of sample sites based on population, which meant increasing residential samples in Troy from 15 to 30.
- The testing procedure requires that a sample must be taken after a minimum of six (6) hours of no water use within a home; this gives the water time to absorb any trace elements that may be in the service line or the plumbing fixture from which the sample is being taken.

2020 Testing

- Of the 30 samples taken from Troy residential homes, all tested below the action levels for both lead and copper; action levels are 15ppb (parts per billion) for lead and 1,300ppb for copper.
 - Lead was not detected in any of the 30 samples.
 - Copper levels ranged from 4.48ppb to 223.90ppb.
- Once the results were received, the Troy Water and Sewer Division was required to inform all residents whose homes were used for sampling of their results and complete a detailed report for EGLE.



500 West Big Beaver
Troy, MI 48084
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M-02b

FROM THE OFFICE OF THE CITY MANAGER

Date: September 9, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
William J. Huotari, City Engineer

Subject: Verizon Small Cell Update

A new Verizon Wireless utility pole to be located near 3320 Essex Drive generated many questions in July (see attached). City staff met with Verizon representatives on September 8 to discuss small cell facilities proposed in the Buckingham Woods subdivision in Section 30 of the City.

The Verizon representatives explained that the proposed small cell locations are based on supply and demand. Mobile networks consist of a mix of macrocell sites to provide wide area coverage and small cells to improve localized coverage and increase capacity. Verizon has good macrocell coverage in much of Troy and is installing small cells to improve localized coverage and increase capacity in areas where macrocell coverage is weaker and mobile data demand is highest.

The Verizon representatives also explained that existing utility poles are preferred because they are less disruptive for the neighborhood and less expensive for Verizon. However, the owners of existing utility poles, primarily DTE Energy, may not allow small cell equipment on all existing utility poles. In addition, small cells must also be located within proximity to Verizon's underground fiber network and underground power.

The Verizon representatives reiterated that no new utility poles will be installed in 2021. In the meantime, Verizon will reevaluate the proposed new utility pole locations to determine if alternate locations are available. This review will take several months so City staff plans to meet with Verizon again in late 2021 or early 2022.

In the meantime, specific questions may be directed to David Haslinger via email at: david.haslinger@verizonwireless.com. Verizon requires email so all correspondence can be managed and tracked internally. City staff will continue to monitor the situation and provide updates as necessary.



500 West Big Beaver
Troy, MI 48084
troymi.gov

FROM THE OFFICE OF THE CITY MANAGER

Date: July 26, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
William J. Huotari, City Engineer

Subject: Small Wireless Communications Facilities

A new Verizon Wireless utility pole to be located near 3320 Essex Drive has generated many questions and suggestions regarding this and other new utility poles. City staff cannot answer or address them all before tonight's City Council meeting. Instead, this report is intended to provide a brief update before the meeting. Additional information will follow.

First, an update about the new utility pole to be located near 3320 Essex Drive specifically. City staff met with Verizon Wireless this morning and Verizon agreed to reevaluate its locations. Verizon Wireless has permits to install small cell equipment on six existing utility poles and eight new utility poles. Network operators generally prefer existing utility poles because they are less expensive. However, that is not always feasible and the City cannot compel them to do so. Four of the new utility poles are located in Section 30 of the City east of Adams Road, south of Big Beaver Road, west of Coolidge Highway, and north of Maple Road. This afternoon Verizon Wireless told City staff it has no plans to build the four new utility poles located in Section 30 in 2021. City staff will work with Verizon Wireless to explore alternatives.

In the meantime, City staff believes residents will attend tonight's City Council meeting to speak about this issue. One may ask the City Council to "rescind the permit" and take other specific action. That is a bad idea for two reasons. First, permitting is an administrative function and the City Manager is responsible for all administrative departments (except the City Attorney). The City Charter prohibits the Council or any of its members from giving orders to any of the subordinates of the City Manager. Second, the small wireless communications facilities deployment act, Public Act 365 of 2018, significantly restricts municipal regulation of these facilities. City Council action without further input from City staff may inadvertently violate the limitations of Public Act 365. City Attorney Bluhm can address the City's legal obligations and options.

Second, an update regarding small wireless communications facilities (small cells) generally. The City Council held a special meeting on March 4, 2019 to learn about and discuss communications facilities before Public Act 365 took effect on March 12, 2019. A copy of the presentation is attached. The meeting video is available online at <https://youtu.be/vtc2f1k1VIQ>.

Since then, the City has approved right-of-way permits for twelve (12) small wireless communications facilities on existing utility poles and twelve (12) new utility poles.



500 West Big Beaver
Troy, MI 48084
troymi.gov

FROM THE OFFICE OF THE CITY MANAGER

Right-of-way permits for EXISTING utility poles:

1.	2040 BARRETT	EXTENET	NOT INSTALLED
2.	1350 KIRTS	EXTENET	NOT INSTALLED
3.	489 E. MAPLE	AT&T	NOT INSTALLED
4.	471 CHERRY	AT&T	NOT INSTALLED
5.	3222 ROCHESTER	AT&T	NOT INSTALLED
6.	3955 W. BIG BEAVER	VERIZON	NOT INSTALLED
7.	2595 DERBY	VERIZON	NOT INSTALLED
8.	3290 CAMDEN	VERIZON	NOT INSTALLED
9.	1914 WITHERBEE	VERIZON	INSTALLED
10.	926 NORWICH	VERIZON	NOT INSTALLED
11.	6044 NILES	VERIZON	NOT INSTALLED
12.	2100 W. MAPLE	VERIZON	INSTALLED

These are installed; not sure if they were installed before or after this memo was written in July.

Right-of-way permits for NEW utility poles:

1.	629 KURTS	EXTENET	NOT INSTALLED
2.	4597 BEACH	AT&T	INSTALLED
3.	4365 BEACH	AT&T	INSTALLED
4.	4013 BEACH	AT&T	INSTALLED
5.	600 W. BIG BEAVER	VERIZON	NOT INSTALLED
6.	769 CHICAGO	VERIZON	NOT INSTALLED
7.	1240 WRENWOOD	VERIZON	NOT INSTALLED
8.	1035 CROOKS	VERIZON	NOT INSTALLED
9.	3320 ESSEX	VERIZON	NOT INSTALLED
10.	3077 GLOUCESTER	VERIZON	NOT INSTALLED
11.	1452 WRENWOOD	VERIZON	NOT INSTALLED
12.	1150 W. MAPLE	VERIZON	NOT INSTALLED

Beth L Tashnick

Subject: FW: Kudos to Ehaab at TFAC!

From: Sal Trupiano
Sent: Tuesday, September 7, 2021 3:20 PM
To: Brian Goul Morgan F Thrasher
Subject: Kudos to Ehaab at TFAC!

Hello Morgan and Brian,

As a long-time patron, I am writing to let you know how much I appreciate Ehaab at the TFAC.

Ehaab is both affable and effective in his interactions with staff and patrons. On several occasions, I witnessed him do a great job in resolving issues with patrons who acted inappropriately.

Please cascade this message to anyone in your management chain I missed.

Thanks for your time,
Sal Trupiano (Troy resident since 2003)