



TROY CITY COUNCIL

REGULAR MEETING AGENDA

JUNE 13, 2022

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



Chapter 14A – Elected and Appointed Persons’ Ethics Ordinance Section 14.3 Annual Training and Acknowledgement

We, the undersigned Members of Troy City Council, have reviewed *Chapter 14A – Elected and Appointed Persons’ Ethics Ordinance*, understand its contents, and agree to be bound by its provisions.


Signed this 8th day of November, 2021.



Mayor Ethan Baker



Council Member Edna Abraham



Council Member Theresa Brooks



Council Member Rebecca Chamberlain-Creanga



Mayor Pro Tem Ann Erickson Gault



Council Member David Hamilton



Council Member Ellen Hodorek



CITY COUNCIL AGENDA

June 13, 2022 – 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: 1

PLEDGE OF ALLEGIANCE: 1

A. CALL TO ORDER: 1

B. ROLL CALL: 1

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Family Residential Cluster, South Side of Square Lake, West of Dequindre (PIN
88-20-12-200-031 and 88-20-12-200-035), Section 12, Currently Zoned R-1C (One
Family Residential) District (*Introduced by: Brent Savidant, Community
Development Director*) 1

E-2 Preliminary Site Plan Review (SP JPLN2021-0023) – Proposed Eckford Oaks One
Family Residential Cluster, North Side of Eckford, West of Rochester (PIN 88-20-
15-251-026 and 88-20-15-251-017), Section 15, Currently Zoned R-1B (One
Family Residential) District (*Introduced by: Brent Savidant, Community
Development Director*) 2

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INVOCATION:**PLEDGE OF ALLEGIANCE:****A. CALL TO ORDER:****B. ROLL CALL:**

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

Excuse Absent Council Members:

Suggested Resolution

Resolution #2022-06-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of _____ at the Regular City Council Meeting of June 13, 2022, due to _____.

Yes:

No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

- C-1** Certificate of Recognition and Congratulations to Athens High School 2021-2022 Junior Varsity and Varsity Winter Guard Teams

D. CARRYOVER ITEMS:

- D-1** No Carryover Items

E. PUBLIC HEARINGS:

- E-1** Preliminary Site Plan Review (SP JPLN2021-0028) – Proposed Golden Villas One Family Residential Cluster, South Side of Square Lake, West of Dequindre (PIN 88-20-12-200-031 and 88-20-12-200-035), Section 12, Currently Zoned R-1C (One Family Residential) District (*Introduced by: Brent Savidant, Community Development Director*)

Suggested Resolution

Resolution #2022-06-

Moved by

Seconded by

WHEREAS, The City is in receipt of a proposed preliminary site plan application for Golden Villas, a 12-unit detached single family condominium One Family Cluster development; and,

WHEREAS, The base density under the R-1C (One-Family Residential) District as determined by the submission of a parallel plan is 8 units; and,

WHEREAS, In exchange for 4 additional units above the base density established by the parallel plan, the applicant is providing 33% open space, for a total of 12 units; and,

WHEREAS, The cluster development provides 1,900 square foot homes with first floor master bedroom and baths; 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 proposed cluster development was recommended for approval by the Planning Commission by a 6-1 vote;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the proposed Golden Villas Site Condominium, 12-units/lots, located on the south side of Square Lake, west of Dequindre, Section 12, currently zoned R-1C (One Family Residential) District, including providing regulatory flexibility for setbacks as per Section 10.04.E.5, as recommended by the Planning Commission, subject to the following:

1. Applicant will not use vinyl siding on any part of the exterior of the homes.
2. Applicant shall provide an Open Space Preservation Agreement prior to Final Site Plan approval.

Yes:

No:

E-2 Preliminary Site Plan Review (SP JPLN2021-0023) – Proposed Eckford Oaks One Family Residential Cluster, North Side of Eckford, West of Rochester (PIN 88-20-15-251-026 and 88-20-15-251-017), Section 15, Currently Zoned R-1B (One Family Residential) District (Introduced by: Brent Savidant, Community Development Director)

Suggested Resolution

Resolution #2022-06-

Moved by

Seconded by

WHEREAS, The City is in receipt of a proposed preliminary site plan application for Eckford Oaks, a 26-unit detached single family condominium One Family Cluster development; and,

WHEREAS, The base density under the R-1B (One-Family Residential) District as determined by the submission of a parallel plan is 21 units; and,

WHEREAS, In exchange for 5 additional units above the base density established by the parallel plan, the applicant is providing 45% open space, for a total of 26 units; and,

WHEREAS, The cluster development better protects the sites 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 proposed cluster development was recommended for approval by the Planning Commission by a 7-2 vote;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the proposed Eckford Oaks Site Condominium, 26-units/lots, located on the north side of Eckford, west of Rochester, Section 15, currently zoned R-1B (One Family Residential) District, including providing regulatory flexibility for setbacks as per Section 10.04.E.5, as recommended by the Planning Commission, subject to the following:

1. 70% of the homes built on the property shall be ranch homes.
2. Applicant shall provide an Open Space Preservation Agreement prior to Final Site Plan approval.

Yes:

No:

F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

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 FOR ITEMS ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

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 – Civil Service Commission (Act 78)

a) Mayoral Appointments: None

b) City Council Appointments:

Suggested Resolution

Resolution #2022-06-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **CONFIRMS** the appointment of the following person to serve on the Boards and Committees as indicated:

Civil Service Commission (Act 78)

Appointed by Mayor
3 Regular Members:
1-Council; 1-Police/Fire Rep; 1-Civil Service
6 Year Term

Term Expires: 4/30/2028

Donald E. McGinnis, Jr.

Police/Fire Rep.

Term currently held by: Donald E. McGinnis, Jr.

Yes:

No:

I-2 Board and Committee Nominations: a) Mayoral Nominations – Brownfield Redevelopment Authority, Downtown Development Authority, Global Troy Advisory Committee, Local Development Finance Authority, Volunteer Firefighter Incentive Plan Board; b) City Council Nominations – Charter Revision Committee, Employees Retirement System Board of Trustees/Retiree Health Care Benefits Plan and Trust, Historic District Commission, Liquor Advisory Committee, Southeastern Michigan Council of Governments (SEMCOG), Traffic Committee

a) Mayoral Nominations:

Suggested Resolution

Resolution #2022-06-

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:

Brownfield Redevelopment Authority

Appointed by Mayor
6 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 2
Beyer	Joseph	10/26/2022	4/30/2024	
Gottlieb	Steven	11/24/2016	4/30/2022	
Kornacki	Rosemary	12/14/2022	4/30/2023	
Noguez-Ortiz	Carolina	12/19/2019	4/30/2023	BRA exp 4/30/2023; GTAC exp 10/30/2022

Sweidan	Rami	4/28/2022	4/30/2023	
Vassallo	Joseph	3/27/2020	4/30/2024	

Nominations to the Brownfield Redevelopment Authority:**Term Expires: 4/30/2025**

Term currently held by: Steven Gottlieb

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 2
Chanda	Hirak	12/30/2022	HDC exp 5/15/2024
Marrero-Laureano	Alexander	10/26/2022	
McGerty	Ryan	9/18/2022	
Rahman	Mahfuzur	9/25/2022	
Swaminathan	Abi	11/22/2023	
Voglesong	Cheryl	1/10/2024	

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
Blair	Timothy	6/17/2017	9/30/2023	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	9/30/2025	In District	
MacLeish	Daniel	6/28/2023	9/30/2025	In District	
Reschke	Ernest	10/4/2020	9/30/2022	At Large	
Schroeder	Douglas	9/10/2020	9/30/2022	At Large	No Reappointment
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 2/1/21
Vacancy			9/30/2024	In District	Cheryl Bush resigned 9/22/21

Nominations to the Downtown Development Authority:**Unexpired Term Expiring:
9/30/2022**

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

**Unexpired Term Expiring:
9/30/2024**

Term currently held by: Vacancy-Cheryl Bush resigned 9/22/21

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1	Notes 2
Beyer	Joseph	10/26/2022	In District	
Forster	Jeffrey	3/23/2023	At Large	Personnel Bd exp 4/30/24
Goetz	John	3/4/2023	At Large	
Kornacki	Rosemary	12/14/2022	At Large	Brownfield Redev Auth exp 4/30/23
McGerty	Ryan	2/25/2022	At Large	
Schick	Michael	12/22/2022	At Large	
Sekhri	Suneel	11/5/2023	At Large	
Sekhri	Arun	9/24/2022	At Large	
Thattai	Govindrajan	5/20/2024	At Large	Parks & Rec Bd exp 9/30/22
Vassallo	Joseph	3/4/2023	At Large	Brownfield Redev Auth exp 4/30/24

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	
Chezick	Edward		10/30/2022	
Fakhoury	Awni	4/28/2018	10/30/2024	Requests Reappointment
Liu	Allison	10/1/2022	7/31/2022	Student
Mohideen	Syeda	8/24/2020	10/30/2024	Requests Reappointment
Natcheva	Daniela	11/8/2021	10/30/2022	

Noguez-Ortiz	Carolina	12/19/2019	10/30/2022	Brownfield Redev Auth exp 4/30/23
Sekhri	Suneel	12/20/2021	10/30/2024	
Swaminathan	Sharanya		7/31/2022	Student
Vacancy			10/30/2023	Rebecca Chamberlain-Creanga resigned 2/26/20
Vacancy			10/30/2023	Cathleen Francois requested No Reappointment
Zhou	Yudong	10/23/2021	10/30/2022	

Nominations to the Global Troy Advisory Authority:**Term Expires: 10/30/2023**

Term currently held by: Vacancy–Rebecca Chamberlain-Creanga resigned 2/26/20

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	
Faiz	Iqbal	12/4/2022	
MacDonell	Sharon	4/13/2023	
Marrero-Laureano	Alexander	10/26/2022	
McGee	Timothy	3/2/2023	
Rahman	Mahfuzur	9/24/2022	
Swaminathan	Abiramasundari	3/6/2022	
Sweidan	Rami	3/2/2023	
Wit	Callie	4/22/2024	

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
Bachert	Sandra	11/18/2023	6/30/2023	Resident Member	

Baker	Ethan		11/13/2023	Alternate; City Council	City Council exp. 11/13/23; DDA; GTAC, LDFA
Beltramini	Robin	7/17/2021	6/30/2022	Resident Member	No Reappointment
Hodorek	Ellen		City Council Term	Alternate; City Council	City Council exp 11/10/2025
Starks	Louis			Oakland County Designee	
Vacancy			6/30/2024	Resident Member	David Shield's term exp 6/30/16 - No Reappointment
Vacancy			6/30/2024	Resident Member	John Sharp resigned 11/1/19; Term exp 6/30/20.
Vacancy			6/30/2023	Resident Member	Nickolas Vitale resigned 7/17/21

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

Term currently held by: Vacant – N. Vitale resigned 7/17/21

Term Expires: 6/30/2024**Resident Member**

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

Term Expires: 6/30/2024**Resident Member**

Term currently held by: Vacant – J. Sharp resigned 11/1/19

Term Expires: 6/30/2026**Resident Member**

Term currently held by: Robin Beltramini – No Reappointment

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Mudaliar	Vinodh Kumar	3/2/2024	
Rahman	Mahfuzur	9/24/2022	
Schick	Michael	12/22/2022	
Sweidan	Rami	4/28/2022	Brownfield Redev Auth exp 4/30/23
Vassallo	Joseph	3/4/2023	Brownfield Redev Auth exp 4/30/24

Volunteer Firefighter Incentive Plan Board

Appointed by **Mayor**/City Council
 7 Regular Members
 3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1
Brooks	Theresa		11/13/2023	City Council Term exp 11/13/2023
Foster	John	2/12/2022	12/31/2022	Retiree Representative
Kniffen	Charles	2/24/2022	12/31/2022	Active Volunteer Firefighter
Maleszyk	Robert		12/31/2099	ERS/RHCBP&T; VFIP
Miller	Mark F.		12/31/2099	BCBA; ERS/RHCBP&T; VFIP
Rosenblum	Anthony	2/28/2021	4/30/2022	Citizen (Mayor Appointed)
Soriano	Al		12/31/2022	Active Volunteer Firefighter

Nominations to the Volunteer Firefighter Incentive Plan Board:**Term Expires: 4/30/2025****Citizen (Mayor Appt'd)**

Term currently held by: Anthony Rosenblum

Interested Applicants:

No interested applicants on file.

Yes:

No:

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

Resolution #2022-06-

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:

Charter Revision Committee

Appointed by Council

7 Regular Members

3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 3
Bartnik	Mark	3/19/2020	4/30/2024		

Beltramini	Robin	3/1/2024	4/30/2025	LDFA exp 6/30/2022; Charter Rev exp 4/30/2025	
Buechner	Toby	3/22/2023	4/30/2024		
Howrylak	Frank	4/28/2022	4/30/2023		
Kanoza	Shirley	2/26/2021	4/30/2022		NO Reappointment
Matthews	Susan	11/26/2021	4/30/2024		
Wilsher	Cynthia	4/28/2022	4/30/2023	Traffic Comm exp 1/31/2024	

Nominations to the Charter Revision Committee:**Term Expires: 4/30/2025**

Term currently held by: Shirley Kanoza – No Reappointment

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Comiskey	Ann	12/14/2022	Liquor Adv Comm exp 1/31/2024

Employees Retirement System Board of Trustees / Retiree Health Care Benefits Plan and Trust

Appointed by Council

7 Regular Members and 2 Ordinance Member

3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 3
Bovensiep	Kurt		12/31/2024	DC-Employee Rep.- Elected	
Brooks	Theresa		Council Term	City Council Member	
Calice	Mark	8/29/2020	12/31/2021	Council Appointed Citizen	NO Reappointment
Dungjen	Peter		12/31/2023	DB Employee Rep.- Elected	
Gordon II	Thomas	9/17/2015	12/31/2022	DB Employee Rep.- Elected	
Maleszyk	Robert			Chapter 10 (DC)	
Miller	Mark			Chapter 10 (DC)	
Owczarzak	Mark	11/14/2021	12/31/2022	City of Troy Retiree (DB)	

Nominations to the Employees Retirement System Board of Trustees / Retiree Health Care Benefits Plan and Trust:

Term Expires: 12/31/2024

Council Appointed Citizen

Term currently held by: Mark Calice

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Baughman	Deborah	4/28/2022	
Faiz	Iqbal	12/4/2022	
Foster	John	6/3/2024	
Jennings	Janet	8/12/2022	
Wit	Callie	4/22/2024	

Historic District Commission

Appointed by Council
7 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 3
Adams	John Howard	3/8/2023	5/15/2024		
Chambers	Barbara	12/5/2021	3/1/2023	HC Recommendation	
Chanda	Hirak	3/22/2023	5/15/2024		
Dicker	Susanne Forbes	8/15/2022	3/1/2023		
McGee	Timothy S	3/23/2020	5/15/2024		
Petrulis	Al	12/16/2021	3/1/2023	ACAB exp 9/30/2024; Traffic Comm. exp 1/31/2023; HDC exp 3/1/2023	
Voigt	W. Kent	11/18/2023	3/1/2022	HC Recommendation	Requests Reappointment

Nominations to the Historic District Commission:

Term Expires: 3/1/2025

Term currently held by: W. Kent Voigt

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Cicchini	Philippe	4/13/2023	
Jennings	Janet	8/12/2022	
MacDonell	Sharon	4/13/2023	

Liquor Advisory Committee

Appointed by Council

7 Regular Members

3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 2
Ashland	David	12/14/2022	1/31/2024	
Comiskey	Ann	2/5/2020	1/31/2024	
Ehlert	Max	1/8/2023	1/31/2024	
Giorgi	Lynn			
Gorcyca	David	12/4/2021	1/31/2023	
Haight	David	7/17/2022	1/31/2022	Personnel Bd. exp 4/30/2023
Jones	Kelly	12/11/2021	1/31/2023	
Kaltsounis	Andrew	1/14/2021	1/31/2022	

Nominations to the Liquor Advisory Committee:

Term Expires: 1/31/2025

Term currently held by: David Haight

Term Expires: 1/31/2025

Term currently held by: Andrew Kaltsounis

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Gunn	Mark	3/4/2023	
Martin	Matthew	5/11/2024	

Southeastern Michigan Council of Governments (SEMCOG)

Appointed by Council

1 Regular Member and 1 Alternate Member

Appointed Every Odd-Year Election

Nominations to the Southeastern Michigan Council of Governments (SEMCOG):**Term Expires: 11/13/2023****Alternate****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 3
Huotari	William		Ex-Officio Member		
Kilmer	Richard	1/9/2019	1/31/2023		
Koralewski	Tyler	11/12/2023	7/31/2022	Student	
Nastasi	Frank		Ex-Officio Member		
Nurak	Cindy	1/16/2021	1/31/2025		
Petrulis	Al	12/16/2021	1/31/2023		
Riesterer	R. Chuck		Ex-Officio Member		
Sivaraman	Sunil	12/22/2020	1/31/2022		Requests Reappointment
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: 1/31/2025**

Term currently held by: Sunil Sivaraman

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Abdullah	Nehar	2/3/2023	
Chanda	Hirak	12/30/2022	Hist. Dist. Comm. exp 5/15/2024
Eisenbacher	David	4/6/2024	
Gill	Jasper	1/10/2024	
MacDonell	Sharon	4/13/2023	
Rose	Justin	11/5/2023	
Sahu	Akshitha	9/28/2022	Student - Graduates 2023
Shah	Aanya	11/30/2023	Student - Graduates 2024

Yes:

No:

I-3 No Closed Session Requested

J. CONSENT AGENDA:

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

Suggested Resolution

Resolution #2022-06-

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 #2022-06-

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

- a) City Council Minutes-Draft – May 23, 2022
- b) Special City Council Meeting Minutes-Draft – June 1, 2022

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 3: Exercise Renewal Option – Workers’ Compensation Renewal**

Suggested Resolution

Resolution #2022-06-

RESOLVED, That Troy City Council hereby **APPROVES** the one (1) year renewal Agreement with the Michigan Municipal League Workers’ Compensation Fund for Workers’ Compensation Insurance and **AUTHORIZES** payment in an amount not to exceed the annual premium of

\$445,985 for one (1) year, and further **AUTHORIZES** the City Manager to execute any documents necessary for the renewal of the Agreement with the Michigan Municipal League Workers' Compensation Fund; contract to expire June 30, 2023.

b) Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Police Department Emergency Operations Center HVAC Upgrades

Suggested Resolution
Resolution #2022-06-

RESOLVED, Troy City Council hereby **APPROVES** expending budgeted capital funds to *Lennox Industries of Troy, MI* (Resolution #2021-07-113) for the purchase of HVAC Equipment for the Police Department Emergency Operations Center for an estimated cost of \$11,454.12 not to exceed budgetary limitations.

c) Standard Purchasing Resolution 1: Award to Low Bidder – Contract 22-04 – Section 22 Pavement Rehabilitation

Suggested Resolution
Resolution #2022-06-

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 22-04, Section 22 Pavement Rehabilitation, to *Asphalt Specialists, Inc., 1780 E Highwood Road, Pontiac, MI 48340*, for their low bid of \$1,578,149.95.

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 25% of the total project cost.

J-5 Bid Waiver – eTitle Agency – Title Reporting and Closing Services

Suggested Resolution
Resolution #2022-06-

WHEREAS, Section 12.1 of the City Charter directs City Management to obtain comparative prices for the purchase and sale of all materials except in the employment of professional services; and,

WHEREAS, All sales or purchases in excess of \$10,000 shall be approved by City Council and competitively bid except where Council shall determine that the public interest will be best served without obtaining sealed bids; and,

WHEREAS, eTitle Agency is a Troy based company and has provided property research and information reporting services, and title acquisition and closing services to the City for many years without any issues; and,

WHEREAS, A market survey was conducted which verified that the current rates provided by eTitle are comparable and the best value for the City;

THEREFORE, BE IT RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AUTHORIZES** City Administration to use *eTitle Agency of Troy, MI* for title reporting and closing services for the Rochester Road Improvement Project, Barclay Drive to Trinway – Project Number 2022CG0002, for an amount not to exceed \$150,000.

BE IT FURTHER RESOLVED, That Troy City Council **AUTHORIZES** the ongoing use of eTitle for other necessary future title reporting and closing services.

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

J-6 Classified and Exempt Classification and Pay Plan Updates

Suggested Resolution Resolution #2022-06-

WHEREAS, The Classification Plan for Classified Employees, Classification Plan for Exempt Employees and the Pay Plan for Classified and Exempt Employees was last revised July 2021; and,

WHEREAS, The City has updated, added and removed Exempt and Classified positions since the last revision; and,

WHEREAS, The Personnel Board has reviewed and approved the revised Classification Plan for Classified employees.

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the July 1, 2022 Classification Plan for Classified Employees, Classification Plan for Exempt Employees and the Pay Plan for Classified and Exempt Employees.

J-7 Fiscal Year 2023 Proposed Water Connection Fees

Suggested Resolution Resolution #2022-06-

RESOLVED, That Troy City Council hereby **APPROVES** the following revisions to the Water Connection Fees as recommended by City Management, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, and said fee revision shall be effective July 1, 2022:

2023 Water Connection Fees

Service Charges	Current
Water Turn off/on - all inclusive Regular working hours After working hours	\$50.00 Flat Rate \$200.00 +parts/materials
Meter Install/reinstall **	\$50.00

NOTE: Replaced meters and any property belonging to the City of Troy in need of repair/replacement is not included in the flat rate service charge.

Meter Pull **	\$50.00
Meter Interface Unit relocate, fix, rewire	
Meter Interface Unit Replacement	\$50.00 + MIU Cost
Damaged/Frozen Meter	\$50.00 + Meter Cost
Meter Testing - High Consumption	\$50.00
Meter Re-seal	\$50.00

Replaced/repared materials will be an additional cost. All interior valves, including the valves on either side of the meter is the customers responsibility and not maintained by the City.

** Includes sprinkler meters and residential winterizations

Water Tap/Connect Fees	Current	Proposed	Increase	Percent Change
3/4" Service (5/8" MTR) Existing Svc Only	\$293.25	\$324.00	\$30.75	10%
1" Service (3/4" MTR)	\$2,094.52	\$2,525.00	\$430.48	21%
1-1/2" Service (1" MTR)	\$2,444.96	\$2,940.00	\$495.04	20%
2" Service (1-1/2" MTR)	\$3,075.89	\$3,914.00	\$838.11	27%
3" Service (2" MTR) *	\$1,763.42	\$2,229.00	\$465.58	26%
4" Service (3" MTR) *	\$2,600.86	\$3,252.00	\$651.14	25%
6" Service (4" MTR) *	\$3,461.06	\$4,279.00	\$817.94	24%
8" Service (6 MTR) *	\$5,196.63	\$6,914.00	\$1,717.37	33%

*CONTRACTOR PERFORMS TAP

Water Service/ Connection Size	Labor, Equip, Materials (less Meter)	Meter Install Charge	Construction Water	Inspection Fee	Sub Total
3/4"	Existing SVC Only	\$50.00	\$210.00	\$35.00	\$295.00
1"	\$1,948.00	\$50.00	\$210.00	\$35.00	\$2,243.00
1-1/2"	\$2,604.00	\$50.00	\$210.00	\$35.00	\$2,899.00
2"	\$3,122.00	\$50.00	\$210.00	\$35.00	\$3,417.00
3"	*	\$50.00	\$210.00	\$35.00	\$295.00
4"	*	\$50.00	\$210.00	\$35.00	\$295.00
6"	*	\$50.00	\$210.00	\$35.00	\$295.00
8"	*	\$50.00	\$210.00	\$35.00	\$295.00

* CONTRACTOR PERFORMS TAP

Meter Size	Meter & MIU Cost	Total	Meter Cost
5/8"	\$204.00	\$499.00	\$112.00
3/4"	\$264.00	\$2,507.00	\$143.00
1"	\$337.00	\$2,899.00	\$200.00
1-1/2"	\$672.00	\$3,417.00	\$445.00
2"C	\$2,109.00	\$295.00	\$1,750.00
3"C	\$3,132.00	\$295.00	\$2,425.00
4"C	\$4,159.00	\$295.00	\$3,250.00
6"C	\$6,794.00	\$295.00	\$5,450.00

C = Compound Meter

J-8 Uniform Video Service Local Franchise Agreement with ComcastSuggested Resolution

Resolution #2022-06-

WHEREAS, Comcast has presented the City of Troy with an application and proposed new ten-year franchise agreement which satisfies the legal and technical requirements of the Uniform Video Service Local Franchise Act, MCL 484.3301 et. seq.; and,

WHEREAS, The City's powers are limited when there is legal and technical compliance;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **FINDS** that the Comcast Franchise Agreement meets the legal and technical requirements of the Act, and solely for that reason, the Troy City Council hereby **APPROVES** the Agreement with Comcast, in compliance with Section 3(3) of the Act.

BE IT FURTHER RESOLVED, That such approval by the City is **GIVEN** only because it is required by the Act, and is **NOT AN INDICATION** of the City's agreement with or assent to any provisions of the Act or Agreement.

BE IT FURTHER RESOLVED, That the approval of the Comcast Franchise Agreement **DOES NOT WAIVE** the City's rights to challenge any provisions of the Act and/or any related provisions of the Agreement, including the argument that such provisions are invalid and unenforceable as violations of law or an unconstitutional impairment of the City's contractual rights; and, furthermore, the City **RESERVES** any and all rights stemming from any successful challenge to such provisions that are undertaken by any other local franchising entity.

BE IT FINALLY RESOLVED, That the Mayor and the City Clerk shall **SIGN** the Comcast Franchise Agreement on behalf of the City of Troy, and a copy of the executed agreement shall be **ATTACHED** to the original Minutes, and the City Clerk shall **FORWARD** the executed agreement, in addition to a certified copy of this Resolution, to Comcast at the address indicated in the Franchise Agreement.

J-9 Request for Acceptance of Two Permanent Easements from Ravishankar Bommanahally and Shobha Ravishankar Kanasandra Shivalingiah, Sidwell #88-20-16-427-056Suggested Resolution

Resolution #2022-06-

RESOLVED, That Troy City Council hereby **ACCEPTS** two permanent easements for storm sewers and surface drainage, and sidewalks from Ravishankar Bommanahally and Shobha Ravishankar Kanasandra Shivalingiah, owners of the property having Sidwell #88-20-16-427-056.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED** to **RECORD** the permanent easements with Oakland County Register of Deeds, copies of which shall be **ATTACHED** to the original Minutes of this meeting.

J-10 Request for Acceptance of a Permanent Easement from Andrew Xavier and Angela Xavier, Sidwell #88-20-30-205-003Suggested Resolution

Resolution #2022-06-

RESOLVED, That Troy City Council hereby **ACCEPTS** a permanent easement for storm sewers and surface drainage from Andrew Xavier and Angela Xavier, owners of the property having Sidwell #88-20-30-205-003.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED** to **RECORD** the permanent easement with Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-11 Request for Acceptance of a Permanent Easement from Eric Robert Murphy, Sidwell #88-20-25-352-070Suggested Resolution

Resolution #2022-06-

RESOLVED, That Troy City Council hereby **ACCEPTS** a permanent easement for storm sewers and surface drainage from Eric Robert Murphy, owner of the property having Sidwell #88-20-25-352-070.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED** to **RECORD** the permanent easement with Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-12 Request for Acceptance of a Permanent Easement from Vesta Homes, Inc., Sidwell #88-20-25-352-071 and -072Suggested Resolution

Resolution #2022-06-

RESOLVED, That Troy City Council hereby **ACCEPTS** a permanent easement for storm sewers and surface drainage from Vesta Homes, Inc., owner of the parcels identified with Sidwell #88-20-25-352-071 and -072.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED** to **RECORD** the permanent easement with Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-13 Request for Acceptance of Two Permanent Easements from 14 Mile & John R Holdings, LLC, Sidwell #88-20-35-400-038Suggested Resolution

Resolution #2022-06-

RESOLVED, That Troy City Council hereby **ACCEPTS** two permanent easements for water mains and sanitary sewers from 14 Mile & John R Holdings, LLC, owner of the property having Sidwell #88-20-35-400-038.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED** to **RECORD** the permanent easements with Oakland County Register of Deeds, copies of which shall be **ATTACHED** to the original Minutes of this meeting.

J-14 Renewal of PROTEC Membership

Suggested Resolution

Resolution #2022-06-

RESOLVED, That Troy City Council hereby **APPROVES** the City's annual membership for PROTEC (the Michigan Coalition to Protect Public Rights of Way) for the fiscal year beginning July 1, 2022, and **AUTHORIZES** payment of membership dues in the amount of \$10,475.28.

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):

- a) Chapter 49 – Mobile Food Vending Units Ordinance and Request to Amend Chapter 60 – Fees and Bonds Required

L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

M. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

N. COUNCIL REFERRALS:

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

N-1 No Council Referrals Submitted

O. REPORTS:

O-1 Minutes – Boards and Committees:

- a) Building Code Board of Appeals-Final – February 2, 2022
 - b) Zoning Board of Appeals-Final – February 15, 2022
 - c) Planning Commission-Final – May 10, 2022
-

O-2 Department Reports: None Submitted

O-3 Letters of Appreciation: None Submitted

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

P. COUNCIL COMMENTS:

P-1 No Council Comments

Q. PUBLIC COMMENT FOR ITEMS ON OR NOT ON THE AGENDA FROM MEMBERS OF THE PUBLIC OUTSIDE OF TROY (NOT RESIDENTS OF TROY AND NOT FROM TROY BUSINESSES):

R. CLOSED SESSION

R-1 No Closed Session

S. ADJOURNMENT:

Respectfully submitted,



Mark F. Miller
City Manager

2022 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

November 19, 2022 City of Troy Advance

2022 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

June 27, 2022 Regular Meeting
July 11, 2022..... Regular Meeting
July 25, 2022..... Regular Meeting
August 15, 2022..... Regular Meeting
August 22, 2022..... Regular Meeting
September 12, 2022 Regular Meeting
September 19, 2022 Regular Meeting
October 3, 2022 Regular Meeting
October 24, 2022 Regular Meeting
November 14, 2022 Regular Meeting
November 21, 2022 Regular Meeting
December 5, 2022 Regular Meeting
December 12, 2022 Regular Meeting

**CERTIFICATE OF RECOGNITION & CONGRATULATIONS
ATHENS HIGH SCHOOL 2021-22
JUNIOR VARSITY AND VARSITY WINTER GUARD TEAMS**

WHEREAS, The 2022 winter guard season has been the most successful season in school history. The Junior Varsity Team, made up of students 6th through 11th grade, program was entitled "From the Gates of Heaven" set to "Heaven Must Be Missing an Angel" by Tareves; and

WHEREAS, The team proved their hard work and dedication throughout the season. They competed in a Winter Guard International Regional for the first time in school history in March, where they were awarded WGI Regional Champions for their division at the Flint Regional. They placed first in three of their four regular season competitions in the Michigan Color Guard Circuit; and

WHEREAS, Their season ended April 2, 2022, at the State Championships at Saginaw Valley State University. Their performance set a new record for the team and earned them the title of MCGC Regional A Class Champions; and

WHEREAS, Much like Junior Varsity, the Varsity Team's competition season reflected their work ethic and drive for success. Their program was entitled "13" set to "Moonlight Sonata" by Hidden Citizens and told the story of the Apollo 13 Mission. The Varsity team were finalists in the WGI Indianapolis Regional in February, WGI Flint Regional Scholastic A Class Champions in March, and undefeated in every MCGC competition; and

WHEREAS, They competed in MCGC State Championships at SVSU, April 2, 2022, where they were awarded the title of MCGC Scholastic A Class Champions. The team traveled to Dayton, OH to compete in WGI World Championships on April 7 and April 8. While in Dayton they competed against 95 other schools, were semifinalists, and set a new school record; and

WHEREAS, This season was very successful, probably the most successful season they have ever had. Winter Guard Coach Sarah Curran praised the students' hard work and dedication shown at each competition, with Varsity taking first place at all competitions and Junior Varsity taking first at three of their four regular season competitions. The teams worked hard together for their record setting season and State Champions titles; and

WHEREAS, Special commendation is due to **Varsity Team Members** Ashley Van Kampen, Megan Van Kampen, Abby Dziurman, Allison Diebol, Amelia Bittner, Anna Matichuk, Audrey Brown, Lauren Lazarescu, Emma Cruz, Erin Lee, Macy Kort, Megan Koontz, Arielle Samuel, Audrey Frisen, Ava Derocha, and Robin McKee; **Junior Varsity Team Members** Jayla Jones, Riya Doshi, L Durham, Abby Aimone, Emily Martinez, Sofiya Makohin, Ava Bunao, Daniella Boufford, Alivia Burch, Haley Bodway, Greta Burt, Maggie Burns, Ella Bunao, Ella Victor, Katie Dzwik, Olivia Cruz, and Vivienne Brown; and Coaches Sarah Curran, Akash Watsa, Davey Gregory, and Tyler Sharpe;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy commends the **Athens High School 2021-22 Winter Guard Team** for their fine efforts, and extends this token of affection and admiration with which you are regarded in this community; and

BE IT FURTHER RESOLVED, That the City Council of the City of Troy, joins the citizens of this community in appreciation and celebration of the **2021-22 Athens High School Junior Varsity and Varsity Winter Guard Teams**.

Presented this 13th day of June 2022.



500 West Big Beaver
Troy, MI 48084
troymi.gov

E-01

CITY COUNCIL AGENDA ITEM

Date: June 7, 2022

To: Mark F. Miller, City Manager

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

Subject: PUBLIC HEARING – PRELIMINARY SITE PLAN REVIEW (SP JPLN2021-0028) - Proposed Golden Villas One Family Residential Cluster, South side of Square Lake, West of Dequindre (PIN 88-20-12-200-031 & 88-20-12-200-035), Section 12, Currently Zoned R-1C (One Family Residential) District

The petitioner Golden Homes submitted the above referenced Preliminary Site Plan application for a 12-unit One Family Residential Cluster on a 3-acre parcel. The development proposes to preserve 33% of dedicated open space. The petitioner is proposing homes with a maximum square footage of 1,900 square feet, with first floor master bedroom and laundry.

City Council has the authority to approve these types of developments following a recommendation by the Planning Commission. The Planning Commission held a public hearing on this item on December 14, 2021 and recommended approval of this item by a vote of 6-1, including the following design considerations:

1. Applicant shall provide two (2) additional housing elevation options.
2. Applicant shall provide twenty (20) additional trees along Square Lake Road.
3. Applicant will not use vinyl siding on any part of the exterior of the homes.
4. Applicant shall provide an Open Space Preservation Agreement prior to Final Site Plan approval, which ultimately includes construction of 1,900 square foot homes with master bedroom and bath on the main floor.

The petitioner submitted a Landscape Plan with the additional twenty (20) trees along Square Lake Road. The petitioner has provided numerous additional housing elevation options which were included with the site plan. The petitioner has agreed that the exterior elevations will not include vinyl siding. An Open Space Preservation Agreement will be required to be submitted and approved prior to Final Site Plan Approval.

A City Council public hearing has been scheduled for June 13, 2022.

Attachments:

1. Minutes from May 10, 2022 Planning Commission Regular meeting (excerpt)
2. Agenda item from May 10, 2022 Planning Commission Regular meeting.

PUBLIC HEARING

5. **PUBLIC HEARING - PRELIMINARY SITE PLAN REVIEW (SP JPLN2021-0028) – Proposed Golden Villas One Family Residential Cluster, South side of Square Lake, West of Dequindre (PIN 88-20-12-200-031 and 88-20-12-200-035), Section 12, Currently Zoned R-1C (One Family Residential) District**

Mr. Carlisle reviewed the background of the Preliminary Site Plan application for Golden Villas cluster development as relates to location, parcel size, adjacent zoning, access and natural features. Mr. Carlisle reported eight (8) units could be constructed as indicated on the parallel plan, and the applicant is seeking four (4) additional units above the parallel plan for a total of twelve (12) by doing a cluster. He said the plan preserves 33% of the total site as open space and 1,900 square foot homes with first floor master bedroom and bath would be constructed. Mr. Carlisle said the 33% of open space is a collar around the property and a T-turnaround would be provided at the end of the road.

Mr. Carlisle reported the application is deficient twenty (20) trees along Square Lake. He noted the applicant has resubmitted a landscape plan to correct the deficiency but at this time the administration has not had the opportunity to review it.

Mr. Carlisle addressed the applicant's request to seek waivers of the rear lot and perimeter setback requirements to construct decks. He addressed elevations and building materials. He said the applicant is required to submit three diverse elevations and has only provided one elevation. Mr. Carlisle reviewed the Cluster Standards as set forth in Section 10.04.I of the Zoning Ordinance.

In summary, Mr. Carlisle said the Planning Commission shall determine if requirements are met to qualify for cluster development option, if the required standards have been met, and if the additional number of units is commensurate with open space being preserved and the provision of smaller homes. He asked the Planning Commission to consider the applicant's request to seek relief for the required setbacks for the construction of decks, and that the applicant provide two additional housing elevations and the required trees along Square Lake.

Discussion among Administration and Board members:

- Housing elevations; 1,900 square foot maximum, diversity, first floor master bedroom.
- Open space; amenities, grading, preservation of trees, buffer, maintenance, as relates to parallel plan.
- Parallel plan vs cluster development option; as relates to open space, setback encroachments for decks, size of homes, lot size, connectivity to residential to the south.
- Potential to require additional trees on site.

Mr. Savidant said the applicant would be required to submit an Open Space Preservation Agreement prior to Final Site Plan approval. He said the applicant is not required to plant additional trees under the Woodland Protection Ordinance and by Resolution only could the Planning Commission request additional trees.

Present were owner/applicant Sam DiMercurio and John Thompson of Professional Engineering Association (PEA).

Mr. Thompson said the open space would not be an active area but a natural buffer collar around the property, enhanced with additional trees and, with time, an improved buffer for properties. He stated the amenities offered are the 33% preservation of open space and the construction of 1,900 square foot homes in response to the City desire for smaller homes. Mr. Thompson said they would engage the project architect to prepare additional elevations for administrative approval.

Mr. DiMercurio estimated the price point for homes on the market in the subdivision located south of the proposed development at \$800,000 to \$900,000. He indicated the price point for homes in the cluster development would be \$500,000 to \$600,000. Mr. DiMercurio addressed building materials as brick, Hardie board and lap siding. It was brought to his attention that vinyl siding is not a preferred material.

PUBLIC HEARING OPENED

- Murthy Kowsika, 5874 Colleen; addressed traffic concerns should the proposed development connect with the subdivision to the south.

PUBLIC HEARING CLOSED

There was discussion on:

- No vehicular connection to subdivision to the south with T-turnaround as proposed.
- Open space preservation; as relates to amenity features.
- Cluster development calculations, as relates to bonus density.
- Administrative approval of submission of additional elevations.
- Confirmation of home size; designation of 1,900 square feet would be inclusive in Open Space Preservation Agreement.
- Price point of homes; market-driven, high construction costs, whether consideration of Planning Commission in review process.

Ms. Perakis voiced concerns with the price point of the homes, that the application does not meet the Open Space requirements of the Zoning Ordinance as relates to recreational facilities and the preservation of common open space or creation of natural features. She said the perimeter buffer along Square Lake and the berm on the west side of the development are natural buffers.

Resolution # PC-2022-05-028

Moved by: Krent

Support by: Tagle

RESOLVED, The Planning Commission hereby recommends to the City Council that the proposed Golden Villas Site Condominium (One Family Residential Cluster), 12 units/lots, South side of Square Lake, West of Dequindre (Parcels 88-20-12-200-031 and 88-20-12-200-035), Section 12, approximately 3.0 acres in size, Currently Zoned R-1C (One Family Residential) District, be approved for the following reasons:

1. The cluster development better protects the adjacent properties than if the site were not developed as a cluster.
2. The cluster development is compatible with adjacent properties.
3. The site can be adequately served with municipal water and sewer.
4. The cluster development preserves 33% open space, to remain open space in perpetuity.
5. The cluster development offers 1,900 square foot units with first floor master bedroom and bath, a housing type desired in Troy.

BE IT FURTHER RESOLVED, The Planning Commission recommends approval of granting relief from the required rear yard setback and required perimeter setback as per Section 10.04.E.5, as outlined in the report.

BE IT FINALLY RESOLVED, The Planning Commission offers the following design considerations:

1. Applicant shall provide two (2) additional housing elevation options.
2. Applicant shall provide twenty (20) additional trees along Square Lake Road.
3. Applicant will not use vinyl siding on any part of the exterior of the homes.
4. Applicant shall provide an Open Space Preservation Agreement prior to Final Site Plan approval, which ultimately includes construction of 1,900 square foot homes with master bedroom and bath on the main floor.

Discussion on the motion on the floor.

Chair Lambert addressed the homes as relates to price point and desired square footage. He stated he's not necessarily enthused by the proposed green space but it's a better option than what green space would be provided with a conventional development plan.

Mr. Buechner noted it appears there is no opposition from neighboring properties of the proposed development.

Vote on the motion on the floor.

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

MOTION CARRIED

DATE: May 6, 2022

TO: Planning Commission

FROM: R. Brent Savidant, Community Development Director

SUBJECT: PUBLIC HEARING - PRELIMINARY SITE PLAN REVIEW (SP JPLN2021-0028) -
Proposed Golden Villas One Family Residential Cluster, South side of Square
Lake, West of Dequindre (PIN 88-20-12-200-031 & 88-20-12-200-035), Section
12, Currently Zoned R-1C (One Family Residential) District

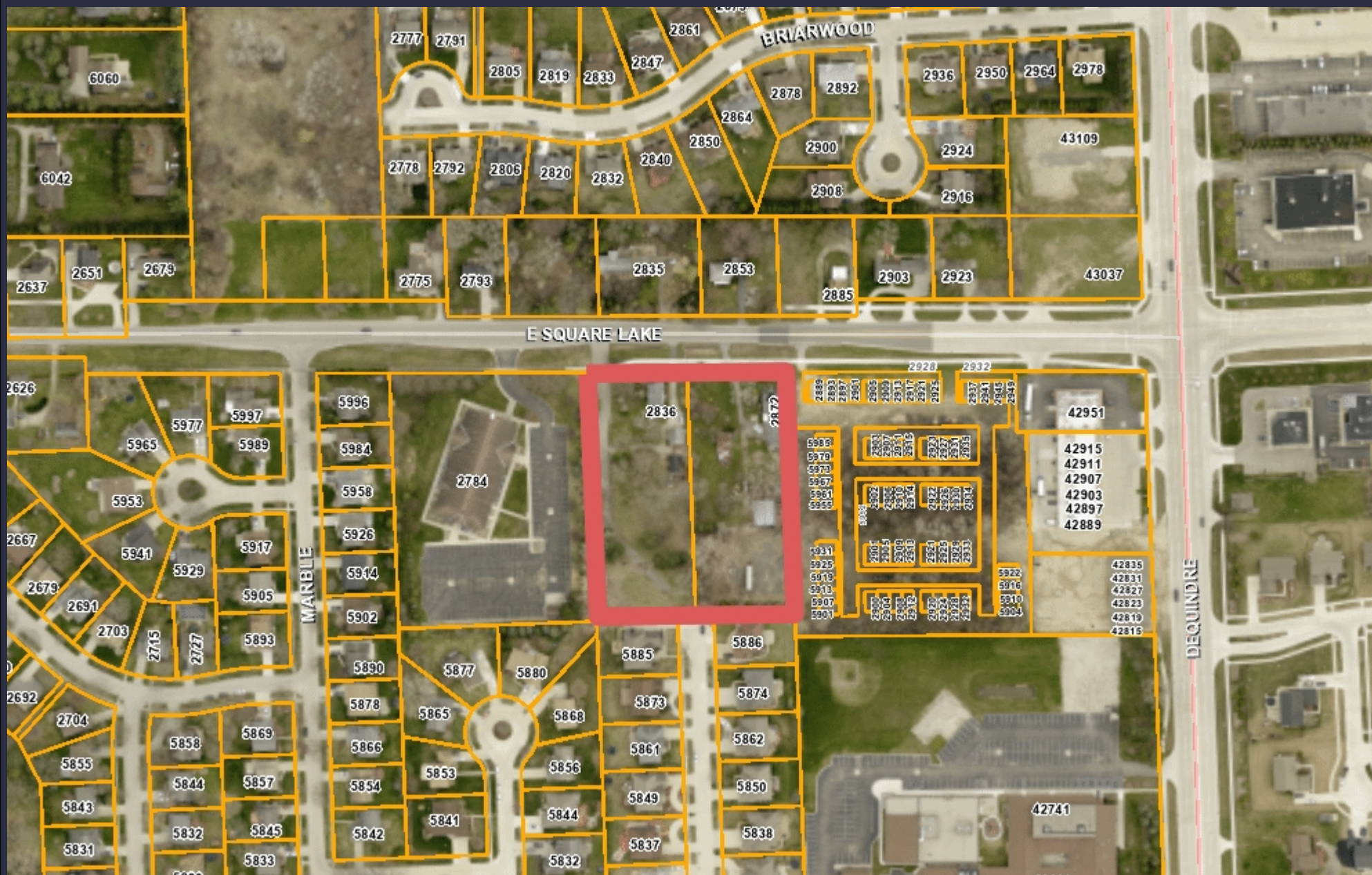
The petitioner Golden Homes submitted the above referenced Preliminary Site Plan application for a 12-unit One Family Residential Cluster. The development proposes to preserve 33% open space on the 3.0-acre parcel. The Planning Commission is responsible for providing a recommendation to City Council for this item.

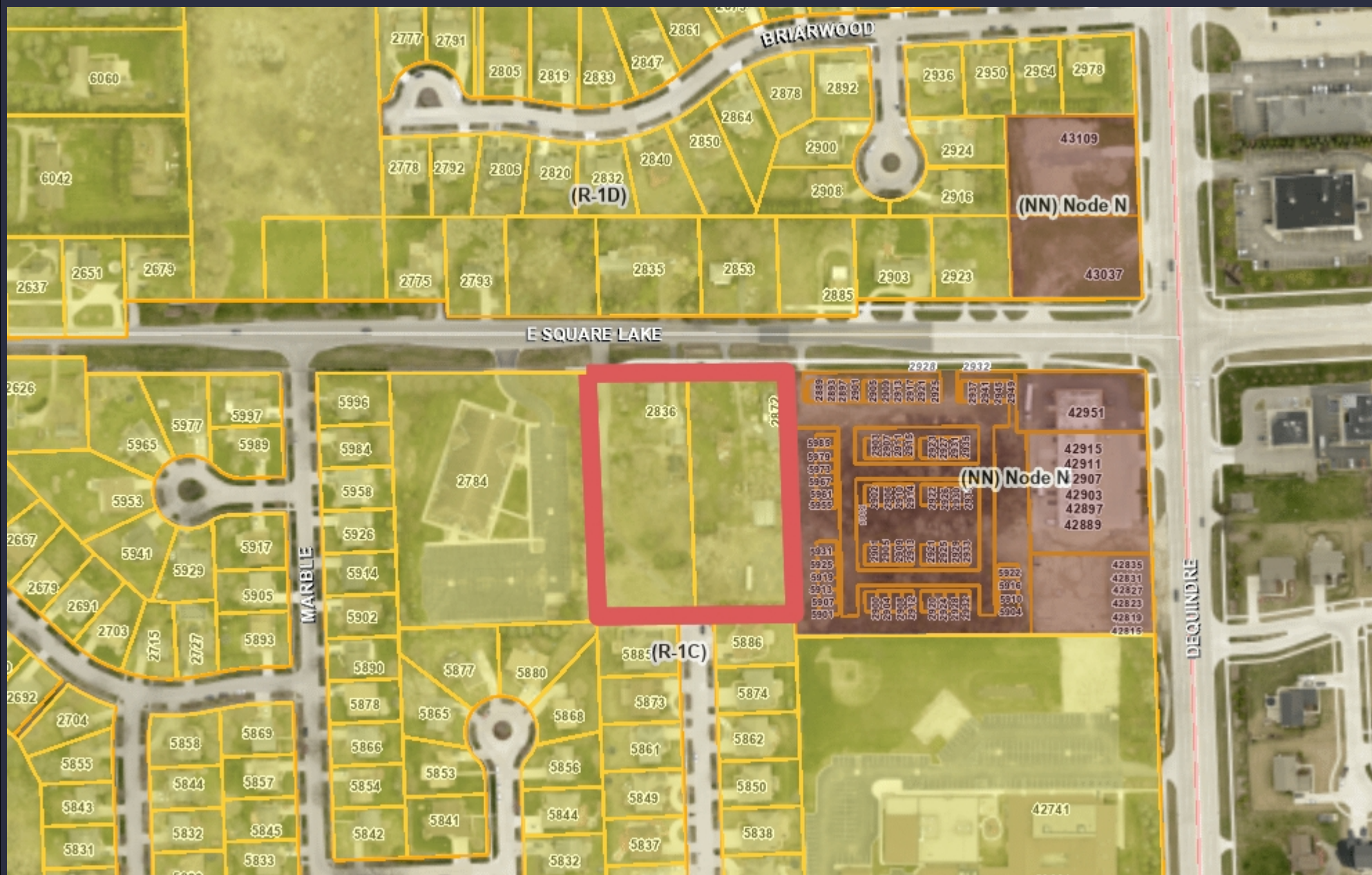
The attached report prepared by Carlisle/Wortman Associates, Inc. (CWA), the City's Planning Consultant, summarizes the project. CWA prepared the report with input from various City departments including Planning, Engineering, Public Works and Fire. City Management supports the findings of fact contained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

Attachments:

1. Maps
2. Report prepared by Carlisle/Wortman Associates, Inc.
3. Preliminary Site Plan Application

G:\SITE PLANS\SP JPLN2021-0028 GOLDEN VILLAS\PC Memo 2022 05 10.docx





595 0 297 595Feet



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: April 26, 2022

Preliminary Site Condominium Cluster Review For City of Troy, Michigan

Project Name:	Golden Villas
Plan Date:	February 28, 2022
Location:	South of E. Square Lake, west of Dequindre
Zoning:	R-1C, One-family Residential District
Action Requested:	Preliminary Site Condominium Cluster Approval
Required Information:	Deficiencies noted.

PROJECT AND SITE DESCRIPTION

We are in receipt of a preliminary site plan application for a twelve (12) unit detached single-family condominium cluster development. The twelve (12) new lots will be accessed from a new private road that is located off E. Square Lake Road. The site is two parcels and is a total of 3.0 acres. The site has been improved with two single-family homes and a number of accessory buildings. The applicant has not identified any wetlands on site.

The property is surrounded by R-1C on the north, west, south, and boarded by neighborhood node to the east. The applicant proposes a cluster development. The applicant proposes a T-turnaround with no vehicular connection to Colleen Drive to south. The applicant proposes pedestrian connection to Colleen Drive.

The base density base under the R-1C, One-Family Residential as determined by the submission of a parallel plan is eight (8) units. The applicant is seeking four (4) additional units above the parallel plan density by doing a cluster, providing 33% of the total site as open space and providing 1,900 sq/ft homes with first floor master bedroom and bath.

Figure 1. - Location and Aerial Image of Subject Site



Size of Subject Property:

The parcel is 3.0 acres

Proposed Uses of Subject Parcel:

Twelve (12) detached single family condominium cluster development.

Current Use of Subject Property:

The subject property is currently improved with two (2) single family homes

Current Zoning:

The property is currently zoned R-1C, One-Family Residential District.

Surrounding Property Details:

Direction	Zoning	Use
North	R-1D, One-family Residential District	Single-family homes
South	R-1C, One-family Residential District	Single-family homes
East	NN, Neighborhood Node	Townhomes (under development)
West	R-1C, One-family Residential District	Place of Worship

NATURAL FEATURES

Topography: A topographic survey has been provided on sheet P-1. The site is relatively flat.

Wetlands: There are no identified wetlands on site.

Floodplain: The site is not located within a floodplain.

Woodlands: A tree survey has been provided to inventory the natural features that exist onsite. The survey identified a total of 81 trees on site. Many of the trees are invasive. There is an especially high number of Cottonwoods. The applicant has identified a total of 9 landmark trees and 40 woodland trees, preserving 2 and 14, respectively. Full replacement and preservation details are shown in **Table 2**.

Table 2. – Woodland Protection Ordinance

Replacement Details		
Protected Tree	Inches Removed	Replacement Required
Landmark	151 inches	151 inches
Woodland	257 inches	129 inches
Preservation/Mitigation	Inches Preserved	Credit
Landmark	36 inches	72 inches
Woodland	124 inches	248 inches
Total	0 inches required for replacement. The number of inches preserved and credited exceed the mitigation required.	

Items to be addressed: None.

SITE ARRANGEMENT

The proposed one-family cluster development consists of twelve (12) units. All twelve (12) new lots will be accessed from a new private road off E. Square Lake Road. The proposed lots range between 5,617 sq. ft. and 6,115 sq. ft.

The applicant has submitted a parallel plan to establish a base density and portray the visual difference between traditional site design versus a cluster development. The cluster option is offered as an alternative to traditional residential development. The cluster option is intended to:

1. Encourage the use of property in accordance with its natural character.
2. Assure the permanent preservation of open space and other natural features.
3. Provide recreational facilities and/or open space within a reasonable distance of all residents of the Cluster development.
4. Allow innovation and greater flexibility in the design of residential developments.
5. Facilitate the construction and maintenance of streets, utilities, and public services in a more economical and efficient manner.
6. Ensure compatibility of design and use between neighboring property.
7. Encourage a less sprawling form of development, thus preserving open space as undeveloped land.
8. Allow for design innovation to provide flexibility for land development where the normal development approach would otherwise be unnecessarily restrictive or contrary to other City goals

Items to be addressed: Planning Commission shall determine if requirements are met to qualify for cluster development options and if the additional number of units is commensurate with open space being preserved.

AREA, WIDTH, HEIGHT, SETBACKS and REGULATORY FLEXIBILITY

The intent of the cluster development provisions is to relax the typical R-1C district bulk requirements in order to encourage a less sprawling form of development that preserves open space and natural resources. As set forth in 10.04.E the applicant is able to seek specific departures from the dimensional requirements of the Zoning Ordinance for yards and perimeter setback as a part of the approval process.

Table 1. – Bulk Requirements

	Required/Allowed	Provided	Compliance
Density	Overall density shall not exceed the number of residential cluster units as developed under a conventional site condominium, unless a density bonus has been granted by City Council.	Base Density = 8 units + Cluster bonus (33% bonus) + Housing Diversity = 17 units are allowed The applicant is seeking 12 units.	Complies. 12 units are permitted with City Council approval.
Perimeter Setback	Equal to the rear yard setback requirement for the underlying zoning district of the property directly adjacent to each border = 40 feet perimeter setback	Decks for Units 1-3 encroach up to 10- into the required perimeter setback	Decks for Units 1-3 encroach up to 10- into the required perimeter setback
Lot Size	10,500 sq. ft.	The proposed lots range between 5,617 sq. ft. and 6,115 sq. ft.	Complies with approval of Cluster by City Council
Front Setback (building)	20 feet	22 feet	Complies
Rear Setback (building)	25-feet setback	25-feet minimum 10-feet with deck	Building envelopes comply. All decks encroach 15-feet into required rear yard. Applicant seeking relief to have minimum rear yard less than 25-feet due to deck.
Side Setback (building)	7.5-feet setback	7.5-feet minimum	Complies
Open Space Requirements: Minimum Percentage	20%	Proposing to preserve 1 acre of the 3 acre parcel, or 33%, for open space.	Complies. Applicant must submit open space preservation covenant.

The applicant is showing decks on the rear of all properties. As set forth in Section 7.08.B:

An open, unenclosed, and uncovered porch, raised deck, or patio structure may project into a required rear yard for a distance not to exceed fifteen (15) feet, subject further to the requirement that the distance remaining between the encroaching facility and the rear lot line shall in no instance be less than twenty-five (25) feet. Porch, deck, patio, or terrace facilities encroaching into required front or rear yards shall not include fixed canopies, gazebos or permanent enclosures, and shall be at a grade no higher than that of the first or main floor of the building to which they are attached.

Lots 1-3 encroach up to 10-feet into the required 40-foot perimeter setback. In addition, all decks extend 15-feet from home and encroach 15-feet into the required 25-foot rear yard. Please note that provision 7.08.B was drafted for a conventional R 1 through R-5 lot that requires a 40-foot setback. Hence for a typical R-lot, the 40-foot rear yard requirement would allow a 15-foot deck and still maintain at least a 25-foot rear yard setback. However, due to the required additional perimeter setback required by the cluster provisions, the decks are further away from the northern property line via cluster than conventional layout.

The City Council, based upon a recommendation from the Planning Commission, may waive the rear lot and perimeter setback provisions provided that the applicant has demonstrated innovative and creative site and building designs and solutions, which would otherwise be unfeasible or unlikely to be achieved absent this provision. The Planning Commission should consider the purpose and intent of the Cluster Development option in considering the setback deviations.

Items to be addressed: Consider the deck encroachment into rear setback and perimeter buffer

OPEN SPACE REQUIREMENTS

A requirement of the Cluster Option is to provide at least one (1) of the following open space benefits:

- a. Significant Natural Features. Preservation of significant natural features contained on the site, as long as it is in the best interest of the City to preserve the natural features that might be negatively impacted by conventional residential development. The determination of whether the site has significant natural features shall be made by the City Council, after review of a Natural Features Analysis, prepared by the applicant, that inventories these features; or
- b. Recreation Facilities. If the site lacks significant natural features, it can qualify with the provision of usable recreation facilities to which all residents of the development shall have reasonable access. Such recreation facilities include areas such as a neighborhood park, passive recreational facilities, soccer fields, ball fields, bike paths, or similar facilities that provide a feature of community-wide significance and enhance

residential development. Recreational facilities that are less pervious than natural landscape shall not comprise more than fifty (50) percent of the open space. The determination of whether the site has significant natural features shall be made by the City Council after review of a Site Analysis Plan, prepared by the applicant, that inventories these features; or

- c. Preservation of Common Open Space or Creation of Natural Features. If the site lacks significant natural features, a proposed development may also qualify if the development will preserve common open space or create significant natural features such as wetlands. The determination of whether the site has significant natural features shall be made by the City Council after review of a Site Analysis Plan, prepared by the applicant, which inventories these features.

The site is 3 acres, and the applicant is proposing to reserve 1.0 acres for common open space, or 33% of the total site. Open space is provided within an open space collar around the northern, western, eastern, and southern property line. The open space collar ranges from 13-feet in depth along the northwest portion of the site, 50+ feet along the eastern property line, and 10-feet along the southern property line. As part of the review, the Planning Commission is to consider and make a recommendation to City Council if the layout and open space plan meets the intent and standards of the Cluster provision and has the applicant creatively designed the site to either preserve significant natural resources (trees, wetland, and floodplain) or provide quality open space.

Guarantee of Open Space and Tree Preservation:

The applicant shall provide documentation to guarantee that all open space portions of the development will be preserved and maintained as approved and that all commitments for such preservation and maintenance are binding on successors and future owners of the subject property. All such documents shall be subject to approval by the City Attorney. No structures (pools, sheds) or equipment (play structures, etc.) are permitted within the dedicated open space area.

Items to be addressed: Planning Commission is to consider and make a recommendation to City Council if the layout and open space plan, and/or natural features meet the intent of the Cluster provision and has the applicant creatively designed the site to either preserve significant natural resources (trees) or provide quality open space.

SITE ACCESS AND CIRCULATION

Vehicular

Access to the site will be from a single location off Square Lake Road. The development will be served by an internal twenty-eight (28) foot wide private road, located inside of a forty (40) foot roadway easement. The applicant proposes a T-turn around at the end of the private road. The City Streets Department and Fire Department has reviewed the T-turnaround and finds it complies with city requirements.

Pedestrian

The applicant proposes a five (5) foot wide concrete sidewalk along the perimeter of the private road. The internal sidewalk will connect to existing sidewalk on Square Lake Road. In addition, the applicant proposes a sidewalk connection Colleen Drive to the south.

Items to be Addressed: None

STORMWATER

Stormwater will be managed by a regional detention system.

Items to be Addressed: None.

LANDSCAPING

One-Family Cluster development landscaping requirements are regulated by Section 13.02.F.2.

Table 2. – Landscaping Requirements

Frontage	Required	Provided	Compliance
Proposed Private Rd.	One (1) deciduous tree for every 50 lineal feet. $890 / 50 = 18$ trees	18 trees	Complies
E. Square Lake Road 120-foot ROW (section 13.02 F.2.c)	One (1) large evergreen tree per ten (10) lineal feet. $329 \text{ lf} / 10 \text{ lf} = 33$ evergreen trees	13 proposed	Does not Complies

The applicant is deficient of twenty (20) trees along Square Lake.

Items to be Addressed: Provide twenty (20) additional trees along Square Lake Road.

ELEVATIONS AND FLOOR PLANS

The applicant has submitted one housing options with a square footage up to 1,900. The applicant shall supply additional housing elevation options. Materials include brick, stone, and cedar veneer.

Items to be Addressed: Provide additional housing elevation options

CLUSTER STANDARDS

As set forth in section 10.04.I, the applicant shall demonstrate that through the use of the Cluster option, the development will accomplish a sufficient number of the following objectives, as are reasonably applicable to the site, providing:

- a. Long-term protection and preservation of natural resources, natural features, and open space of a significant quantity and/or quality in need of protection or preservation, and which would otherwise be unfeasible or unlikely to be achieved absent these regulations.
- b. Innovative and creative site design through flexibility in the siting of dwellings and other development features that would otherwise be unfeasible or unlikely to be achieved absent these regulations.
- c. Appropriate buffer and/or land use transitions between the Cluster development and surrounding properties.
- d. A compatible mixture of open space, landscaped areas, and/or pedestrian amenities.
- e. Sustainable design features and techniques, such as green building, stormwater management best practices, and low impact design, which will promote and encourage energy conservation and sustainable development.
- f. A means for owning common open space and for protecting it from development in perpetuity.
- g. Any density bonus is commensurate with the benefit offered to achieve such bonus.
- h. The cluster development shall be adequately served by essential public facilities and services, such as: streets, pedestrian or bicycle facilities, police and fire protection, drainage systems, refuse disposal, water and sewage facilities, and schools. Such services shall be provided and accommodated without an unreasonable public burden.
- i. The architectural form, scale, and massing shall ensure buildings are in proportion and complementary to those of adjacent properties and the selected building materials are of high, durable quality. The garage shall not be the dominant feature of a residential building.

The applicant is seeking four (4) additional units above the parallel plan density by doing a cluster, providing 33% of the total site as open space and providing 1,900 sq/ft homes with first floor master bedroom and bath.

RECOMMENDATIONS

Planning Commission shall determine if requirements are met to qualify for cluster development option, if the required standards have been met, and if the additional number of units is commensurate with open space being preserved and the provision of smaller homes.

Items to consider include:

- Applicant is seeking following relief:
 - Decks encroaching 15-foot into the required 25-foot rear yard
 - Lots 1-3 encroach up to 10-feet into the required 40-foot perimeter setback
- Provide additional housing elevation options
- Provide twenty (20) additional trees along Square Lake Road.

The Planning Commission may request that either the applicant address aforementioned items or make a recommendation for City Council consideration.



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

PRELIMINARY SITE PLANS

GOLDEN VILLAS

EAST SQUARE LAKE ROAD
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

PERMIT / APPROVAL SUMMARY		
DATE SUBMITTED	DATE APPROVED	PERMIT / APPROVAL



LOCATION MAP
NO SCALE

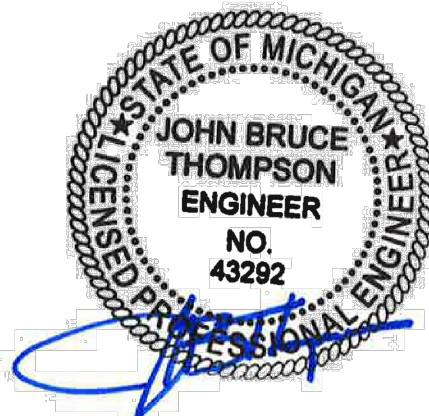
INDEX OF DRAWINGS	
NUMBER	TITLE
	COVER SHEET
P-1	TOPOGRAPHIC SURVEY
P-2	PRELIMINARY SITE PLAN
P-2.1	PARALLEL SITE PLAN
P-3	PRELIMINARY GRADING PLAN
P-4	PRELIMINARY UTILITY PLAN
L-1	PRELIMINARY LANDSCAPE PLAN
T-1	TREE PRESERVATION PLAN
	1ST FLOOR PLAN
	2ND FLOOR PLAN
	2ND FLOOR PLAN
	FRONT ELEV.

DESIGN TEAM

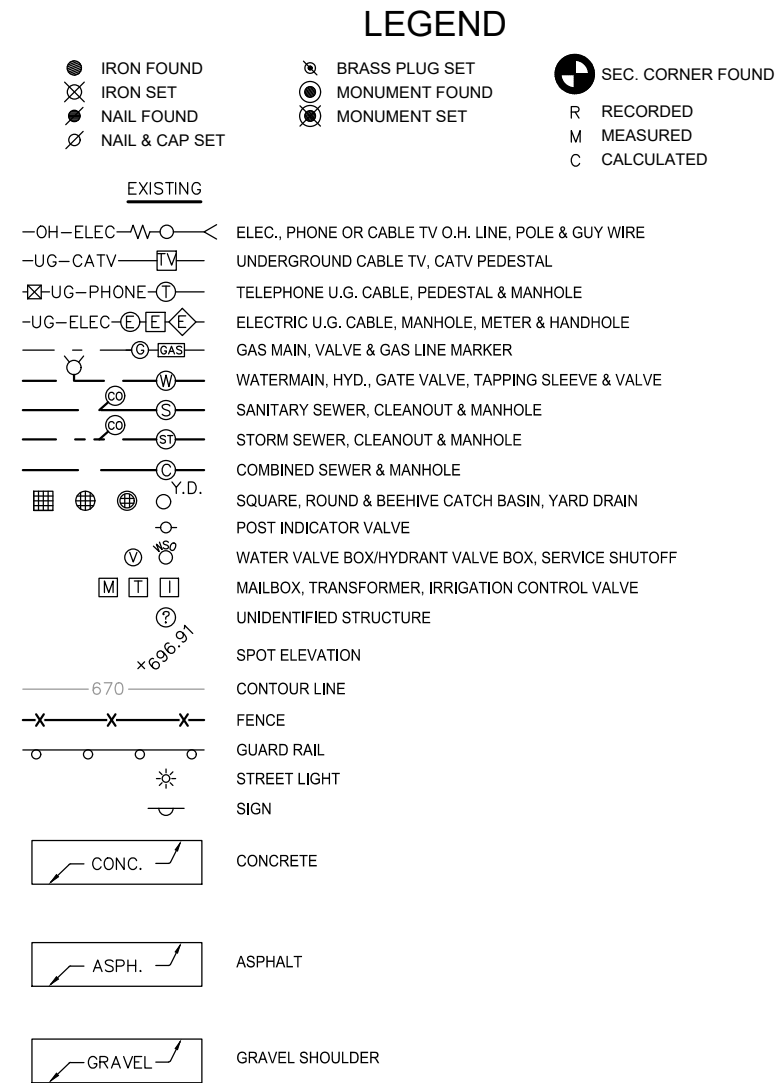
OWNER/APPLICANT/DEVELOPER	CIVIL ENGINEER
GOLDEN HOMES 48661 HAYES ROAD SHELBY TOWNSHIP, MI 48315 CONTACT: SAM DIMERCURIO PHONE: 586.566.8990 EMAIL: OFFICE@GOLDENHOMESMI.COM	PEA GROUP 2430 ROCHESTER COURT, STE. 100 TROY, MI 48063-1872 CONTACT: JOHN B. THOMPSON, PE PHONE: 844.813.2949 EMAIL: JTHOMPSON@PEAGROUP.COM
ARCHITECT	LANDSCAPE ARCHITECT
GOLDEN HOMES 48661 HAYES ROAD SHELBY TOWNSHIP, MI 48315 CONTACT: SAM DIMERCURIO PHONE: 586.566.8990 EMAIL: OFFICE@GOLDENHOMESMI.COM	PEA GROUP 45 W. GRAND RIVER AVE., STE. 501 DETROIT, MI 48226 CONTACT: KIMBERLY DIETZEL, RLA PHONE: 844.813.2949 EMAIL: KDIEZEL@PEAGROUP.COM



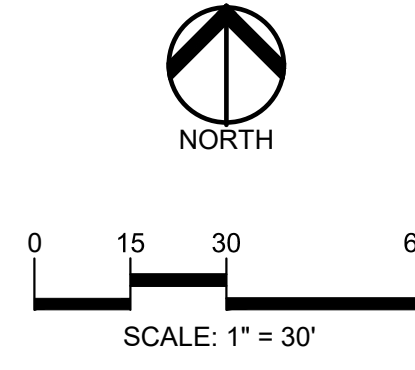
REVISIONS	
DESCRIPTION	DATE
ORIGINAL ISSUE DATE	12/22/2021
ADDED HAMMERHEAD	2/28/2022



S:\PROJECTS\2021\0221-0627 COLLEEN DRIVE - TROY\DWG\SITE PLANS (P=1) TPO-210627.dwg



PEA GROUP
t: 844.813.2949
www.peagroup.com



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.

TOPOGRAPHIC AND BOUNDARY SURVEY DISCLAIMER:
TOPOGRAPHIC AND BOUNDARY SURVEY, INCLUDING PROPERTY LINES, LEGAL DESCRIPTION, EXISTING UTILITIES, EXISTING ELEVATIONS, EXISTING PHYSICAL FEATURES AND STRUCTURES WAS PROVIDED BY LEHNER ASSOCIATES, INC.
PEA GROUP WILL NOT BE HELD RESPONSIBLE FOR THE ACCURACY OF THE SURVEY OR FOR DESIGN ERRORS/OMISSIONS RESULTING FROM SURVEY INACCURACIES.

LEGAL DESCRIPTION
(Per LEHNER ASSOCIATES, INC.)
2836 E. Square Lake Road, Troy, MI 48085-3976
Parcel ID # 88-20-12-200-035
THE NORTH 400.00 FEET OF LOT 3 OF 'SUPERVISOR'S PLAT OF WILBRETT ACRES' OF PART OF THE N.E. 1/4 OF THE N.E. 1/4 OF SECTION 12, T2N., R11E., TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN. RECORDED IN LIBER 13, PAGE 54 OF PLATS, OAKLAND COUNTY RECORDS.
2872 E. Square Lake Road, Troy, MI 48085-3976
Parcel ID # 88-20
THE NORTH 400.00 FEET OF LOT 4 OF 'SUPERVISOR'S PLAT OF WILBRETT ACRES' OF PART OF THE N.E. 1/4 OF THE N.E. 1/4 OF SECTION 12, T2N., R11E., TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN. RECORDED IN LIBER 13, PAGE 54 OF PLATS, OAKLAND COUNTY RECORDS.

SITE BENCHMARKS:
#1 EX. ARROW ON HYDRANT, NORTHWEST OF SUBJECT PARCEL LOCATED AS SHOWN
ELEV. = 662.00 (NAVD88)
#2 EX. ARROW ON HYDRANT, NORTHEAST OF SUBJECT PARCEL LOCATED AS SHOWN
ELEV. = 660.25 (NAVD88)
#3 EX. ARROW ON HYDRANT, EAST SUBJECT PARCEL LOCATED AS SHOWN
ELEV. = 660.74 (NAVD88)
#4 EX. ARROW ON HYDRANT, SOUTH OF SUBJECT PARCEL LOCATED AS SHOWN
ELEV. = 659.52 (NAVD88)
CITY OF TROY BENCHMARKS:
BM0378 - ARROW ON TOP OF HYDRANT, #12-8 SOUTH SIDE SQUARE LAKE @ #2784 CHURCH
ELEV. = 661.97 (NAVD88)
BM2511 - ARROW ON TOP OF HYDRANT, #12-9 SOUTH SIDE SQUARE LAKE OPPOSITE OF HOUSE #2885
ELEV. = 659.69 (NAVD88)
BM2512 - NORTH RIM SANITARY MANHOLE SOUTH SIDE OF SQUARE LAKE RD AT HOUSE #2836
ELEV. = 658.83 (NAVD88)

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 26125C0551F AND 26125C0552F BOTH DATED SEPTEMBER 29, 2006.

CLIENT
GOLDEN HOMES
48661 HAYES ROAD
SHELBY TWP, MICHIGAN

PROJECT TITLE
GOLDEN VILLAS
EAST SQUARE LAKE ROAD
CITY OF TROY, MICHIGAN

REVISIONS	
ADDED HAMMERHEAD	02-28-22

ORIGINAL ISSUE DATE:
DECEMBER 22, 2021

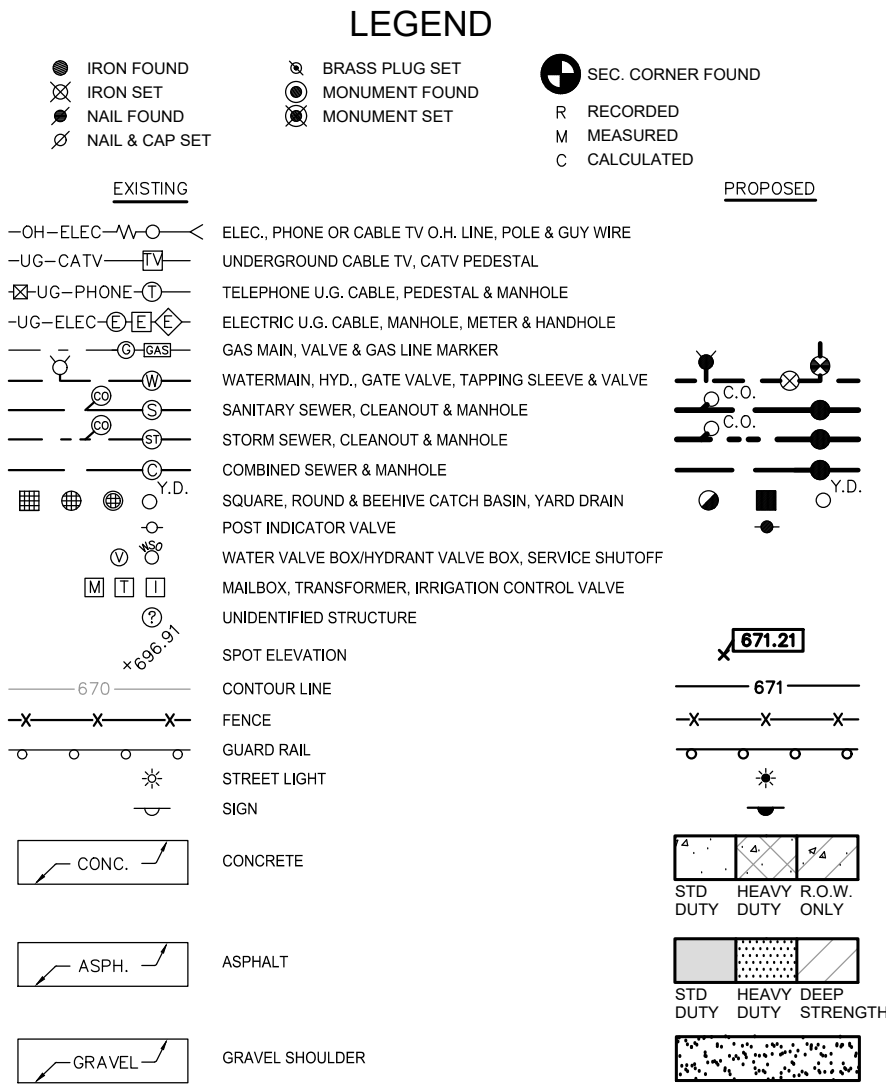
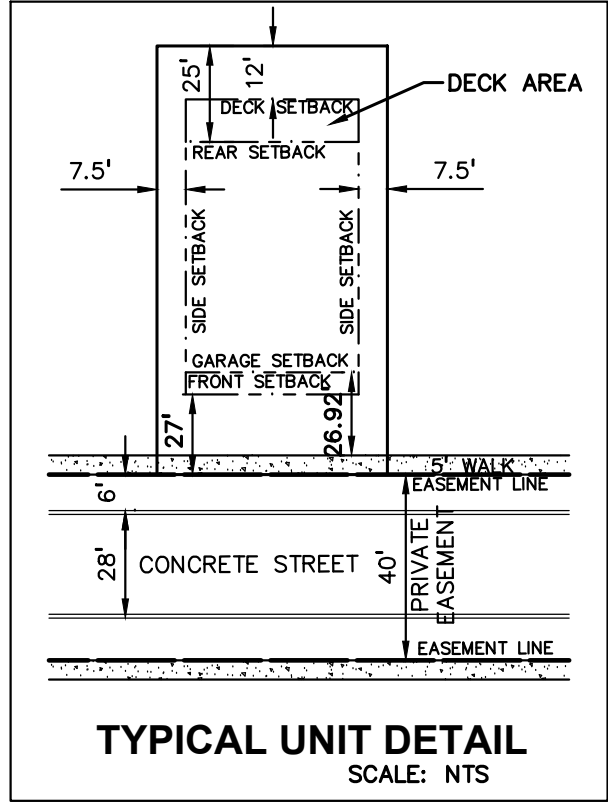
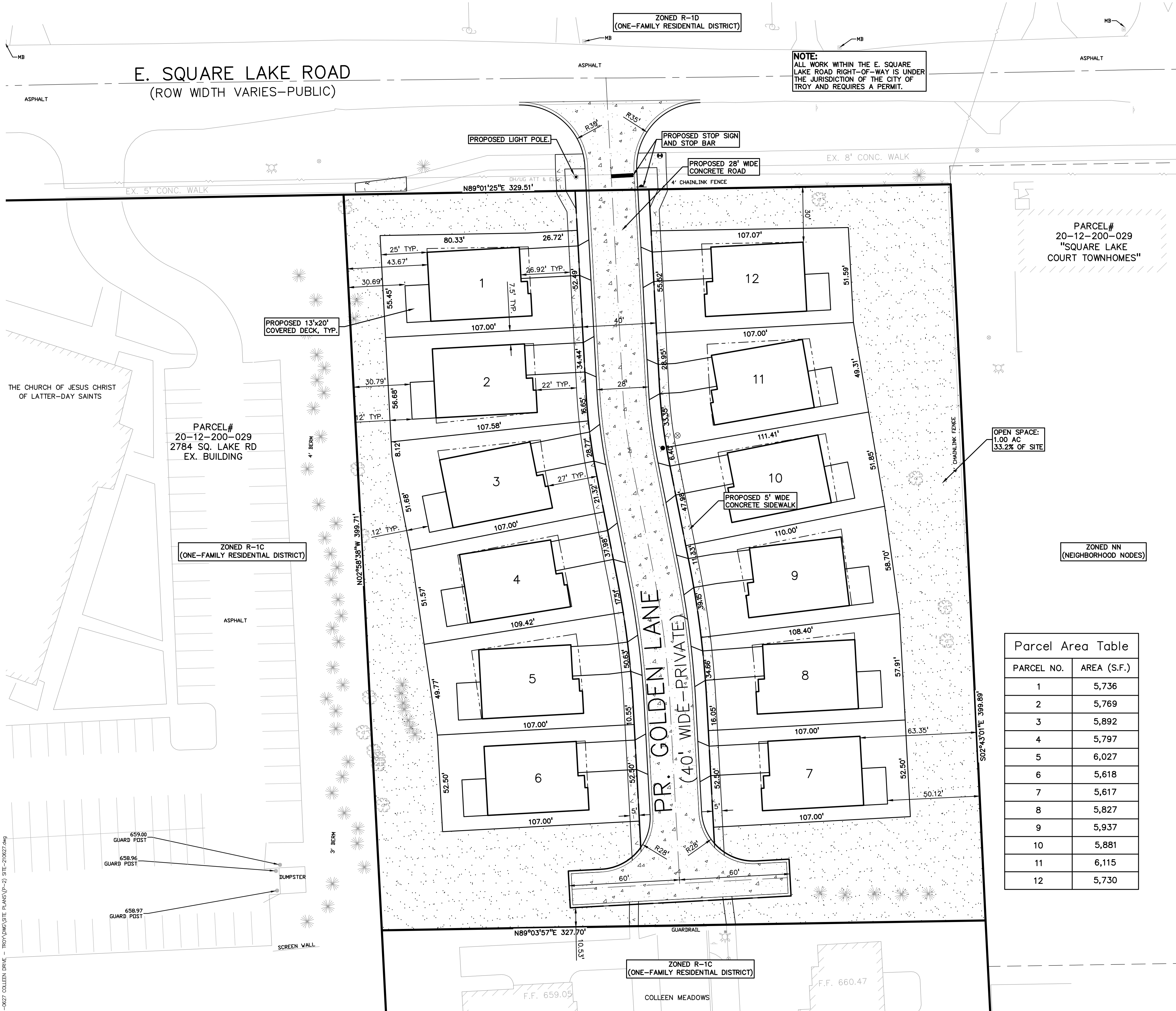
DRAWING TITLE
TOPOGRAPHIC SURVEY

PEA JOB NO.	2021-0627
P.M.	JBT
DN.	TMK
DES.	TMK

DRAWING NUMBER:

NOT FOR CONSTRUCTION **P-1**

S:\PROJECTS\2021\0221-0627 COLLEEN DRIVE - TOWNHOMES SITE PLANS (P=2) BIE-210627.dwg



SITE DATA:

LOCATION OF PROJECT: SOUTH SIDE OF E SQUARE LAKE ROAD, WEST OF DEQUINDRE ROAD		
SIZE OF PROPERTY: 3.01 ACRES		
AREA DEVELOPED: 2.01 AC (66.8%) TOTAL UNDEVELOPED AREA: 1.00 AC (33.2%)		
PROPOSED USE OF PROPERTY: TWELVE (12) DETACHED, SINGLE FAMILY HOMES		
CURRENT ZONING: R-1C, ONE-FAMILY RESIDENTIAL DISTRICT		
PROPOSED: R-1C, ONE-FAMILY RESIDENTIAL DISTRICT, CLUSTER OPTION		
CLUSTER OPTION CALCULATION:		
• BASE NUMBER OF UNITS - PARALLEL PLAN = 8 UNITS		
• 20% DENSITY BONUS PER 10.04D = 1 UNITS		
(OPEN SPACE PROVIDED = 1.00 ACRES, 33.2%)		
(OPEN SPACE INCLUDES UTILITY EASEMENTS)		
• HOUSING DIVERSITY = 2 X PARALLEL PLAN = 16		
(MAXIMUM SQUARE FOOTAGE NOT TO EXCEED 1,900		
FIRST FLOOR MASTER BEDROOM AND LAUNDRY)		
• TOTAL UNITS ALLOWED = 17 UNITS		
• TOTAL UNITS PROVIDED = 12 UNITS		
SURROUNDING PROPERTY DETAILS:		
DIRECTION	ZONING	USE
NORTH	R-1D, ONE-FAMILY RESIDENTIAL DISTRICT	SINGLE-FAMILY HOMES
SOUTH	R-1C, ONE-FAMILY RESIDENTIAL DISTRICT	SINGLE-FAMILY HOMES
EAST	NN-K, NEIGHBORHOOD NODE	MULTI-FAMILY
WEST	R-1C, ONE-FAMILY RESIDENTIAL DISTRICT	CHURCH
REQUIRED AND PROVIDED LOT DIMENSIONS:		
FRONT	REQUIRED (CLUSTER): 20 FOOT SETBACK*	PROVIDED: 22 FOOT SETBACK
REAR	25 FOOT SETBACK	25 FOOT SETBACK
SIDES	7.5 FOOT MIN. (ONE), 15 FOOT TOTAL	7.5 FOOT MIN. (ONE), 15 FOOT TOTAL
MAXIMUM HEIGHT	30 FEET, 2.5 STORY	30 FEET, 2.5 STORY
LOT WIDTH	85 FEET (R-1C)	60 FEET MIN.
OPEN SPACE	20%	33.2%
• 25' (MIN) FOR GARAGE SETBACK (EDGE WALK TO GARAGE DOOR)		

PROJECT AND SITE DESCRIPTION:
PROPOSED CONSTRUCTION OF A 12-LOT SINGLE FAMILY DETACHED SITE CONDOMINIUM PROJECT ON THE SOUTH SIDE OF E SQUARE LAKE ROAD, WEST OF DEQUINDRE ROAD. ACCESS TO ALL UNITS WILL BE VIA CONNECTION TO E SQUARE LAKE ROAD. THE PROPOSED RESIDENTIAL USE IS PERMITTED BY-RIGHT IN THE R-1C DISTRICT. THE SITE IS CURRENTLY PRIVATE RESIDENCES.

SITE ARRANGEMENT:
THE PROPOSED SITE CONDOMINIUM CONSISTS OF 12 LOTS (17 LOTS ALLOWED) WITH MINIMUM LOT SIZE OF 5,617 SQUARE FEET. THE AVERAGE LOT SIZE IS 5,829 SQUARE FEET. ALL UNITS FRONT ON A NEW PRIVATE STREET. THE PROPOSED LOTS ARE REGULAR IN SHAPE, ALLOW FOR ADEQUATE SETBACKS, AND PERMIT SUFFICIENT SPACE FOR THE HOMES AND INGRESS AND EGRESS FOR EACH UNIT ACCORDING TO THE CLUSTER OPTION. A MINIMUM OF 30% OPEN SPACE HAS BEEN PROVIDED.

NATURAL RESOURCES:
THE SITE CURRENTLY HAS MINIMAL TREE COVER.

FLOODPLAIN:
THE PROPERTY IS NOT LOCATED WITHIN THE FLOOD HAZARD AREA INDICATED BY FLOOD INSURANCE RATE NUMBER 26125C0551F AND 26125C0552F BOTH DATED SEPTEMBER 29, 2006.

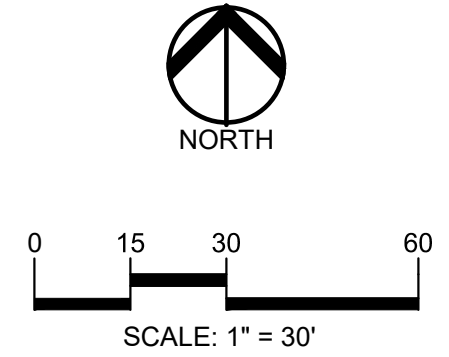
ACCESS AND CIRCULATION:
VEHICULAR ACCESS AND CIRCULATION:
VEHICULAR ACCESS TO ALL UNITS WILL BE VIA A NEW STREET LOCATED OFF E SQUARE LAKE ROAD. THE NEW ROADWAY WILL HAVE A FORTY (40) FOOT WIDE PRIVATE ROAD EASEMENT.

PEDESTRIAN ACCESS AND CIRCULATION:
A 5-FOOT WIDE SIDEWALK IS PROVIDED AT BOTH SIDES OF THE NEW ROADWAY.

UTILITIES:
UTILITIES ARE PLACED WITHIN STREET RIGHT-OF-WAY, OR WITHIN EASEMENTS APPROVED AS TO SIZE AND LOCATION BY THE CITY ENGINEER.

ALL SITES ARE SERVED BY PUBLIC WATER, SANITARY SEWER, STORM WATER AND DETENTION/RETENTION SYSTEMS CONSTRUCTED TO CITY STANDARDS, AT THE EXPENSE OF THE DEVELOPER. EASEMENTS OVER THESE SYSTEMS SHALL BE CONVEYED AND RECORDED BEFORE OCCUPANCY PERMITS ARE ISSUED FOR DWELLING UNITS.

DETENTION WAS PROVIDED FOR THIS DEVELOPMENT IN THE COLLEEN MEADOWS STORM SEWER DETENTION CALCULATIONS.



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

CAUTION!!
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CLIENT
GOLDEN HOMES
48661 HAYES ROAD
SHELBY TWP, MICHIGAN

PROJECT TITLE
GOLDEN VILLAS
EAST SQUARE LAKE ROAD
CITY OF TROY, MICHIGAN

REVISIONS	
ADDED HAMMERHEAD	02-28-22

ORIGINAL ISSUE DATE:
DECEMBER 22, 2021

DRAWING TITLE
PRELIMINARY SITE PLAN

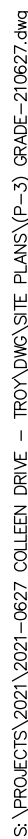
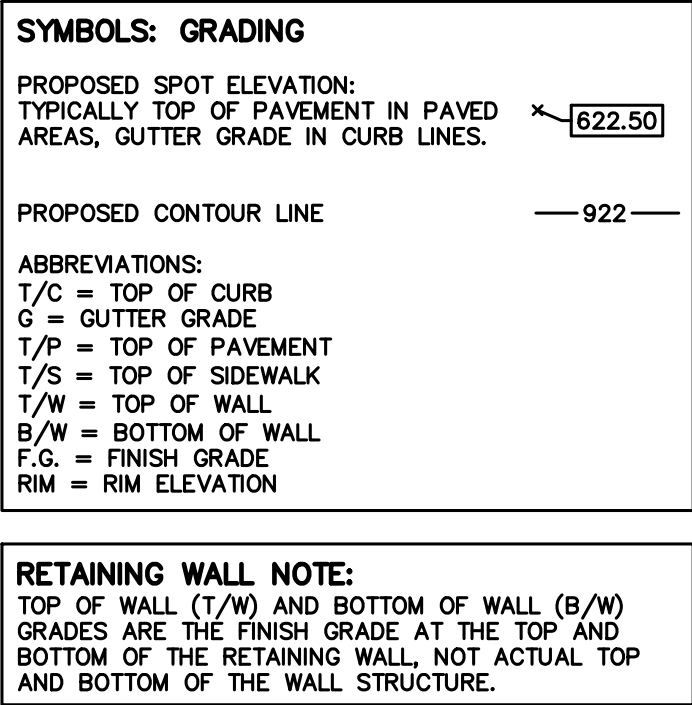
PEA JOB NO.	2021-0627
P.M.	JBT
DN.	TMK
DES.	TMK
DRAWING NUMBER:	

NOT FOR CONSTRUCTION

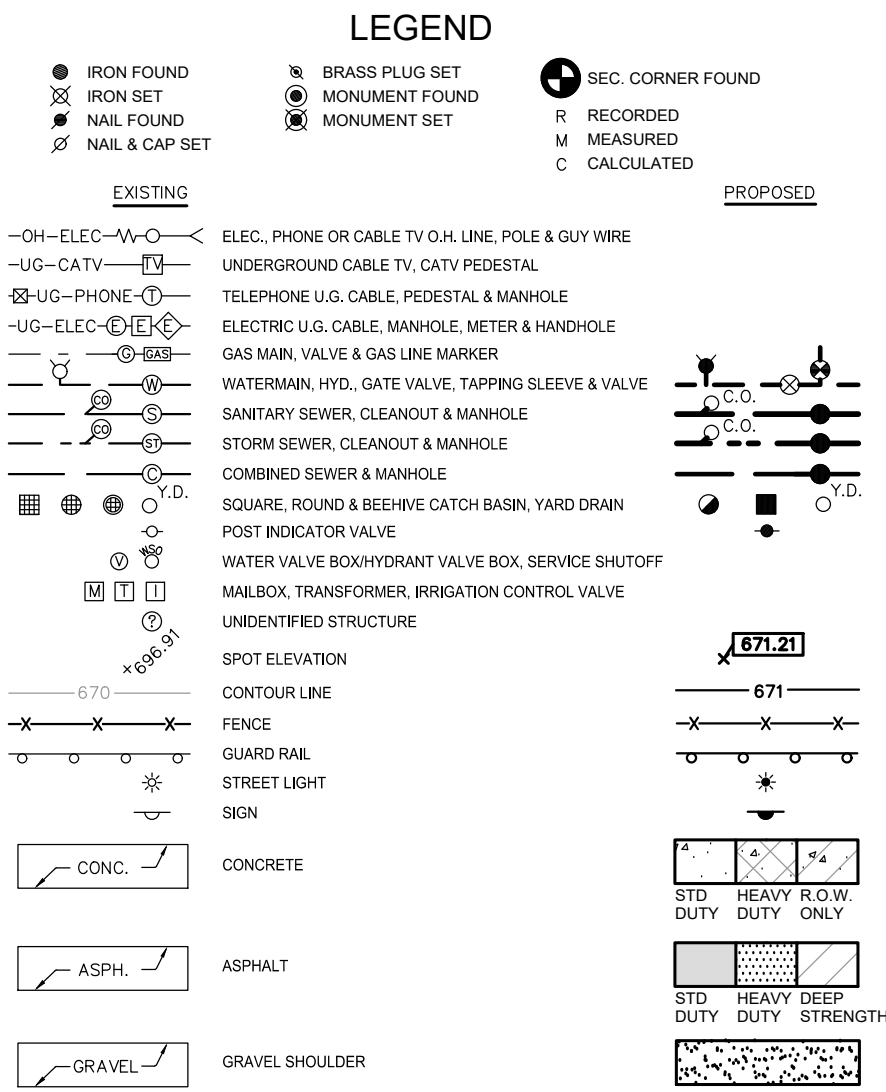
PROJECT TITLE
GOLDEN VILLAS
EAST SQUARE LAKE ROAD
CITY OF TROY, MICHIGAN

ORIGINAL ISSUE DATE:
DECEMBER 22, 2021

BEA IOR NO 2021 06

DRAWING NUMBER:

S:\PROJECTS\2021\0221-0627 COLLEEN MEADOWS PLANS\04-4 UTIL-210627.dwg



NOTE:
DETENTION FOR THIS DEVELOPMENT
WAS INCLUDED IN THE DESIGN OF
THE COLLEEN MEADOWS STORM
WATER DETENTION CALCULATIONS.

PEA
GROUP

t. 844.813.2949
www.peagroup.com

NORTH

0153060

SCALE: 1" = 30'

811

Know what's below.
Call before you dig.

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CLIENT

GOLDEN HOMES
48661 HAYES ROAD
SHELBY TWP, MICHIGAN

PROJECT TITLE

GOLDEN VILLAS
EAST SQUARE LAKE ROAD
CITY OF TROY, MICHIGAN

REVISIONS

ADDED HAMMERHEAD	02-28-22

ORIGINAL ISSUE DATE:

DECEMBER 22, 2021

DRAWING TITLE

**PRELIMINARY
UTILITY PLAN**

PEA JOB NO.

2021-0627

P.M.

JBT

DN.

TMK

DES.

TMK

DRAWING NUMBER:

P-4

NOT FOR CONSTRUCTION

LANDSCAPE CALCULATIONS:
PER CITY OF TROY ZONING ORDINANCE: R-1C



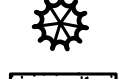
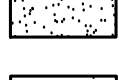
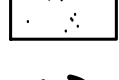

INTERNAL PUBLIC ROADS STREET TREES:
REQUIRED: 1 TREE / 50 LF (BOTH SIDES RD.) 445 LF / 50 LF = 9 TREES EACH SIDE.
PROVIDED: 18 TREES TOTAL
NOTE: TREES SHALL BE PLACED AT A MINIMUM OF 5' AWAY FROM UTILITY LEADS.

GREENBELT TREES
REQUIRED: 1 LARGE EVG. TREE / 10 LF OF STREET FRONTAGE. 330' OF RIGHT OF WAY/ 30 = 33 LARGE EVG. TREES REQUIRED.
PROVIDED: 31 LARGE EVG TREES PROVIDED, AND 2 EXISTING TREES
NOTE: TREES SHALL BE PLANTED MIN. 5' AWAY FROM UTILITIES.

TREE REPLACEMENT:
REQUIRED: NO TREE REPLACEMENT REQUIRED
SEE TREE PRESERVATION PLAN, T-1.0, FOR TREE REMOVALS AND CALCULATIONS.

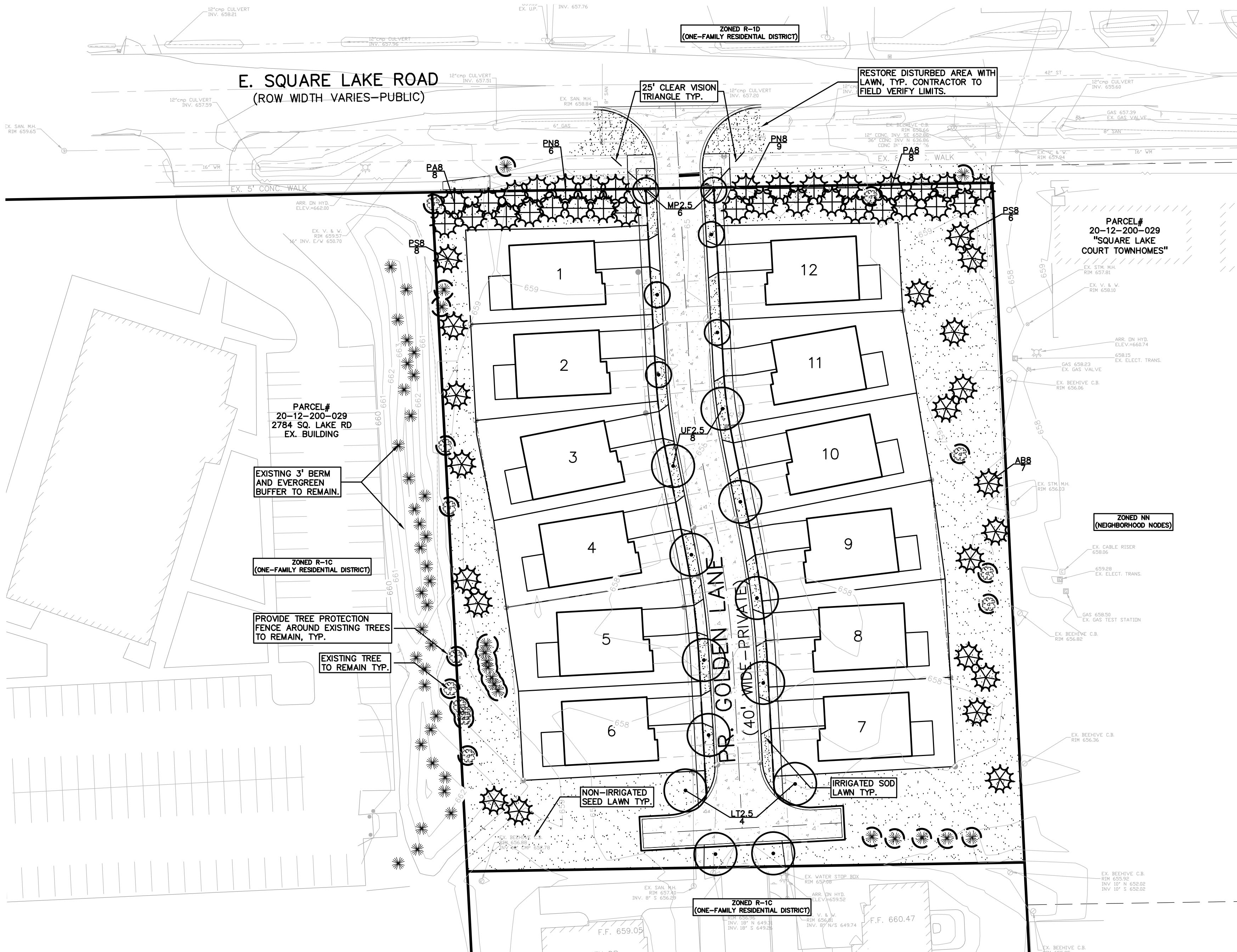
ADDITIONAL PARK SPACE TREES:
NOT REQUIRED, PROVIDING SUBSTANTIAL TREE INFILL TO FURTHER IMPROVE OPEN LANDSCAPE AREA BETWEEN SINGLE FAMILY RESIDENCES AND ADJACENT PROPERTIES.

KEY:

- = INTERNAL DRIVE TREES
- = GREENBELT TREES
- = ADDITIONAL OPEN-SPACE TREES
- = IRRIGATED SOD LAWN
- = NON-IRRIGATED SEED LAWN
- = EXISTING TREES TO REMAIN WITH TREE PROTECTION FENCE

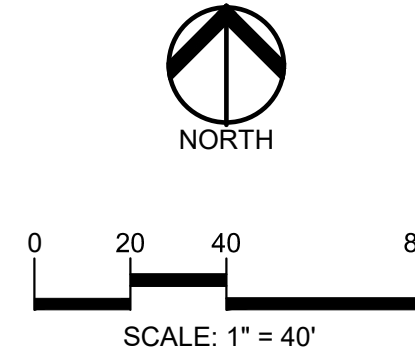
GENERAL PLANTING NOTES:

- 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.
- 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.
- CONTRACTOR SHALL NOT INSTALL PLANTS UNDER BUILDING OVERHANG AND SHALL NOTIFY LANDSCAPE ARCHITECT IF DRAWINGS CONFLICT WITH BUILDING OVERHANGS.
- TREES SHALL NOT CONFLICT/ BLOCK PROPOSED REGULATORY/ DIRECTION SIGNAGE, MONUMENT SIGNS, ADDRESS OR LIGHT POLES. SHIFT TREES AS NECESSARY TYP.



PEA GROUP
t: 844.813.2949
www.peagroup.com

STATE OF MICHIGAN
KIMBERLY DIETZEL
LANDSCAPE ARCHITECT
NO. 141



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CLIENT
GOLDEN HOMES
48661 HAYES ROAD
SHELBY TWP, MICHIGAN

PROJECT TITLE
GOLDEN VILLAS
EAST SQUARE LAKE ROAD
CITY OF TROY, MICHIGAN

REVISIONS	
ADDED HAMMERHEAD	02-28-22

ORIGINAL ISSUE DATE:
DECEMBER 22, 2021

DRAWING TITLE
**PRELIMINARY
LANDSCAPE
PLAN**

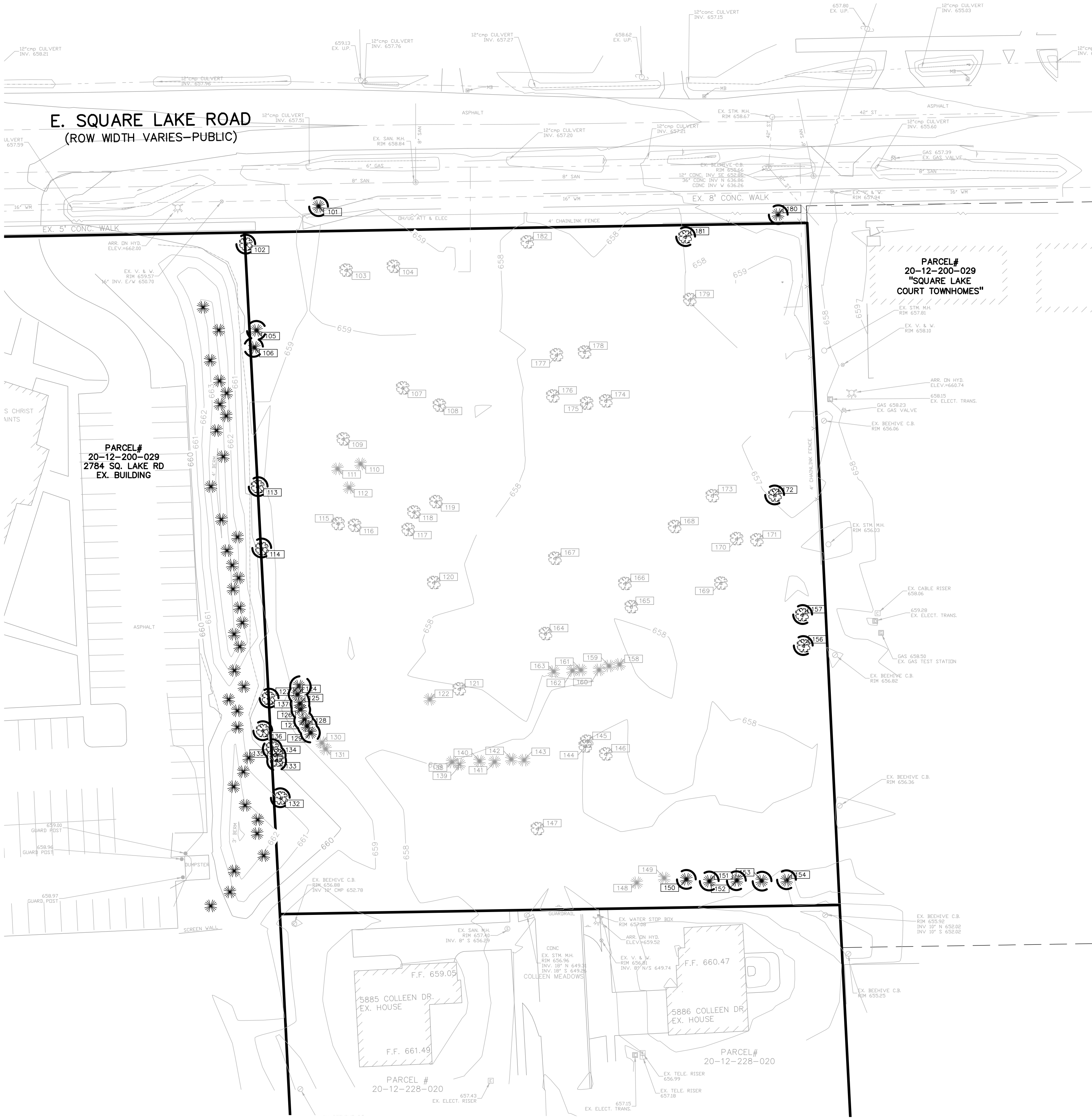
PEA JOB NO.	2021-0627
P.M.	JBT
DN.	TMK
DES.	TMK
DRAWING NUMBER:	






NOT FOR CONSTRUCTION

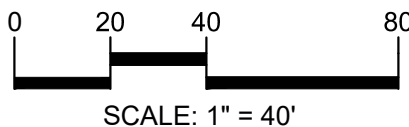
L-1

LANDMARK TREES			
LANDMARK TREES REMOVED:	7	(REPLACE AT 100% OF REMOVED DBH)	
151" DBH x 1 =		151"	REPLACEMENT
LANDMARK TREES SAVED:	2	(CREDIT OF 2X DBH)	
36" DBH x 2 =		72"	CREDIT
151	-	72	= 79
0" TOTAL DBH REQUIRED FOR REPLACEMENT			
-119.5 (WOODLAND CREDIT) + 79" LANDMARK = -40.5 (CREDIT)			

TAG	CODE	DBH	COMMON NAME	LATIN NAME	COND	COMMENTS	CLASS	SAVE / REMOVE	ON-SITE	REPLACE
101	WP	18	(Eastern) White Pine	Pinus strobus	Good		LANDMARK	S	Y	-
102	CT	27	Cottonwood	Populus deltoides	Good		INVASIVE	S	Y	-
103	B	10	Basswood	Tilia americana	Good	x3	WOODLAND	R	Y	REPLACE
104	MR	10	Red Mulberry	Morus rubra	Good		INVASIVE	R	Y	-
105	WP	12	(Eastern) White Pine	Pinus strobus	Good		WOODLAND	S	Y	-
106	WP	15	(Eastern) White Pine	Pinus strobus	Good		WOODLAND	S	Y	-
107	RB	15	River Birch	Betula nigra	Good	x3	LANDMARK	R	Y	REPLACE
108	BL	20	Black Locust	Robinia pseudoacacia	Good		INVASIVE	R	Y	-
109	RM	24	Red Maple	Malus sylvestris	Good		LANDMARK	R	Y	REPLACE
110	BS	12	Blue Spruce	Picea pungens	Good		WOODLAND	R	Y	REPLACE
111	WP	12	(Eastern) White Pine	Pinus strobus	Good		WOODLAND	R	Y	REPLACE
112	BS	10	Blue Spruce	Picea pungens	Good		WOODLAND	R	Y	REPLACE
113	CT	27	Cottonwood	Acer negundo	Good		INVASIVE	S	Y	-
114	CT	24	Cottonwood	Populus deltoides	Good		INVASIVE	S	Y	-
115	MR	18	Red Mulberry	Morus rubra	Good		INVASIVE	R	Y	-
116	WA	15	White Ash	Fraxinus americana	Good		INVASIVE	R	Y	-
117	SM	24	Silver Maple	Acer saccharinum	Good		INVASIVE	R	Y	-
118	SM	30	Silver Maple	Acer saccharinum	Good		INVASIVE	R	Y	-
119	BX	32	Box elder	Acer negundo	Good		INVASIVE	R	Y	-
120	RM	42	Red Maple	Acer rubrum	Good		LANDMARK	R	Y	REPLACE
121	AP	10	Domestic Apple	Malus sylvestris	Good	x3	WOODLAND	R	Y	REPLACE
122	WP	18	(Eastern) White Pine	Pinus strobus	Good		LANDMARK	R	Y	REPLACE
123	RP	10	Red Pine	Pinus resinosa	Good		WOODLAND	S	Y	-
124	RP	6	Red Pine	Pinus resinosa	Good		WOODLAND	S	Y	-
125	RP	8	Red Pine	Pinus resinosa	Good		WOODLAND	S	Y	-
126	RP	10	Red Pine	Pinus resinosa	Good		WOODLAND	S	Y	-
127	RP	6	Red Pine	Pinus resinosa	Good		WOODLAND	S	Y	-
128	RP	10	Red Pine	Pinus resinosa	Good		WOODLAND	S	Y	-
129	RP	8	Red Pine	Pinus resinosa	Good		WOODLAND	S	Y	-
130	RP	15	Red Pine	Pinus resinosa	Good		WOODLAND	R	Y	REPLACE
131	RP	10	Red Pine	Pinus resinosa	Good		WOODLAND	R	Y	REPLACE
132	CT	26	Cottonwood	Populus deltoides	Good		INVASIVE	S	Y	-
133	CT	18	Cottonwood	Populus deltoides	Good		INVASIVE	S	Y	-
134	CT	15	Cottonwood	Populus deltoides	Good		INVASIVE	S	Y	-
135	CT	15	Cottonwood	Populus deltoides	Good	x2	INVASIVE	S	Y	-
136	CT	12	Cottonwood	Populus deltoides	Good		INVASIVE	S	N	-
137	CT	24	Cottonwood	Populus deltoides	Good		INVASIVE	S	Y	-
138	RP	15	Red Pine	Pinus resinosa	Good		WOODLAND	R	Y	REPLACE
139	RP	10	Red Pine	Pinus resinosa	Good		WOODLAND	R	Y	REPLACE
140	RP	22	Red Pine	Pinus resinosa	Good		LANDMARK	R	Y	REPLACE
141	RP	18	Red Pine	Pinus resinosa	Good		LANDMARK	R	Y	REPLACE
142	RP	8	Red Pine	Pinus resinosa	Good		WOODLAND	R	Y	REPLACE
143	RP	15	Red Pine	Pinus resinosa	Good		WOODLAND	R	Y	REPLACE
144	CT	20	Cottonwood	Populus deltoides	Good		INVASIVE	R	Y	-
145	CT	20	Cottonwood	Populus deltoides	Good		INVASIVE	R	Y	-
146	CT	26	Cottonwood	Populus deltoides	Good		INVASIVE	R	Y	-
147	CT	28	Cottonwood	Populus deltoides	Good		INVASIVE	R	Y	-
148	BS	8	Blue Spruce	Picea pungens	Good		WOODLAND	R	Y	REPLACE
149	BS	8	Blue Spruce	Picea pungens	Good		WOODLAND	R	Y	REPLACE
150	BS	8	Blue Spruce	Picea pungens	Good		WOODLAND	S	Y	-
151	BS	7	Blue Spruce	Picea pungens	Good		WOODLAND	S	Y	-
152	BS	8	Blue Spruce	Picea pungens	Good		WOODLAND	S	Y	-
153	BS	8	Blue Spruce	Picea pungens	Good		WOODLAND	S	Y	-
154	BS	8	Blue Spruce	Picea pungens	Good		WOODLAND	S	Y	-
156	BX	13	Box elder	Acer negundo	Good		INVASIVE	S	Y	-
157	BX	2.5	Box elder	Acer negundo	Good	x8	INVASIVE	S	Y	-
158	BS	10	Blue Spruce	Picea pungens	Good		WOODLAND	R	Y	REPLACE
159	BS	6	Blue Spruce	Picea pungens	Good		WOODLAND	R	Y	REPLACE
160	BS	10	Blue Spruce	Picea pungens	Good		WOODLAND	R	Y	REPLACE
161	BS	8	Blue Spruce	Picea pungens	Good		WOODLAND	R	Y	REPLACE
162	BS	12	Blue Spruce	Picea pungens	Good		WOODLAND	R	Y	REPLACE
163	BS	10	Blue Spruce	Picea pungens	Good		WOODLAND	R	Y	REPLACE
164	WA	6	White Ash	Fraxinus americana	Good		INVASIVE	R	Y	-
165	AP	8	Domestic Apple	Malus sylvestris	Good		WOODLAND	R	Y	REPLACE
166	AP	12	Domestic Apple	Malus sylvestris	Good		LANDMARK	R	Y	REPLACE
167	SM	20	Silver Maple	Acer saccharinum	Good	x2	INVASIVE	R	Y	-
168	AP	6	Domestic Apple	Malus sylvestris	Good		WOODLAND	R	Y	REPLACE
169	CT	36	Cottonwood	Populus deltoides	Good		INVASIVE	R	Y	-
170	CT	32	Cottonwood	Populus deltoides	Good		INVASIVE	R	Y	-
171	CT	30	Cottonwood	Populus deltoides	Good		INVASIVE	R	Y	-
172	CT	27	Cottonwood	Populus deltoides	Good		INVASIVE	S	Y	-
173	W	8	Willow	Salix Spp.	Good		INVASIVE	R	Y	-
174	PR	10	Pear	Pyrus communis	Good		WOODLAND	R	Y	REPLACE
175	PR	10	Pear	Pyrus communis	Good		WOODLAND	R	Y	REPLACE
176	PR	8	Pear	Pyrus communis	Good		WOODLAND	R	Y	REPLACE
177	AP	8	Domestic Apple	Malus sylvestris	Good	x3	WOODLAND	R	Y	REPLACE
178	PR	8	Pear	Pyrus communis	Good		WOODLAND	R	Y	REPLACE
179	WA	36	White Ash	Fraxinus americana	Good		INVASIVE	R	Y	-
180	WP	18	(Eastern) White Pine	Pinus strobus	Good		LANDMARK	S	Y	-
181	WA	32	White Ash	Fraxinus americana	Good		INVASIVE	S	Y	-
182	WA	15	White Ash	Fraxinus americana	Good		INVASIVE	R	Y	-



  = EXISTING TREES TO SAVE
  = EXISTING TREES TO REMOVE
 = TREE PROTECTION FENCING



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CLIENT
GOLDEN HOMES
18661 HAYES ROAD
WELBY TWP, MICHIGAN

PROJECT TITLE
GOLDEN VILLAS
EAST SQUARE LAKE ROAD
CITY OF TROY, MICHIGAN

REVISIONS	
ADDED HAMMERHEAD	02-28-20

ORIGINAL ISSUE DATE:
DECEMBER 22, 2021

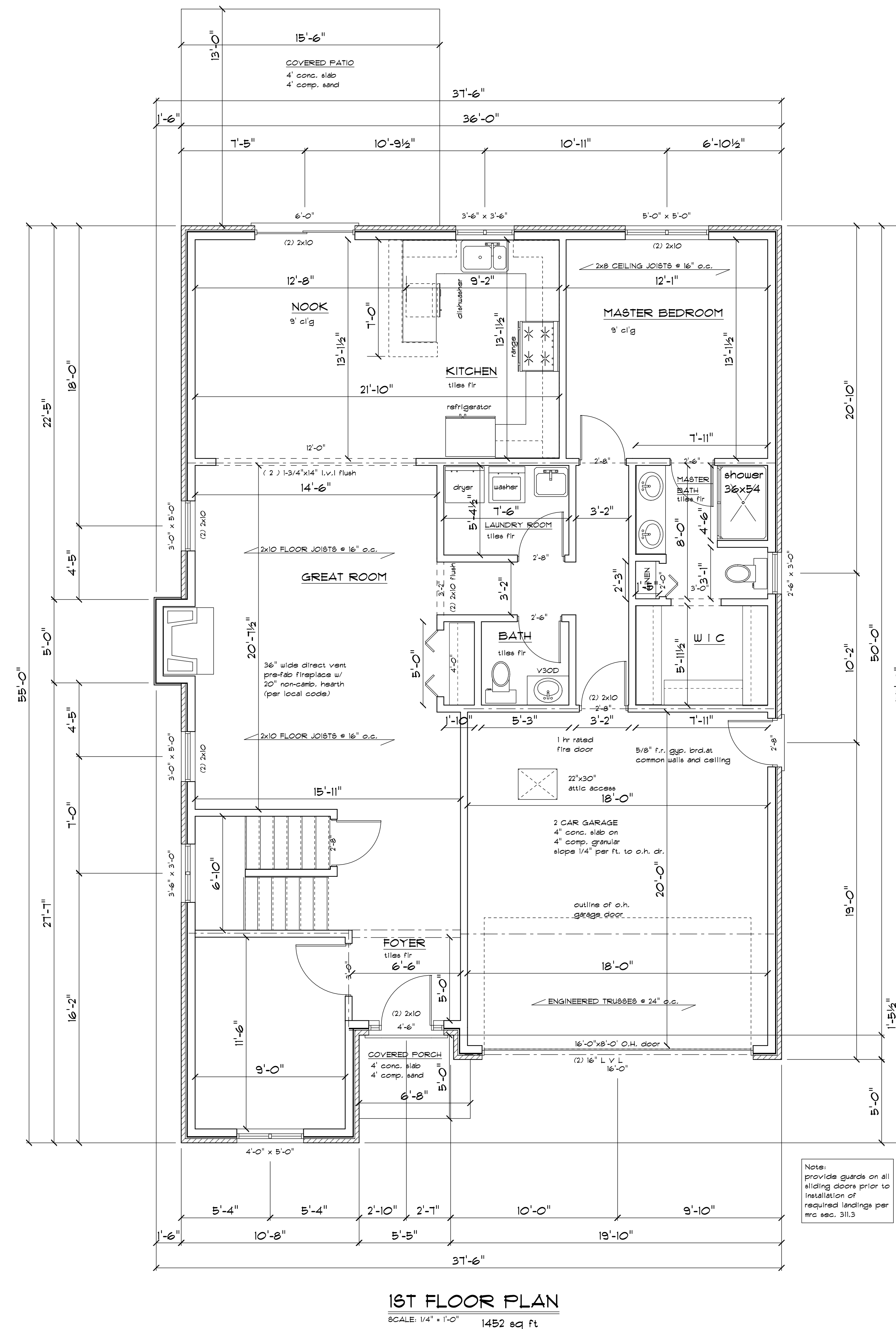
DRAWING TITLE

**TREE
PRESERVATION
PLAN**

PEA JOB NO.	2021-062
P.M.	JB
DN.	TM
DES.	TM
DRAWING NUMBER:	

NOT FOR CONSTRUCTION

T-1



Revisions
12/2/21
relocate 2nd
floor bedrooms

Date Issued:
11/5/21

Project:
1892 sq ft split level

Client:
Golden Homes

Sheet title:
Floor plan

Project Number:
#35 (revised)

Issue:
Preliminary
Constraction (x)
Record

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Sheet no.- 1

roof design loads
snow : 30 p.s.f.
gyp. bd. : 10 p.s.f.
dead load : 7 p.s.f.
total load : 47 p.s.f.

floor design loads
live load : 40 p.s.f.
dead load : 10 p.s.f.
total load : 50 p.s.f.

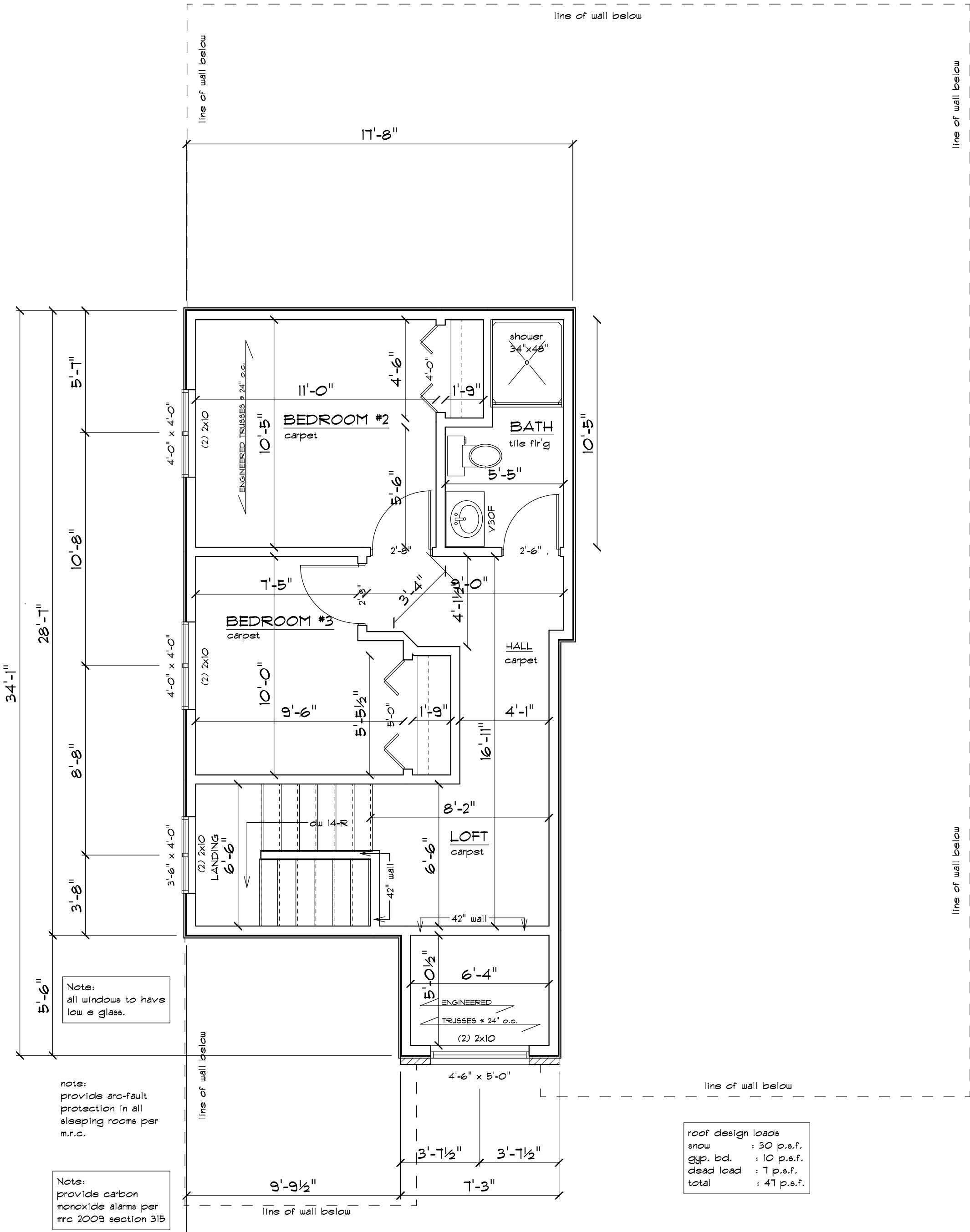
Note:
all windows to have
low e glass.

Note:
provide carbon
monoxide alarms per
mrc 2009 section 315

Note:
air leakage test to be
provided per muec
2009 sec. 402.4.

structural post note
(1) 6x6 solid bearing ext.
unless
noted otherwise (typ.)

Square Footage
first floor: 599 sq. ft.
second floor: 553 sq ft
total: 1152 sq ft



2ND FLOOR PLAN
SCALE: 1/4" = 1'-0"
440 sq ft

Revisions
12/2/21
relocate bedrooms

Date issued:
11/5/21

Project:
1892 sq ft split level

Client:
Golden Homes

Sheet title:
2nd Floor plan

Project Number:
#35 (revised)

Issue:
Preliminary
Construction (x)
Record

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Sheet nu.- 2

roof design loads
snow : 30 p.s.f.
gyp. bd. : 10 p.s.f.
dead load : 7 p.s.f.
total load : 47 p.s.f.

floor design loads
live load : 40 p.s.f.
dead load : 10 p.s.f.
total load : 50 p.s.f.

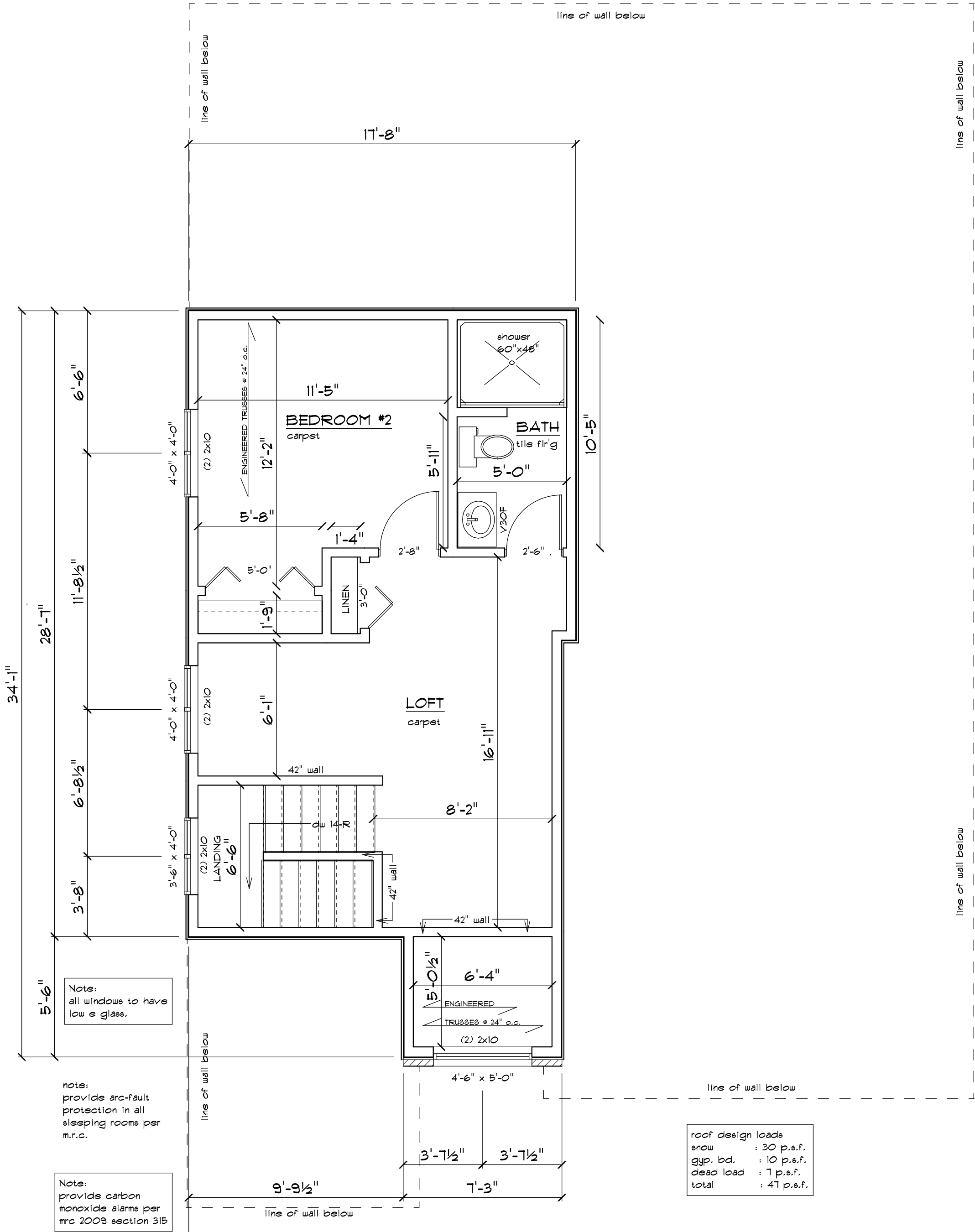
Note:
all windows to have
low e glass.

Note:
provide carbon
monoxide alarms per
mrc 2009 section 315

Note:
air leakage test to be
provided per msc
2009 sec. 402.4.

structural post note
(1) 6x6 solid bearing ext.
unless
noted otherwise (typ.)

Square Footage
first floor: 599 sq. ft.
second floor: 553 sq ft
total: 1152 sq ft



2ND FLOOR PLAN
SCALE: 1/4" = 1'-0"
440 sq ft

Revisions
12/2/21
relocate bedrooms

Date issued:
11/5/21

Project:
1892 sq ft split level

Client:
Golden Homes

Sheet title:
2nd Floor plan

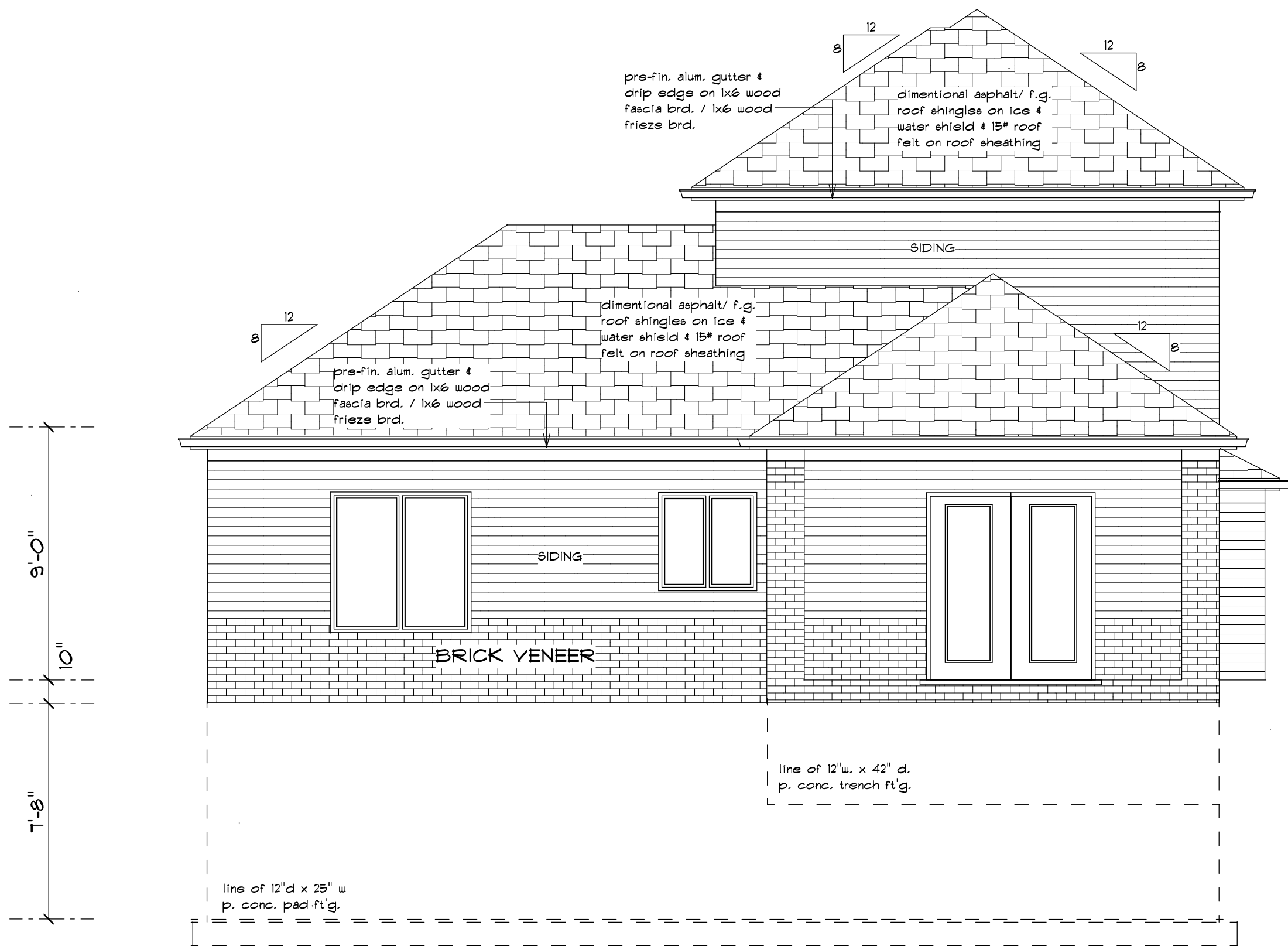
Project Number:
#35 (revised)

Issue:
Preliminary
Construction (x)
Record

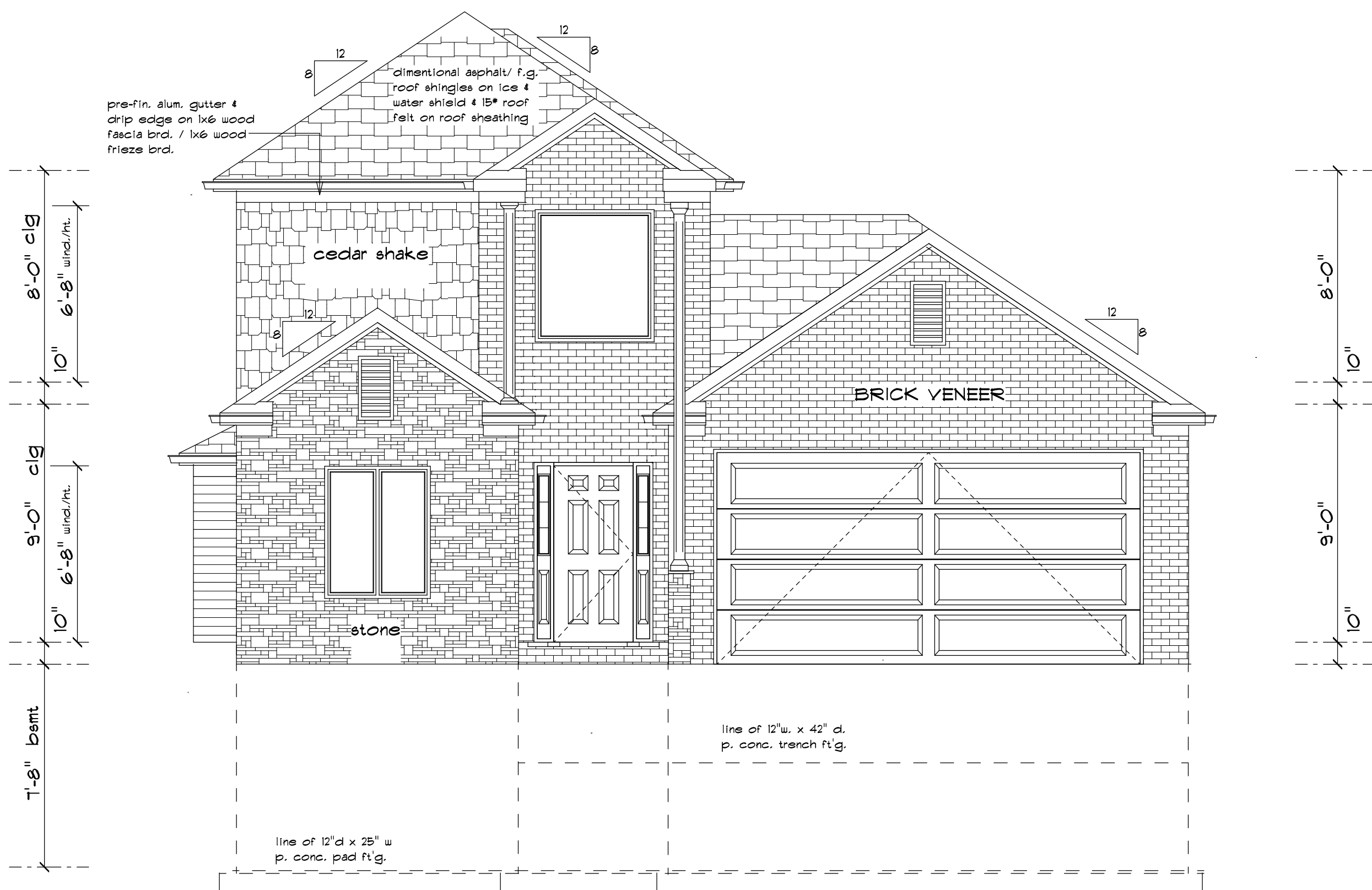
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REAR ELEVATION
SCALE: 1/4" = 1'-0"



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

Revisions

Date issued:
11/5/21

Project:
1892 sq ft split level

Client:
Golden Homes

Sheet title:
Front Elev.

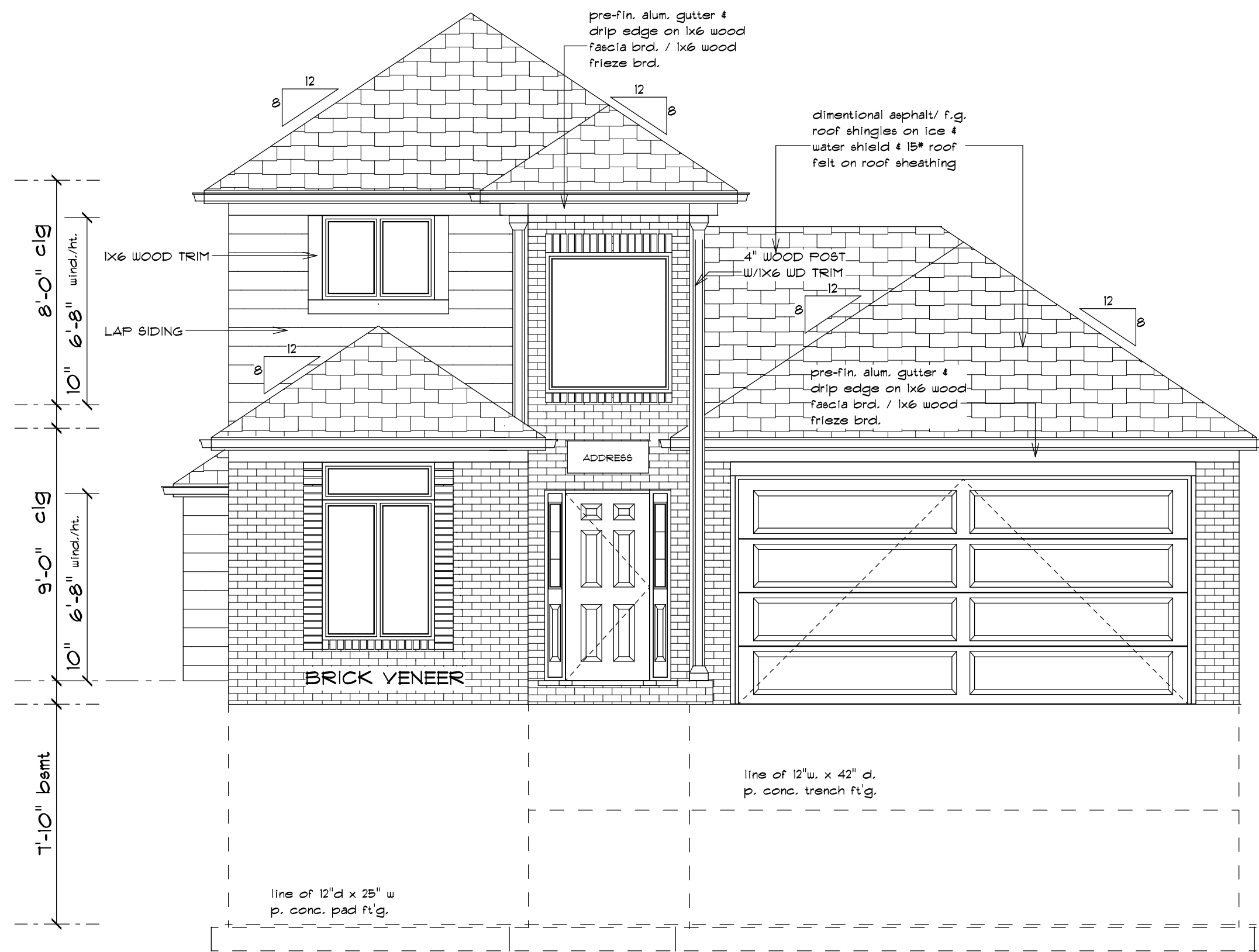
Project Number:
#35

Issue:
Preliminary
Construction (x)
Record

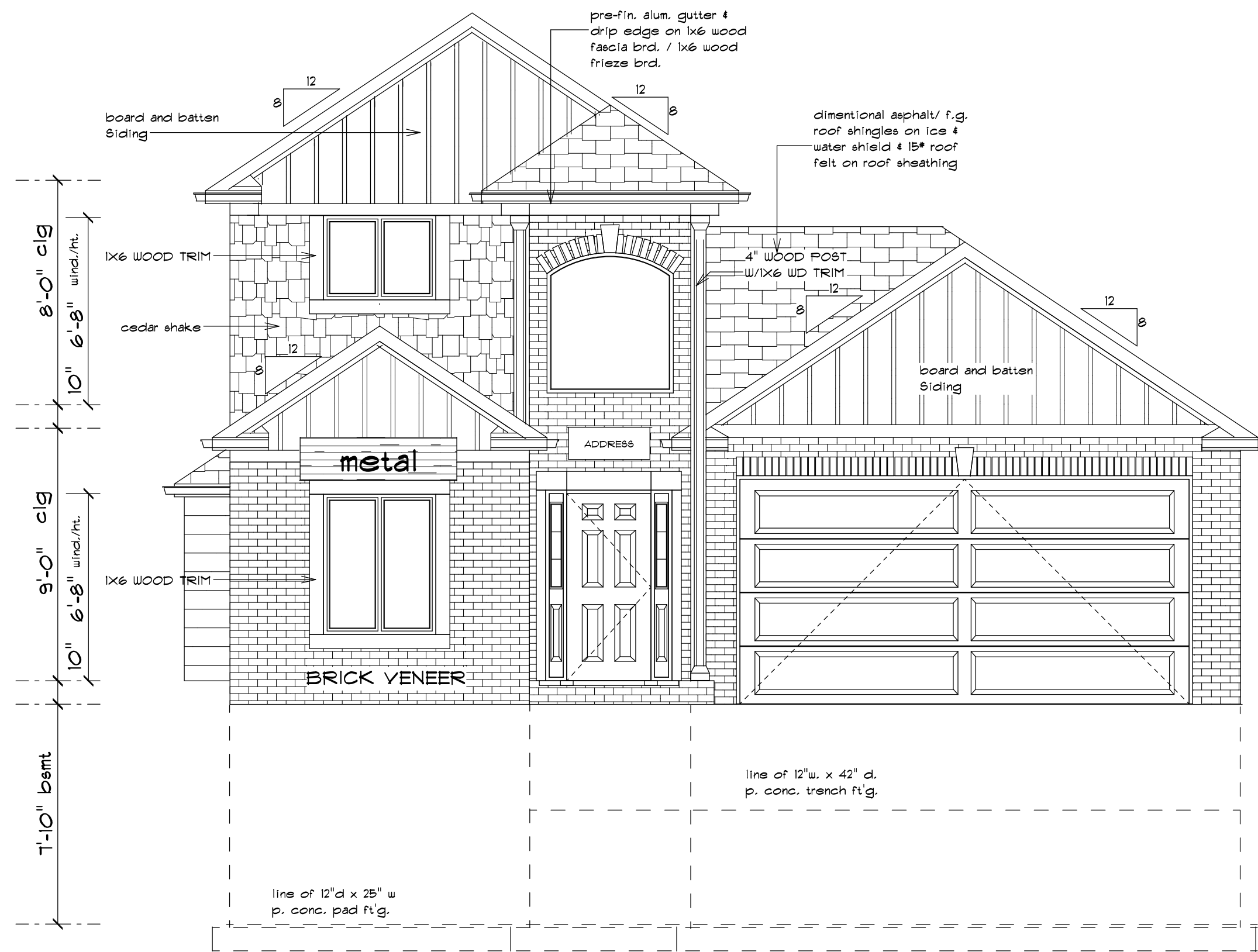
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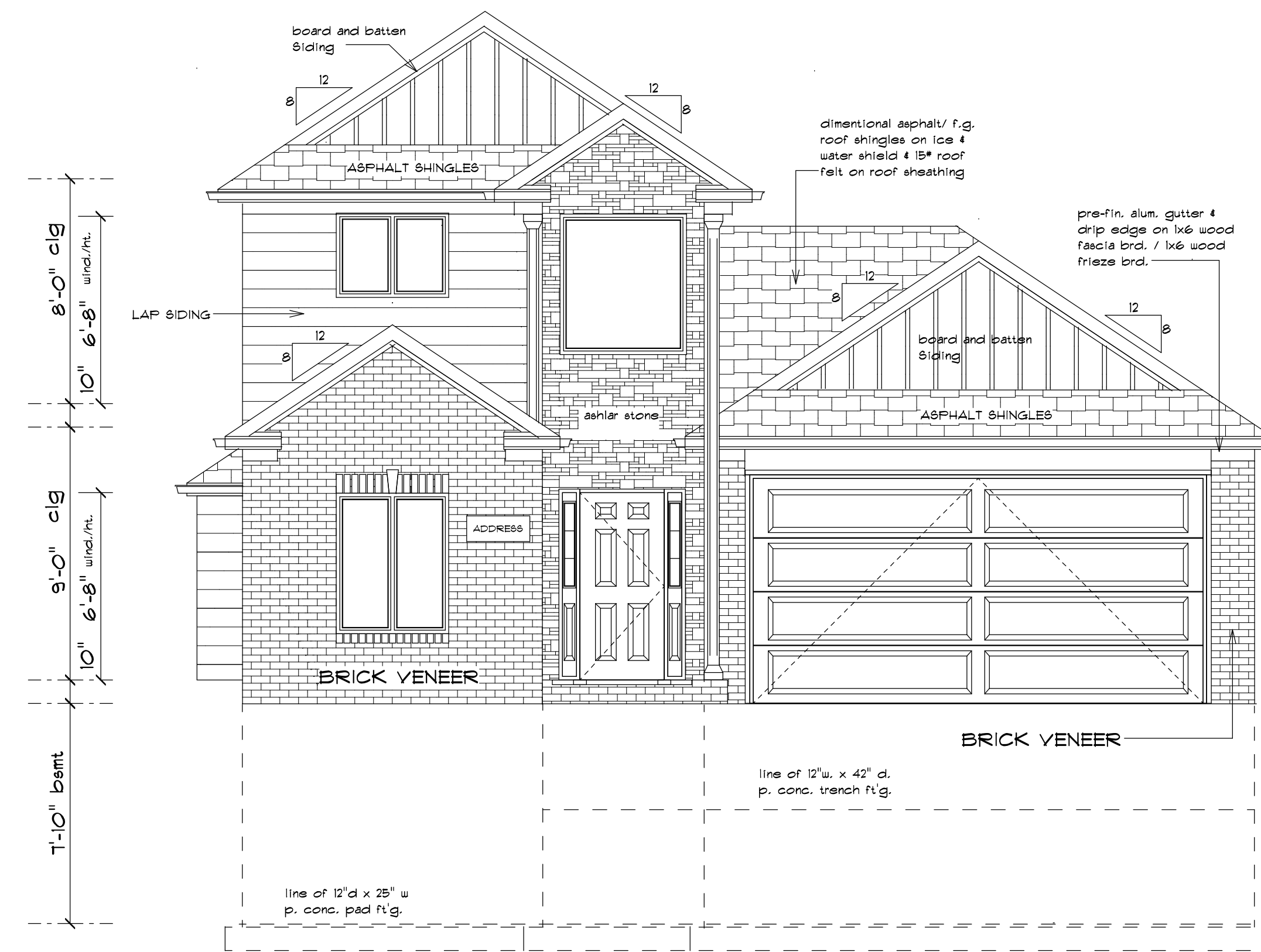
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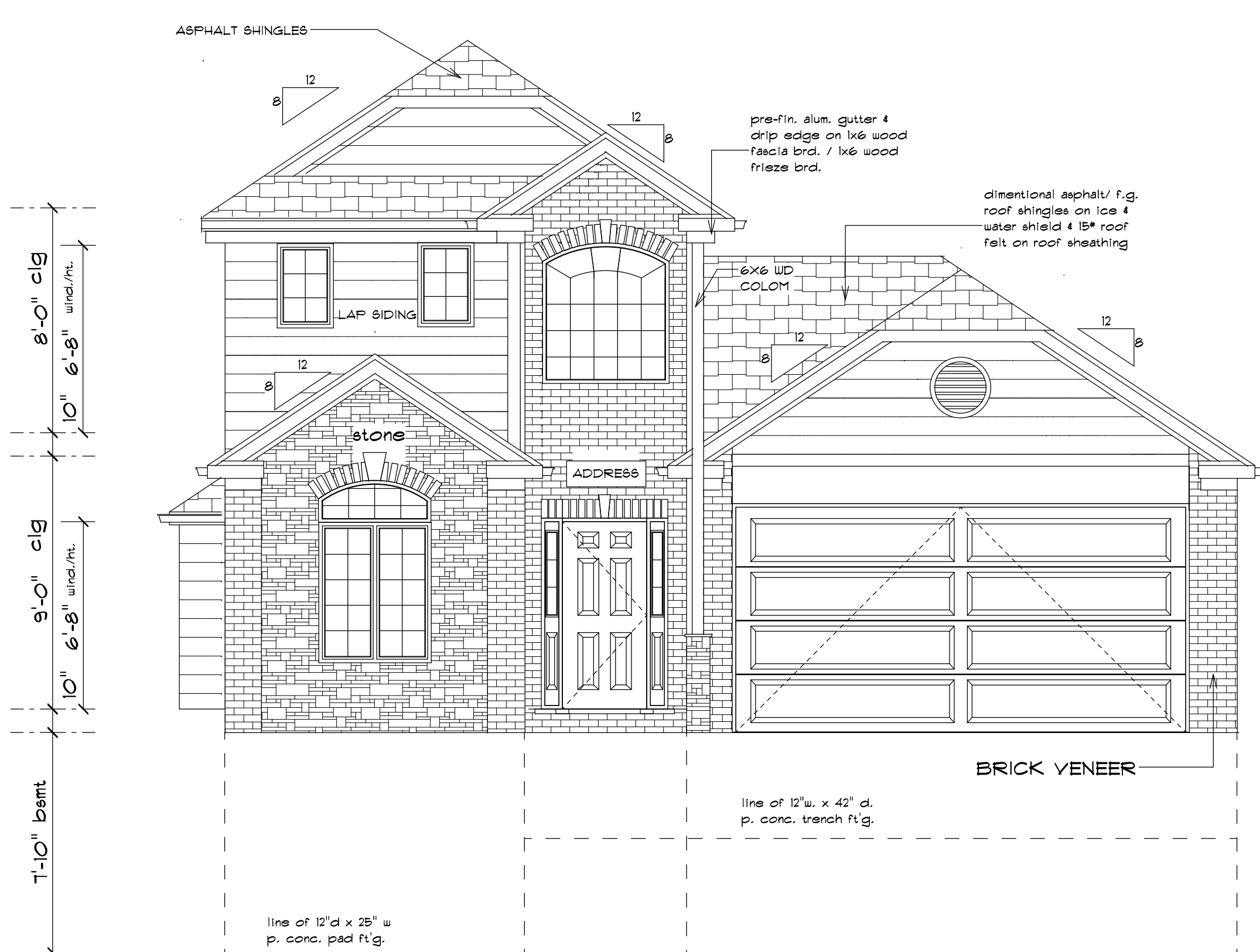
FRONT ELEVATION
SCALE: 1/4" = 1'-0"
A



FRONT ELEVATION
SCALE: 1/4" = 1'-0"
B



FRONT ELEVATION
SCALE: 1/4" = 1'-0"
C



FRONT ELEVATION
SCALE: 1/4" = 1'-0"
D

Revisions

Date issued:
5/14/22

Project:
1900 sq ft split level

Client:
Golden Homes

Sheet title:
Elevation plan

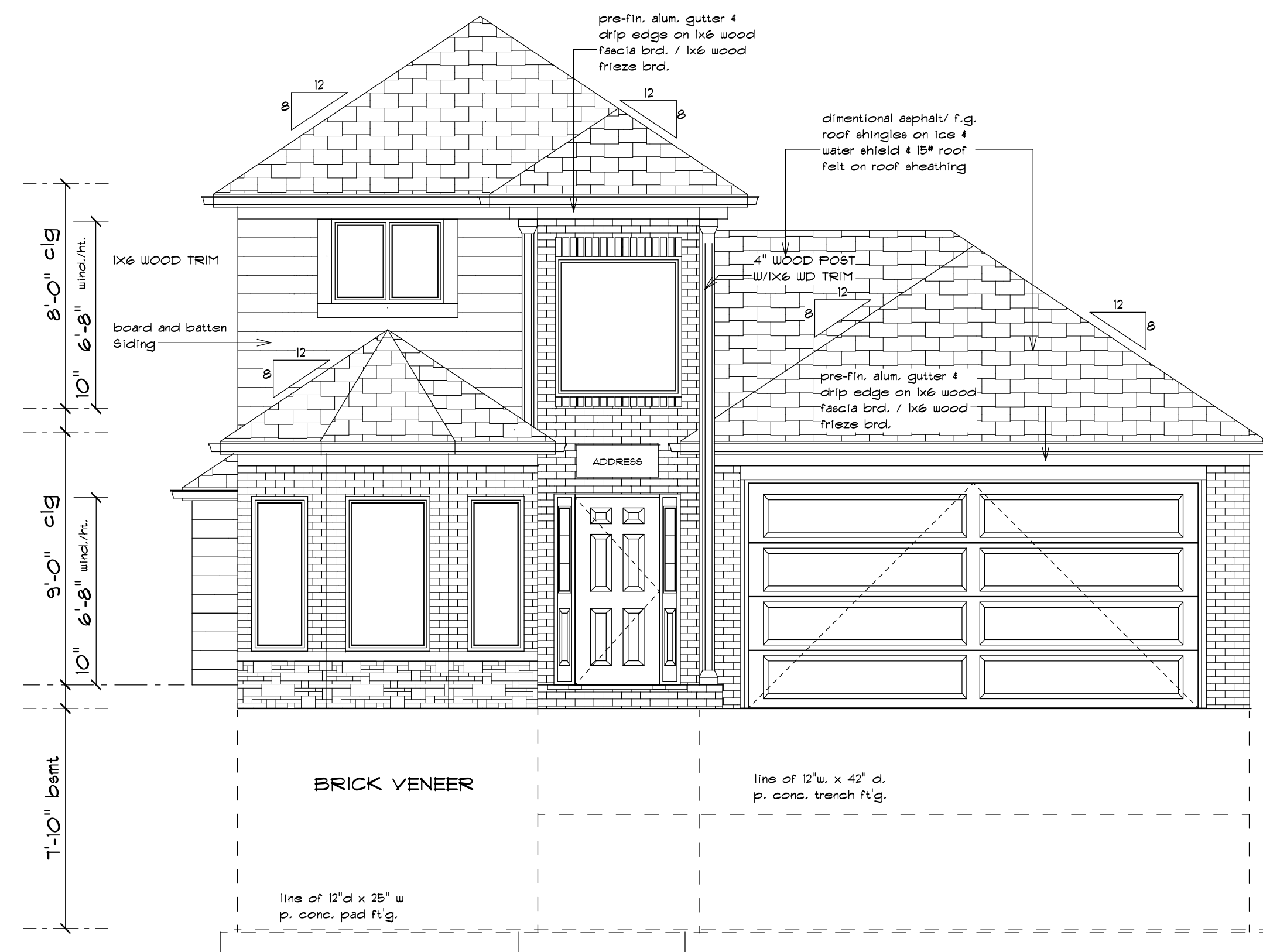
Project Number:
#35

Issue:
Preliminary
Construction (x)
Record

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FRONT ELEVATION
SCALE: 1/4" = 1'-0" E

Revisions

Date issued:
5/14/22

Project:
1900 sq ft split level

Client:
Golden Homes

Sheet title:
Front Elev.

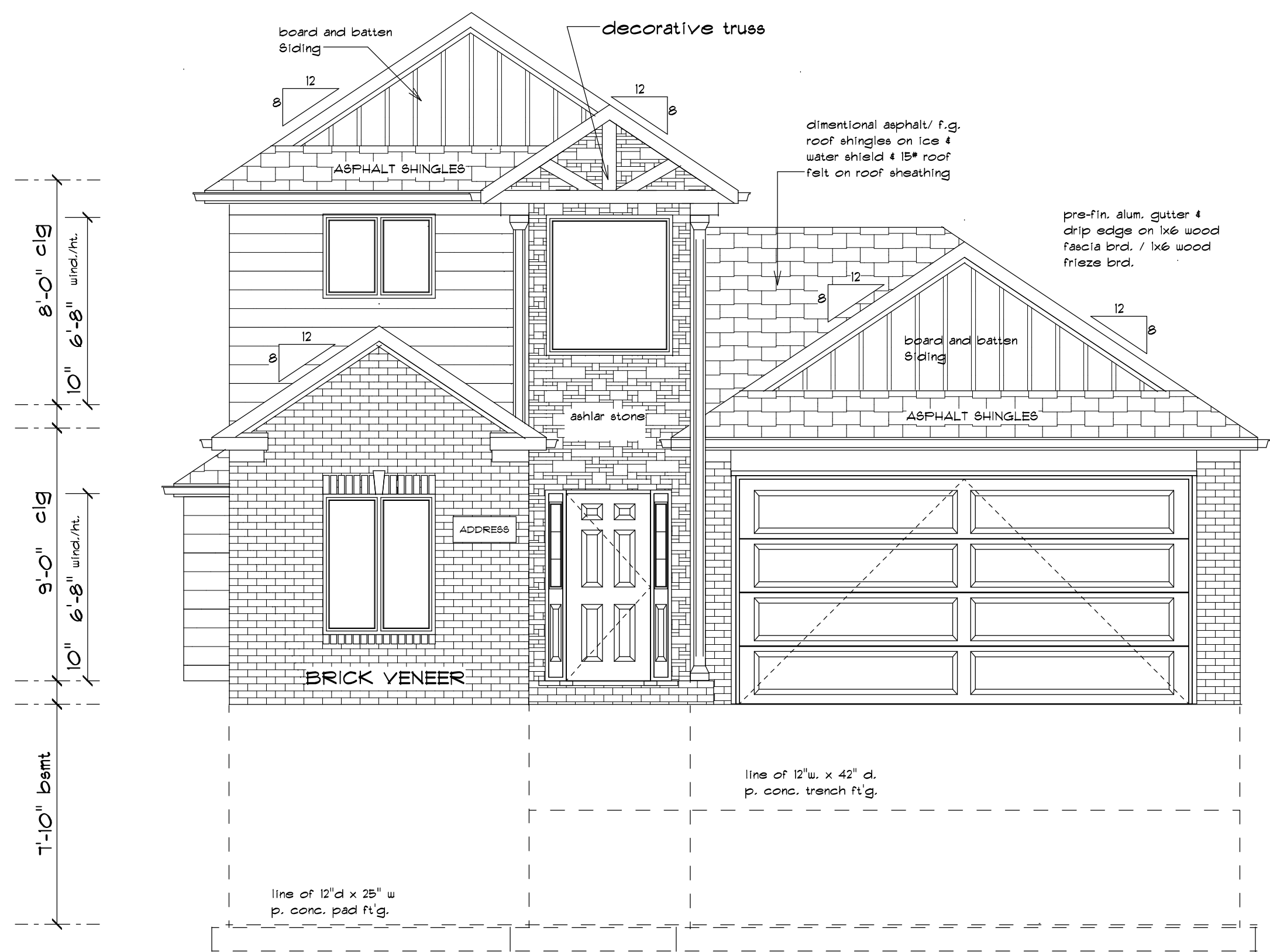
Project Number:
#35

Issue:
Preliminary
Construction (x)
Record

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FRONT ELEVATION
SCALE: 1/4" = 1'-0"
F

Revisions

Date issued:
5/14/22

Project:
1900 sq ft split level

Client:
Golden Homes

Sheet title:
Elevation plan

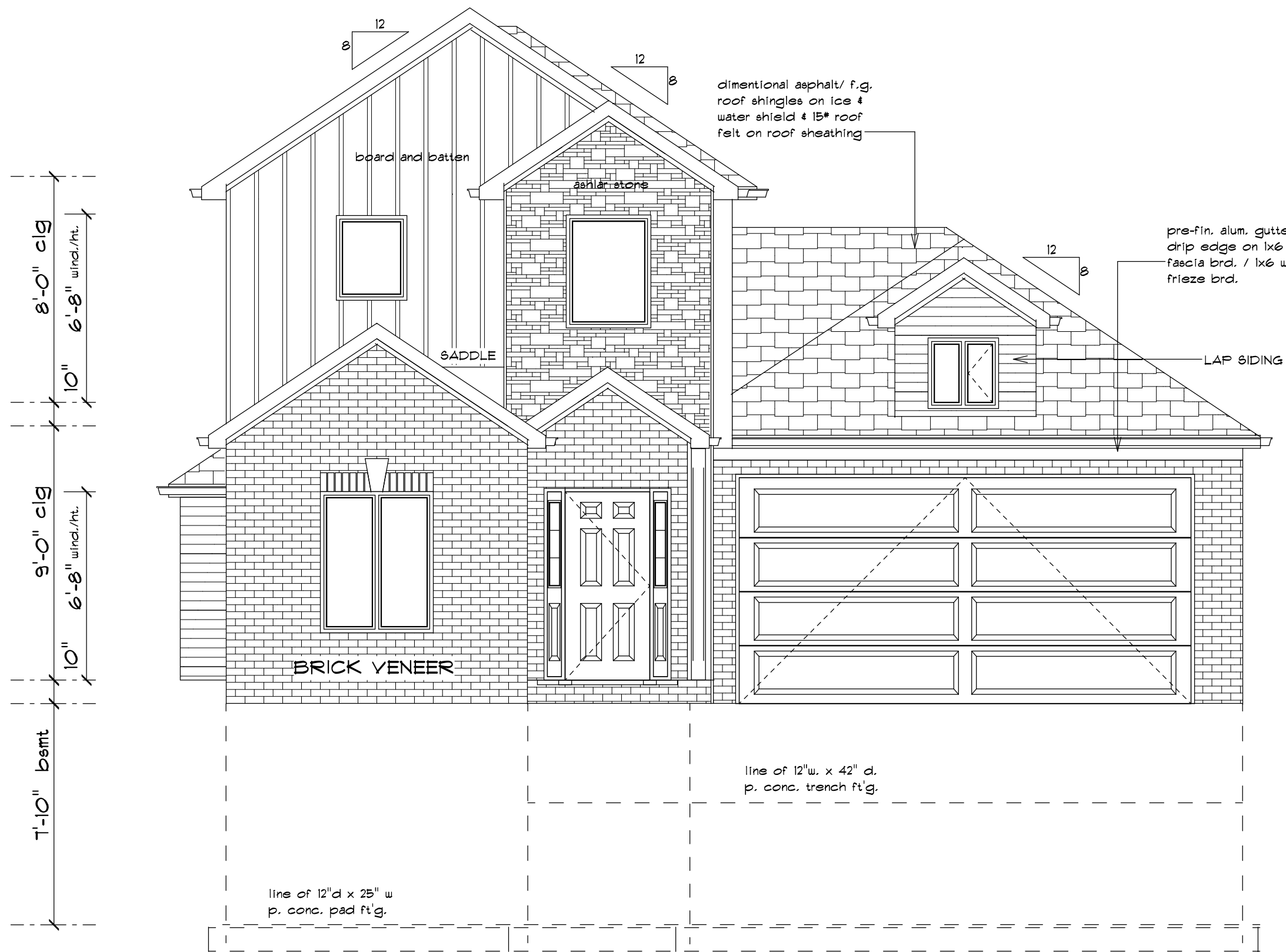
Project Number:
#35

Issue:
Preliminary
Construction (x)
Record

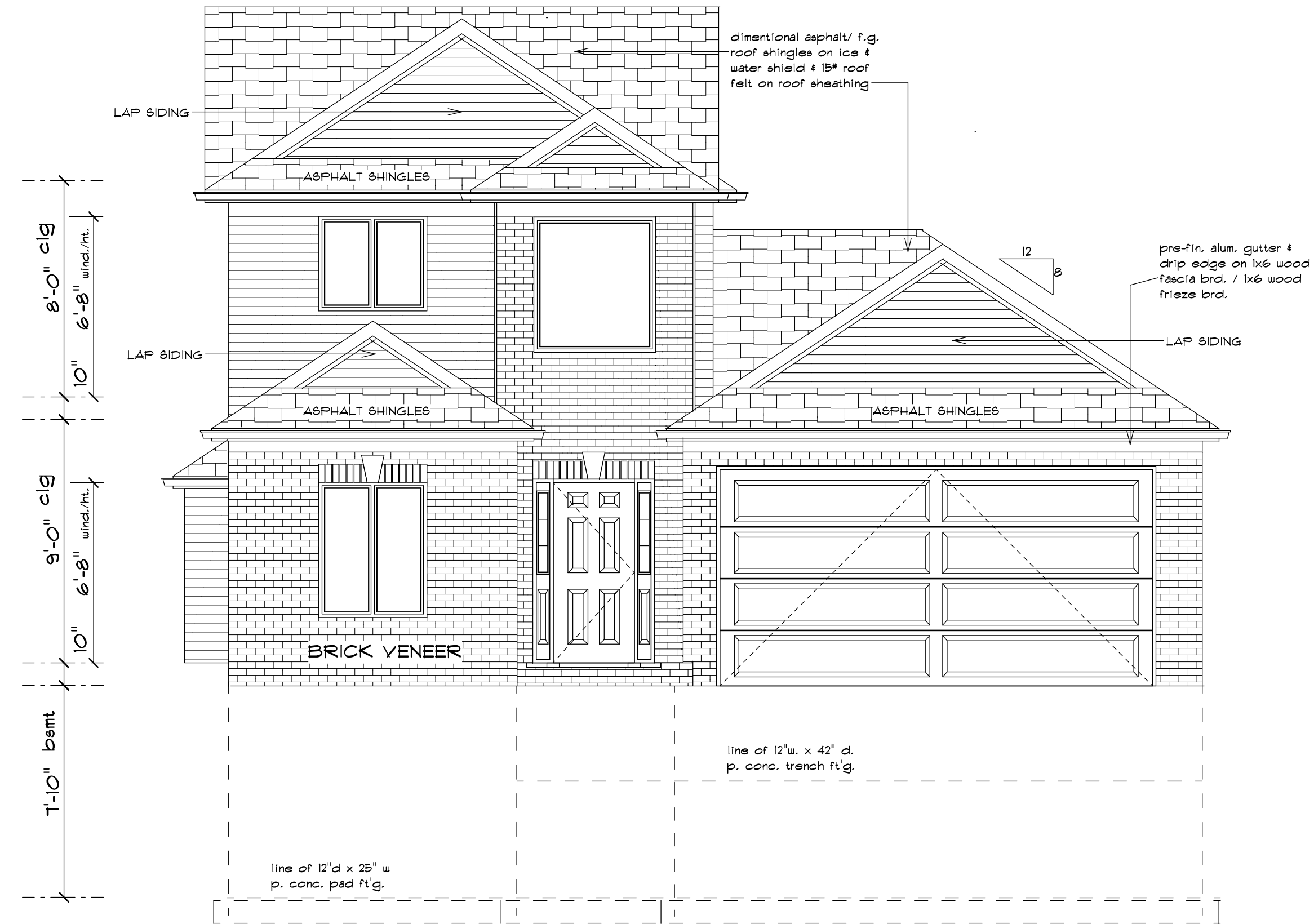
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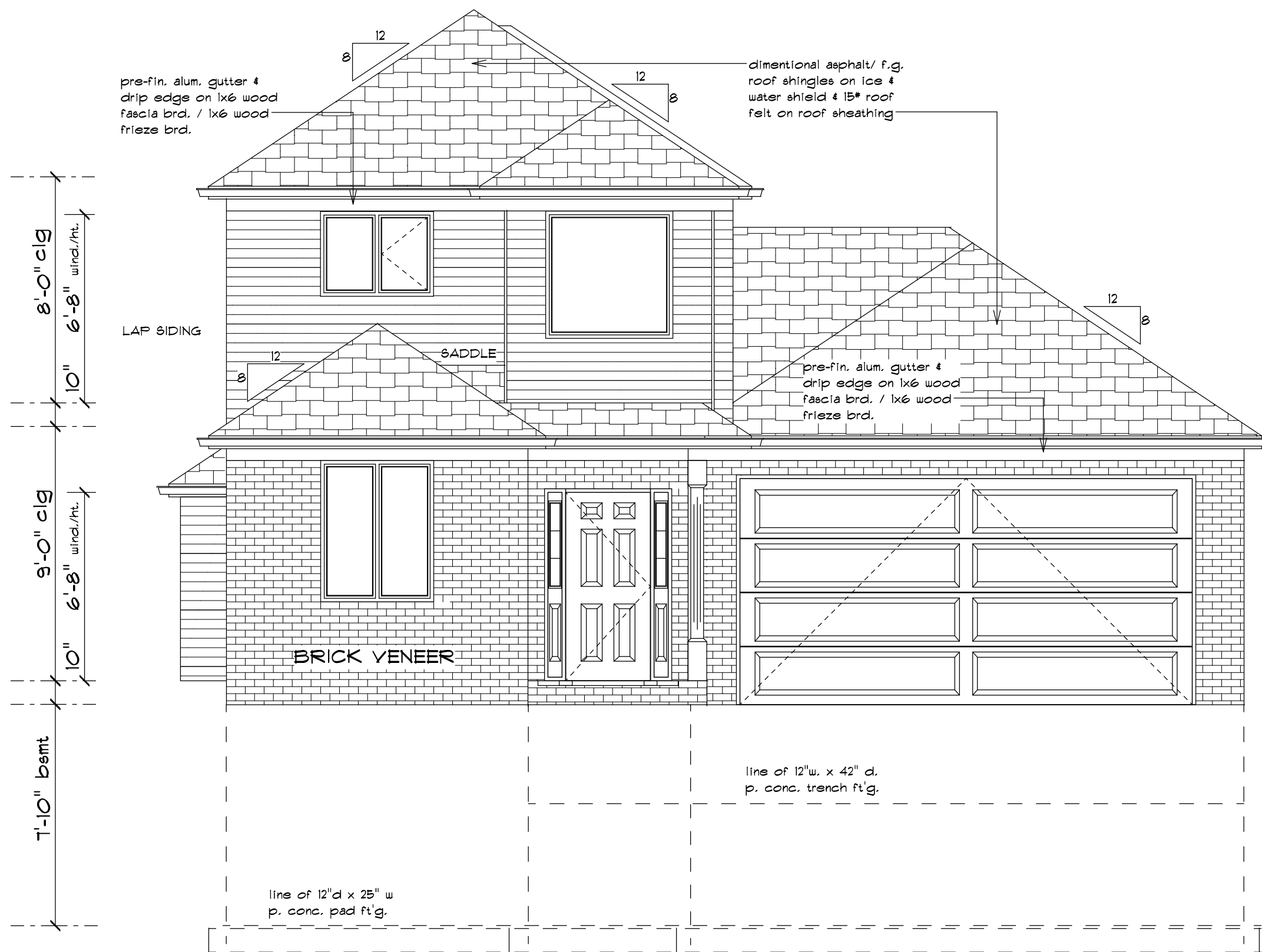
Sheet nu.-



FRONT ELEVATION H
SCALE: 1/4" = 1'-0"



FRONT ELEVATION I
SCALE: 1/4" = 1'-0"



FRONT ELEVATION G
SCALE: 1/4" = 1'-0"

Revisions

Date issued:
6/6/22

Project:
sq ft split level

Client:
Golden Homes

Sheet title:
Elev. plan

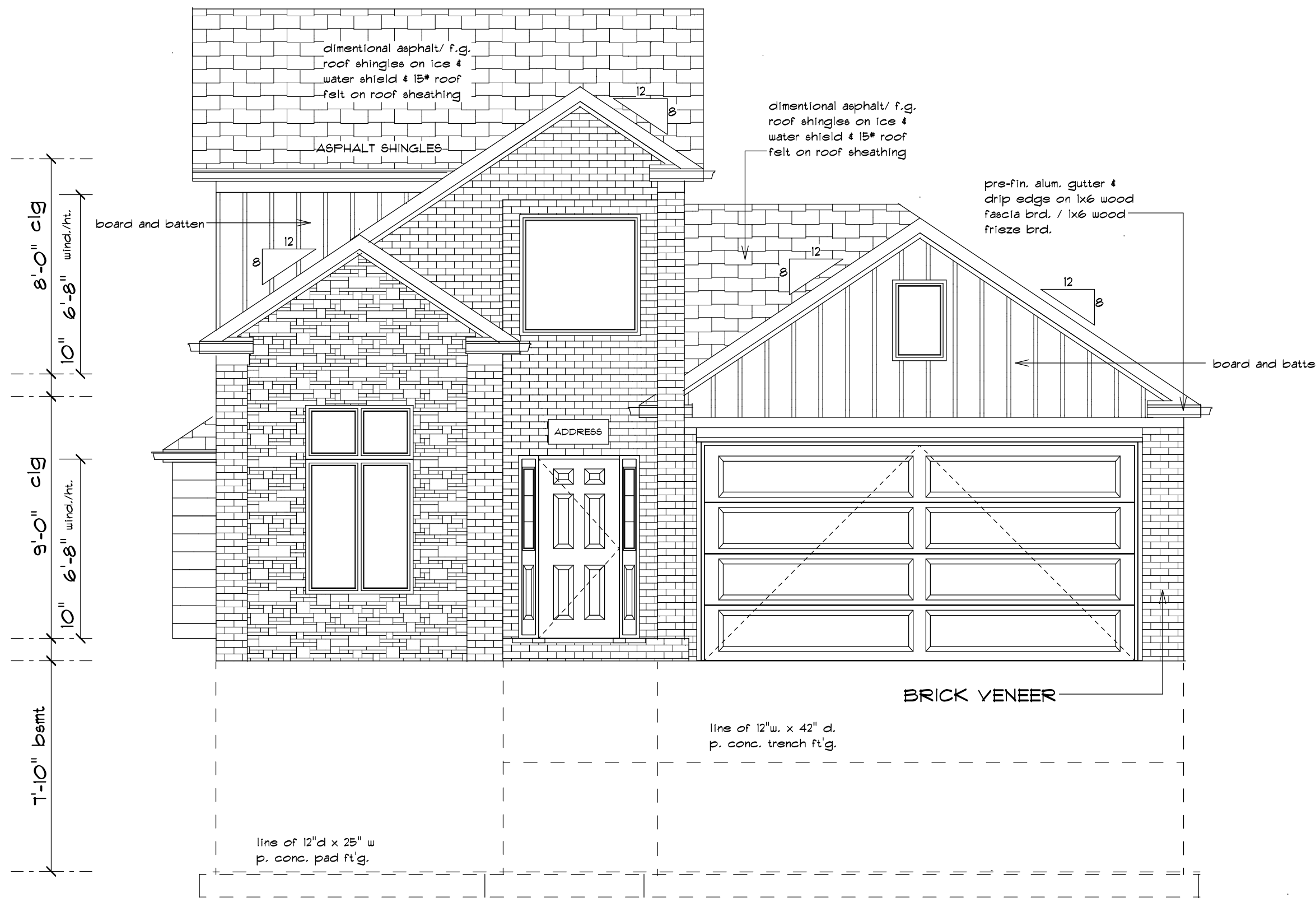
Project Number:
#35

Issue:
Preliminary
Construction (x)
Record

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

C

Revisions

Date issued:
5/14/22

Project:
1900 sq ft split level

Client:
Golden Homes

Sheet title:
Elevation plan

Project Number:
#35

Issue:
Preliminary
Construction (x)
Record

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500 West Big Beaver
Troy, MI 48084
troymi.gov

E-02

CITY COUNCIL AGENDA ITEM

Date: June 8, 2022

To: Mark F. Miller, City Manager

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

Subject: PUBLIC HEARING – PRELIMINARY SITE PLAN REVIEW (SP JPLN2021-0023) - Proposed Eckford Oaks One Family Residential Cluster, North side of Eckford, West of Rochester (PIN 88-20-15-251-026 & 88-20-15-251-017), Section 15, Currently Zoned R-1B (One Family Residential) District

The petitioner Troy Eckford, LLC submitted the above referenced Preliminary Site Plan application for a 26-unit One Family Residential Cluster on an 8.7-acre parcel. The development proposes to preserve 45% of dedicated open space. The petitioner is proposing homes which range in size from an 1,800 square foot ranch to a 2,500 square foot colonial.

City Council has the authority to approve these types of developments following a recommendation by the Planning Commission. The Planning Commission held a public hearing on this item on April 26, 2022 and recommended approval of this item by a vote of 7-2, including the following design considerations:

1. The applicant shall indicate limits of grading to confirm impact upon onsite wetlands and floodplains, prior to Final Site Plan Approval.
2. The applicant shall provide protection of trees on properties 1 and 2 where possible by draining water in a creative way to avoid damage to root balls of some major trees.
3. The applicant shall insure 70% of the homes built on this property will be ranch style.
4. That an Open Space Preservation Agreement is provided, prior to Final Site Plan Approval.
5. That the applicant plant new trees to buffer the street for the homes to the north, should those trees be affected by the re-grading of the property.

The petitioner agreed to provide a minimum of 70% of the homes built to be ranch style units. The engineering issues can be addressed prior to Final Site Plan Approval. An Open Space Preservation Agreement will be required to be submitted and approved prior to Final Site Plan Approval.

A City Council public hearing has been scheduled for June 13, 2022.

Attachments:

1. Minutes from April 26, 2022 Planning Commission Regular meeting (excerpt)
2. Agenda item from April 26, 2022 Planning Commission Regular meeting.
3. Eckford Oaks – Anticipated Traffic Impacts, memo prepared by OHM Advisors dated 4/28/22.

PUBLIC HEARING

5. **PUBLIC HEARING - PRELIMINARY SITE PLAN REVIEW (SP JPLN2021-0023)** – Proposed Eckford Oaks One Family Residential Cluster, North side of Eckford, West of Rochester (PIN 88-20-15-251-026 and 88-20-15-251-017), Section 15, Currently Zoned R-1C (One Family Residential) District

Mr. Carlisle reviewed the background of the Preliminary Site Plan application for Eckford Oaks cluster development as relates to location, adjacent zoning, parcel size, access, and natural resources encumbered by wetlands, floodplain, floodway, tree cover and Houghton drain.

Mr. Carlisle addressed the parallel plan, comparing what could be developed by right under the R-1C residential zoning district. Mr. Carlisle addressed the intent of the cluster development option, noting the applicant would achieve five (5) additional units and 45% of open space would be preserved. He stated the tree preservation study/plan notes most trees are of good quality and no mitigation is required. Mr. Carlisle said the plan provides for a 10-foot-wide public pathway through the development to connect with the existing path that starts at Daisy Knight Dog Park on Livernois through to the Department of Public Works (DPW) site to the north. He addressed the applicant's request to waive the required setbacks for construction of decks along the northern property line abutting the DPW yard and the EP (Environmental Protection) zoned property. Mr. Carlisle said the applicant proposes to build ranch style homes and asked that the applicant indicate building materials. Mr. Carlisle reviewed the Cluster Standards as set forth in Section 10.04.I.

In summary, Mr. Carlisle said the Planning Commission shall determine if requirements are met to qualify for a cluster development option, if the required Cluster Standards have been met, and if the additional number of units is commensurate with open space being preserved. He asked the Planning Commission in its deliberation to consider the impact of grading upon the onsite wetlands and floodplains, the applicant's request to seek relief of setback requirements to construct decks and to address building materials with the applicant.

A brief discussion among Board members and the administration followed, some comments relating to:

- Parallel plan versus cluster development option.
- Feasibility of building on floodplain, floodway, wetlands.
- R1-C residential zoning district regulations, as relates to lot size.
- Number of units permitted by right; 21 or 18 units, subject to buildable lots.
- Approval process of cluster development option.
- Intent of EP zoning district; similar to conservation easement.

Bruce Michael, developer for the project, said the homes are of a craftsman-style architecture constructed of stone and wood siding with a 6-foot covered front porch with columns. He shared with the Board a few samples of building materials. Mr. Michael addressed elevations and floor plans, and the intent to build ranch style homes to serve the baby boomer age group. He indicated a base price of \$500,000, plus additional costs for structural options available to purchaser. Mr. Michael addressed tying-in to a regional detention facility, providing a public pathway connection to the existing pathway, and saving as many as trees as possible with a least disturbance to the existing wetlands.

There was discussion on:

- Wood siding; engineered, maintenance-free, fade/insect resistant product, 30-year warranty.
- Elevations; three elevations based on ranch style home, garage door elements.
- Floor plans; accommodation for physical accessibility, basements.
- Waiver of setback requirements for decks; 9 of 26 units require waiver.
- Visual view of residents; existing woodlands, vegetation, seclusion.
- Distance from the road to the homes parallel on the north property line.
- Parallel plan versus cluster development option.
- Number of units permitted by right; 21 or 18, subject to buildable lots.
- Quality of trees on site; preservation of trees.
- Environmental impact; less with cluster development option.
- Detailed engineering drawings at Final Site Plan approval; assurance no negative impact to neighboring properties.
- Percentage of units that can be constructed as ranches; 60-70%.
- Grading, drainage and protection of existing tree root balls.
- Paving of road at developer expense; small portions would remain unpaved.

PUBLIC HEARING OPENED

The following residents were generally in opposition of the proposed development and expressed concerns relating to existing drainage/flooding issues, density, traffic increase, cut-through traffic, safety of residents, safety of Leonard Elementary school children, lack of sidewalks, proposed development not a fit to characteristics of neighborhood, environmental impact on wetlands and wildlife and paving of road if cost is imposed on residents.

- Anthony Kapas, 501 Eckford; referenced material submitted (petition with 28 Eckford homeowner signatures, copy of front page of purchase agreement, Eckford street lot configuration); expressed concern with being “sandwiched” between proposed developments
- Randy German, 841 Eckford; offered pictures on phone illustrating existing drainage/flooding issues
- Dave Duda, 873 Eckford
- Brad Surman, 882 Eckford
- Talal Kakos, 983 Eckford
- Bob Kage, 718 Eckford

- Lisa Ruffin, 914 Eckford
- Mitch Doepke, 870 Eckford
- Rhonda Jewell, 689 Eckford; shared flash drive of pictures illustrating character of neighborhood, existing drainage/flooding issues
- Ronald Eng, 749 Eckford; addressed noise pollution from DPW yard
- Caitlin Rider, 770 Eckford; father Jeff Rider also in audience
- Marge Kowalak, 850 Eckford
- Mo (Maurits) Winkleprins, 650 Eckford
- Tom Randazzo, 273 Eckford
- Cheryl Kapas, 501 Eckford; addressed hazardous curve in road
- Anne Warlick, 845 Eckford
- Irys German, 841 Eckford; shared pictures on phone illustrating existing drainage/flooding issues

PUBLIC HEARING CLOSED

Discussion followed on:

- Traffic study; review by Engineering did not warrant study; Planning Commission could request traffic study, if so desired.
- Paving of road; City requires developer to pave at their expense, small portion will remain unpaved.
- Concerns with existing drainage/flooding; potential for improvement with proposed development tie-in to regional detention basin.
- Parallel plan vs cluster development option, as relates to preservation of open space, environmental impact, density.
- Existing tree coverage sufficient to buffer homes on Eckford.
- Traffic concerns; safety, traffic control, no sidewalks.
- Existing characteristics of neighborhood.
- Hazardous curve in road on Eckford.
- Consideration of proposed setback requirement deviations; number of units seeking deviation.
- Property rights of both the developer/property owner and residents.
- Open space if developed by right; Mr. Michael estimated 3.5 acres.

Resolution # PC-2022-04-025

Moved by: Krent

Support by: Faison

RESOLVED, The Planning Commission hereby recommends to the City Council that the proposed Eckford Oaks Site Condominium (One Family Residential Cluster), 26 units/lots, North side of Eckford, West of Rochester (Parcels 88-20-15-275-026, 88-20-15-275-017), Section 15, approximately 8.7 acres in size, Currently Zoned R-1C (One Family Residential) District, be approved for the following reasons:

1. The cluster development better protects the site's natural resources than if the site were not developed as a cluster.

2. The cluster development better protects the adjacent properties than if the site were not developed as a cluster.
3. The cluster development is compatible with adjacent properties.
4. That the setback requirements be waived for the decks along the north side of the property because they are adjacent to environmentally protected land and the City of Troy property.
5. The site can be adequately served with municipal water and sewer.
6. The cluster development preserves 45% open space, to remain open space in perpetuity.

BE IT FINALLY RESOLVED, The Planning Commission offers the following design considerations:

1. The applicant shall indicate limits of grading to conform impact upon onsite wetlands and floodplains, prior to Final Site Plan Approval.
2. The applicant shall provide protection of trees on properties 1 and 2 where possible by draining water in a creative way to avoid damage to root balls of some major trees.
3. The applicant shall insure 70% of the homes built on this property will be ranch style.
4. That an Open Space Preservation Agreement is provided, prior to Final Site Plan Approval.
5. That the applicant plant new trees to buffer the street for the homes to the north, should those trees be affected by the re-grading of the property.

Discussion on the motion on the floor:

Chair Lambert addressed concerns expressed by the public as relates to traffic and said attention should be given to traffic control especially near the elementary school. He said he believes the cluster plan is a better solution for the preservation of green space.

Following discussion among Board members and the administration with respect to what percentage of homes could be built as ranches, Mr. Michael said he is comfortable that 70% of the homes could be built as ranches.

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

MOTION CARRIED

DATE: April 21, 2022

TO: Planning Commission

FROM: R. Brent Savidant, Community Development Director

SUBJECT: PUBLIC HEARING - PRELIMINARY SITE PLAN REVIEW (SP JPLN2021-0023) -
Proposed Eckford Oaks One Family Residential Cluster, North side of Eckford,
West of Rochester (PIN 88-20-15-251-026 & 88-20-15-251-017), Section 15,
Currently Zoned R-1B (One Family Residential) District

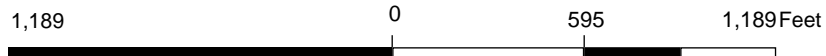
The petitioner Troy Eckford, LLC submitted the above referenced Preliminary Site Plan application for a 26-unit One Family Residential Cluster. The development proposes to preserve 45% open space on the 8.7-acre parcel. The Planning Commission is responsible for providing a recommendation to City Council for this item.

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.

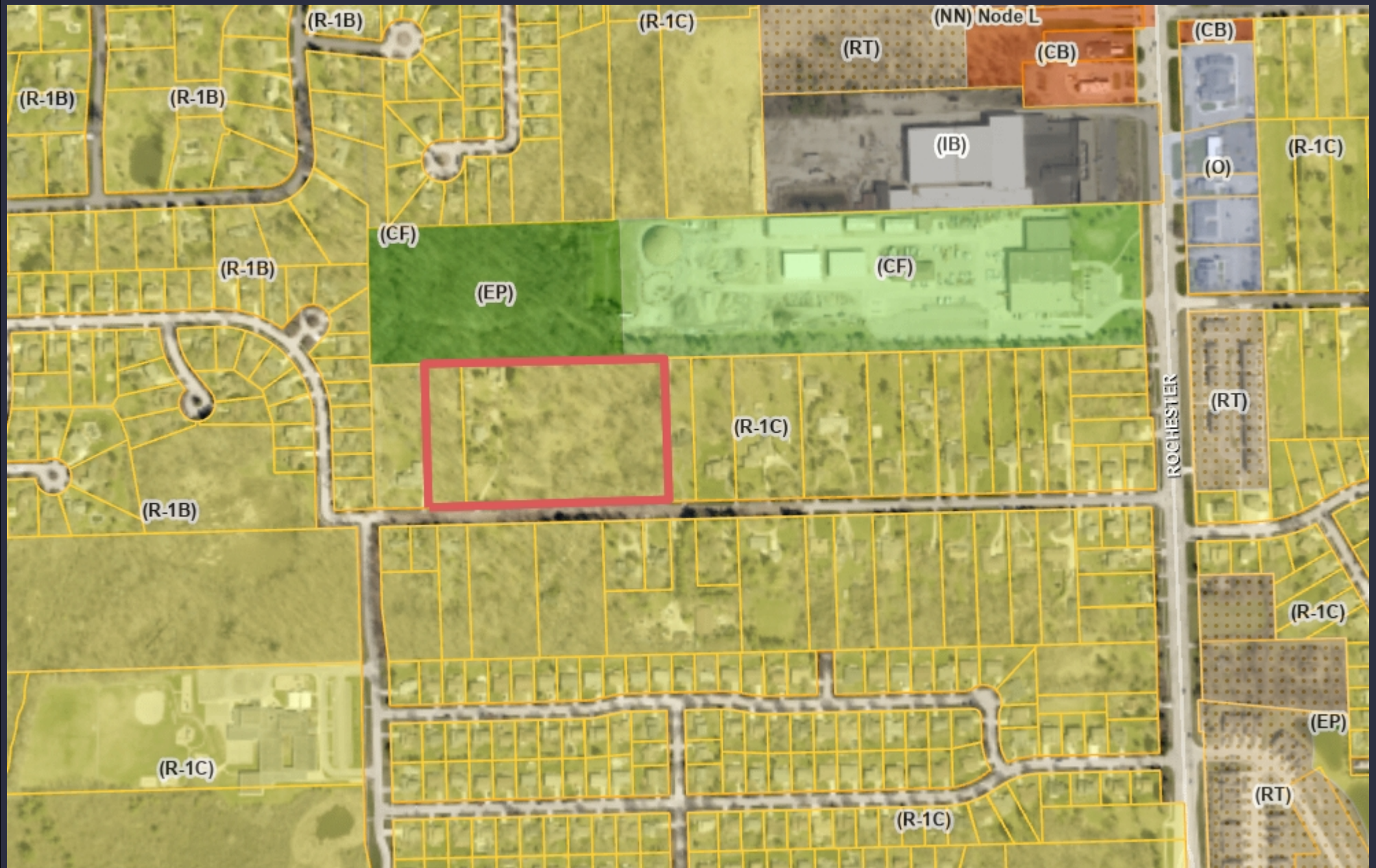
Attachments:

1. Maps
2. Report prepared by Carlisle/Wortman Associates, Inc.
3. Preliminary Site Plan Application
4. Public comment

G:\SITE PLANS\SP JPLN2021-0023 TROY ECKFORD WOODS-cluster\PC Memo 2022 04 26.docx



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.



1,189 0 595 1,189 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: April 15, 2022

Preliminary Site Condominium Cluster Review For City of Troy, Michigan

Project Name:	Eckford Oaks
Plan Date:	March 18, 2022
Location:	North side of Eckford, between Rochester and Livernois
Zoning:	R-1C, One-family Residential District
Action Requested:	Preliminary Site Condominium Cluster Approval
Required Information:	Deficiencies noted.

PROJECT AND SITE DESCRIPTION

We are in receipt of a preliminary site plan application for a twenty-six (26) unit detached single-family condominium cluster development. The twenty-six (26) new lots will be accessed from a new private road that is located off Eckford Drive. The site is comprised of two parcels and is a total of 8.7 acres. The site is vacant but encumbered with wetlands, floodplain, floodway, and tree cover.

The applicant proposes a cluster development. The base density base under the R-1C, One-Family Residential as determined by the submission of a parallel plan is twenty-one (21) units. The applicant is seeking five (5) additional units above the parallel plan density by doing a cluster, providing 45% of the total site as open space, and preserving area around the Houghton Drain.

The applicant is proposing three housing option types which range in size from an 1,800 sq/ft ranch with second floor option to a 2,500 sq/ft colonial.

Eckford Oaks
April 15, 2022

Furthermore, the applicant is also providing a 10-foot wide public bike path through their development. The path is intended to continue the path that starts at the Daisy Knight Dog Park on Livernois through the DPW site just to the north.

Figure 1. - Location and Aerial Image of Subject Site



Size of Subject Property:

The parcel is 8.7 acres

Proposed Uses of Subject Parcel:

Twenty-six (26) detached single family condominium cluster development.

Current Use of Subject Property:

The subject property is currently vacant

Current Zoning:

The property is currently zoned R-1C, One-family Residential District.

Surrounding Property Details:

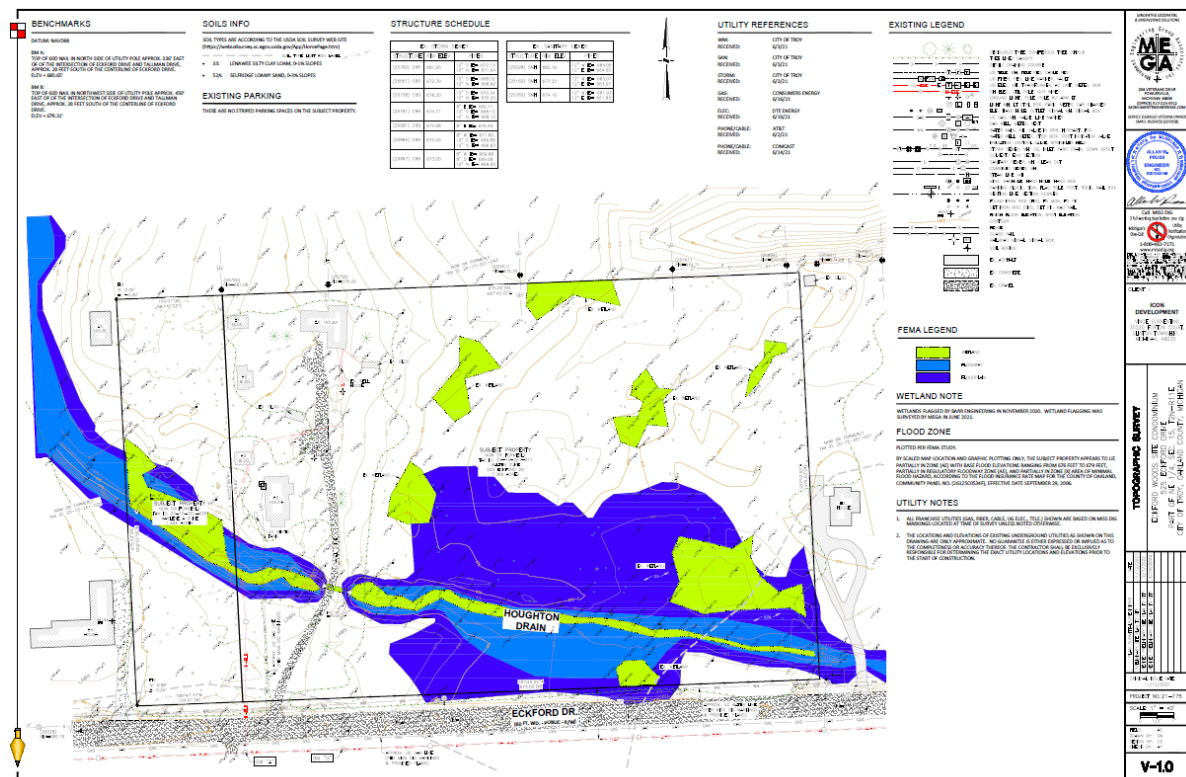
Direction	Zoning	Use
North	EP, Environmental Protection / CF, Community Facility	Department of Public Works facility
South	R-1C, One-family Residential District	Single-family homes
East	R-1C, One-family Residential District	Single-family homes
West	R-1C, One-family Residential District	Single-family homes



Topography: A topographic survey has been provided on sheet V-1.0. The site slopes from the north into the southern portion that contains the Houghton Drain.

The applicant appears to impact wetlands including those associated within the Houghton Drain.

Floodplain: The submitted topography survey shows the existing conditions of the onsite floodplain. The Engineering Department notes that FEMA approval of Flood Plain boundary will be required and OCDC permit for work around Houghton Drain will be required. The applicant should show limits of grading to indicate amount of potential disturbance to floodplain, and wetlands.



Woodlands: A tree survey has been provided to inventory the natural features that exist onsite. The survey identified a total of approximately 313 trees on site. Most are noted as good quality with only a few invasive species. The applicant proposes to remove 153 regulated trees and protect 160 regulated trees. Full replacement and preservation details are shown in **Table 2**.

Table 2. – Woodland Protection Ordinance

Replacement Details		
Protected Tree	Inches Removed	Replacement Required
Landmark	1356 inches	1356 inches
Woodland	997 inches	479 inches
Preservation/Mitigation	Inches Preserved	Credit
Landmark	1084 inches	2168 inches
Woodland	898 inches	1796 inches
Total	0 inches required for replacement. The number of inches preserved and credited exceed the mitigation required.	

Items to be addressed: Applicant should indicate limits of grading to confirm impact upon onsite wetlands and floodplains.

SITE ARRANGEMENT

The proposed one-family cluster development consists of twenty-six (26) units. All twenty-six (26) new lots will be accessed from a new private road off Eckford Drive. The proposed lots range between 6,492 sq. ft. and 15,048 sq. ft.

The applicant has submitted a parallel plan to establish a base density and portray the visual difference between traditional site design versus a cluster development. The cluster option is offered as an alternative to traditional residential development. The cluster option is intended to:

1. Encourage the use of property in accordance with its natural character.
2. Assure the permanent preservation of open space and other natural features.
3. Provide recreational facilities and/or open space within a reasonable distance of all residents of the Cluster development.
4. Allow innovation and greater flexibility in the design of residential developments.
5. Facilitate the construction and maintenance of streets, utilities, and public services in a more economical and efficient manner.
6. Ensure compatibility of design and use between neighboring property.
7. Encourage a less sprawling form of development, thus preserving open space as undeveloped land.

8. Allow for design innovation to provide flexibility for land development where the normal development approach would otherwise be unnecessarily restrictive or contrary to other City goals

Items to be addressed: *Planning Commission shall determine if requirements are met to qualify for cluster development options and if the additional number of units is commensurate with open space being preserved.*

AREA, WIDTH, HEIGHT, SETBACKS and REGULATORY FLEXIBILITY

The intent of the cluster development provisions is to relax the typical R-1C district bulk requirements in order to encourage a less sprawling form of development that preserves open space and natural resources. As set forth in 10.04.E the applicant is able to seek specific departures from the dimensional requirements of the Zoning Ordinance for yards and perimeter setback as a part of the approval process.

Table 1. – Bulk Requirements

	Required/Allowed	Provided	Compliance
Density	Overall density shall not exceed the number of residential cluster units as developed under a conventional site condominium, unless a density bonus has been granted by City Council.	Base Density = 21 units + Cluster bonus (45% bonus) = 30 units are allowed The applicant is seeking 26 units.	Complies. 26 units are permitted with City Council approval.
Perimeter Setback	Equal to the rear yard setback requirement for the underlying zoning district of the property directly adjacent to each border = 40 feet on east and west perimeter setback. Varies between 25-feet and 40-feet on the north side.	Deck for units 6 encroaches 10 feet and decks for units 5, 7-12 encroach 5-feet into the required 25-foot perimeter setback along northern property line. Unit 13 encroaches up to 20 feet into the required 50-foot perimeter setback along the northern property line	Complies with City Council relief of setbacks.
Lot Size	10,500 sq. ft.	Range in size from 6,492 sq. ft. and 15,048 sq. ft.	Complies with approval of Cluster by City Council
Front Setback (building)	20 feet	25 feet	Complies
Rear Setback (building)	25-feet setback	Decks for units 5-12, 15, 17-25 encroach into the required 25-foot rear yard setback	Complies with City Council relief of setbacks.
Side Setback (building)	7.5-feet setback	7.5-feet minimum	Complies
Open Space Requirements: Minimum Percentage	20%	Proposing to preserve 4.0 acres of the 8.7 acres, or 45% for open space.	Complies. Applicant must submit open space preservation covenant.

Deck for units 6 encroaches 10 feet and decks for units 5, 7-12 encroach 5-feet into the required 25-foot perimeter setback along northern property line. Unit 13 encroaches up to 20 feet into the required 50-foot perimeter setback along the northern property line. Please note that these encroachments are along the northern property line, which abut to the DPW yard and city owned Environmental Protection zoned property. In addition, decks for units 5-12, 15, 17-25 encroach into the required 25-foot rear yard setback.

The City Council, based upon a recommendation from the Planning Commission, may waive the perimeter and rear lot provisions provided that the applicant has demonstrated innovative and creative site and building designs and solutions, which would otherwise be unfeasible or unlikely to be achieved absent this provision. The Planning Commission should consider the purpose and intent of the Cluster Development option in considering the setback deviations.

We find these appropriate waivers to allow a limited encroachment for decks.

Items to be addressed: Consider the deck encroachment into perimeter and rear buffer

OPEN SPACE REQUIREMENTS

A requirement of the Cluster Option is to provide at least one (1) of the following open space benefits:

- a. Significant Natural Features. Preservation of significant natural features contained on the site, as long as it is in the best interest of the City to preserve the natural features that might be negatively impacted by conventional residential development. The determination of whether the site has significant natural features shall be made by the City Council, after review of a Natural Features Analysis, prepared by the applicant, that inventories these features; or
- b. Recreation Facilities. If the site lacks significant natural features, it can qualify with the provision of usable recreation facilities to which all residents of the development shall have reasonable access. Such recreation facilities include areas such as a neighborhood park, passive recreational facilities, soccer fields, ball fields, bike paths, or similar facilities that provide a feature of community-wide significance and enhance residential development. Recreational facilities that are less pervious than natural landscape shall not comprise more than fifty (50) percent of the open space. The determination of whether the site has significant natural features shall be made by the City Council after review of a Site Analysis Plan, prepared by the applicant, that inventories these features; or
- c. Preservation of Common Open Space or Creation of Natural Features. If the site lacks significant natural features, a proposed development may also qualify if the development will preserve common open space or create significant natural features such as wetlands. The determination of whether the site has significant natural features shall be made by the City Council after review of a Site Analysis Plan, prepared by the applicant, which inventories these features.

The site is 8.7 acres, and the applicant is proposing to reserve 4.0 acres for common open space, or 45% of the total site. Open space is provided along the Houghton Drain, which bisects the site. As part of the review, the Planning Commission is to consider and make a recommendation to City Council if the layout and open space plan meets the intent and standards of the Cluster provision and has the applicant creatively designed the site to either preserve significant natural resources (trees, wetland, and floodplain) or provide quality open space.

Guarantee of Open Space and Tree Preservation:

The applicant shall provide documentation to guarantee that all open space portions of the development will be preserved and maintained as approved and that all commitments for

such preservation and maintenance are binding on successors and future owners of the subject property. All such documents shall be subject to approval by the City Attorney. No structures (pools, sheds) or equipment (play structures, etc.) are permitted within the dedicated open space area.

Items to be addressed: Planning Commission is to consider and make a recommendation to City Council if the layout and open space plan, and/or natural features meet the intent of the Cluster provision and has the applicant creatively designed the site to either preserve significant natural resources (trees) or provide quality open space.

SITE ACCESS AND CIRCULATION

Vehicular

Access to the site will be from a single location off Eckford Drive. The development will be served by an internal twenty-eight (28) foot wide private road, located inside of a forty (40) foot roadway easement.

Pedestrian

The applicant proposes a five (5) foot wide concrete sidewalk along the perimeter of the private road. The internal sidewalk will connect to existing sidewalk on Eckford Drive.

The applicant is also providing a 10-foot wide public bike path through their development. The path is intended to continue the path that starts at the Daisy Knight Dog Park on Livernois through the DPW site just to the north.

Items to be Addressed: City Engineer to review site access and circulation.

STORMWATER

Stormwater will be managed by a regional detention system.

Items to be Addressed: None.

LANDSCAPING

One-Family Cluster development landscaping requirements are regulated by Section 13.02.F.2.

Table 2. – Landscaping Requirements

Frontage	Required	Provided	Compliance
Proposed Private Road	One (1) deciduous tree for every 50 lineal feet. $1,795/50 = 36 \text{ trees} = 36 \text{ trees}$	36 trees	Complies
Eckford	One (1) large evergreen tree per fifty (50) lineal feet. $296 \text{ lf}/50 \text{ lf} = 6 \text{ evergreen trees}$	6 proposed	Complies

Items to be Addressed: None.

ELEVATIONS AND FLOOR PLANS

The applicant has submitted a five housing options ranging from 1,800 to 2,500 sq/ft. All are one story. Materials were not indicated

Items to be Addressed: Indicate materials.

CLUSTER STANDARDS

As set forth in section 10.04.I, the applicant shall demonstrate that through the use of the Cluster option, the development will accomplish a sufficient number of the following objectives, as are reasonably applicable to the site, providing:

- Long-term protection and preservation of natural resources, natural features, and open space of a significant quantity and/or quality in need of protection or preservation, and which would otherwise be unfeasible or unlikely to be achieved absent these regulations.
- Innovative and creative site design through flexibility in the siting of dwellings and other development features that would otherwise be unfeasible or unlikely to be achieved absent these regulations.
- Appropriate buffer and/or land use transitions between the Cluster development and surrounding properties.
- A compatible mixture of open space, landscaped areas, and/or pedestrian amenities.
- Sustainable design features and techniques, such as green building, stormwater management best practices, and low impact design, which will promote and encourage energy conservation and sustainable development.
- A means for owning common open space and for protecting it from development in perpetuity.
- Any density bonus is commensurate with the benefit offered to achieve such bonus.
- The cluster development shall be adequately served by essential public facilities and services, such as: streets, pedestrian or bicycle facilities, police and fire protection,

drainage systems, refuse disposal, water and sewage facilities, and schools. Such services shall be provided and accommodated without an unreasonable public burden.

- i. The architectural form, scale, and massing shall ensure buildings are in proportion and complementary to those of adjacent properties and the selected building materials are of high, durable quality. The garage shall not be the dominant feature of a residential building.

RECOMMENDATIONS

Planning Commission shall determine if requirements are met to qualify for cluster development option, if the required standards have been met, and if the additional number of units is commensurate with open space being preserved.

Items to consider include:

- Applicant should indicate limits of grading to confirm impact upon onsite wetlands and floodplains.
- Applicant is seeking following relief:
 - Decks for units 5-12, 15, 17-25 encroach into the required 25-foot rear yard setback Decks for units 14-18 encroach into the 40-foot perimeter setback
 - Deck for units 6 encroaches 10 feet and decks for units 5, 7-12 encroach 5-feet into the required 25-foot perimeter setback along northern property line. Unit 13 encroaches up to 20 feet into the required 50-foot perimeter setback along the northern property line
- Indicate materials

The Planning Commission may request that either the applicant address aforementioned items or make a recommendation for City Council consideration.



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



LEGAL DESCRIPTION (AS PROVIDED)

(PER FIRST CENTENNIAL TITLE AGENCY, INC. ALTA COMMITMENT FOR TITLE INSURANCE;
DATED NOVEMBER 30, 2020; FILE NO. cen134443-STG)

Lots 13, 14, 15 and the East 124 feet of Lot 16, STEPHENSON LAND CO'S ACRES SUBDIVISION, according to the Plat thereof as recorded in Liber 48 of Plats, Page(s) 53, Oakland County Records.

TAX ID: 88-20-15-251-017
(PER OAKLAND COUNTY GIS INFO)
T2N, R11E, SEC 15 STEPHENSON LAND CO'S ACRES SUB LOTS 13, 14 & 15

TAX ID: 88-20-15-251-026
(PER OAKLAND COUNTY GIS INFO)
T2N, R11E, SEC 15 STEPHENSON LAND CO'S ACRES SUB E 124 FT OF LOT 16

BEARING REFERENCE

BEARINGS ARE BASED ON PROJECT COORDINATE SYSTEM:
MICHIGAN STATE PLANE COORDINATE SYSTEM, NAD83 (CONUS) (MOL) (GRS80), SOUTH ZONE 2113,
INTERNATIONAL FEET, GROUND
(LAT: 42°35'11.47"N, LON: 83°08'12.86"W, ELEV: 676', SCALE FACTOR: 1.00011189).

DESIGN ENGINEER/SURVEYOR

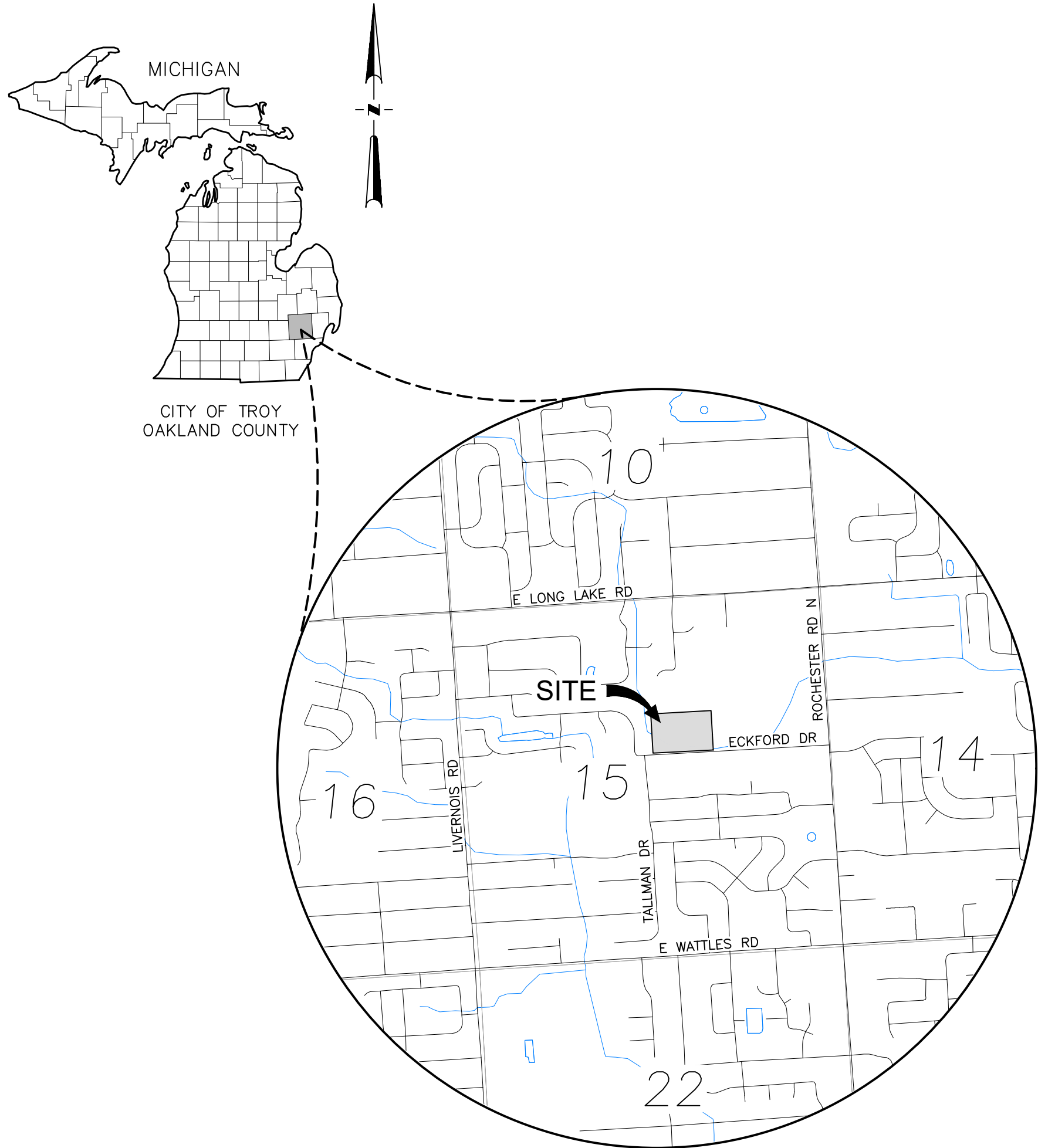


MONUMENT ENGINEERING GROUP ASSOCIATES, INC

INNOVATIVE GEOSPATIAL &
ENGINEERING SOLUTIONS

298 VETERANS DRIVE,
FOWLERVILLE, MI 48836
ALLAN W PRUSS, PE, PS
PHONE: 517-223-3512

PRELIMINARY SITE PLAN DRAWINGS FOR
ECKFORD WOODS
SITE CONDOMINIUM



LOCATION MAP

DEVELOPER

ICON DEVELOPMENT, LLC

35520 FORTON COURT
CLINTON TOWNSHIP, MI 48035

VINCE SORRENTINO
PHONE: 586-792-0660

SHEET INDEX

		PLAN SUBMITTALS									
		PRELIMINARY SITE PLAN TO CITY	REVISED PRELIM. SITE PLAN TO CITY	REVISED PRELIM. SITE PLAN TO CITY							
		11/12/2021	2/7/2022	3/18/2022							
INCLUDED SHEETS											
GENERAL											
SHEET	G-1.0	COVER									
SURVEY											
SHEET	V-1.0	TOPOGRAPHIC SURVEY									
SHEET	V-3.0	TREE SURVEY									
SHEET	V-3.1	TREE INVENTORY									
CIVIL DEMOLITION											
SHEET	CD-1.0	DEMOLITION PLAN									
SITE PLAN											
SHEET	C-1.0	DIMENSION AND PAVING PLAN									
SHEET	C-1.1	PARALLEL PLAN									
VEHICLE CIRCULATION											
SHEET	C-2.0	EMERGENCY VEHICLE CIRCULATION									
UTILITY											
SHEET	C-3.0	UTILITY PLAN									
SHEET	C-3.1	UTILITY PROFILES									
SHEET	C-4.0	SANITARY SEWER PLAN									
SHEET	C-4.1	SANITARY SEWER PROFILES									
SHEET	C-5.0	WATER MAIN PLAN									
SHEET	C-5.1	WATER MAIN PROFILES									
SHEET	C-6.0	STORM SEWER PLAN									
SHEET	C-6.1	STORM SEWER PROFILES									
GRADING											
SHEET	C-7.0	GRADING PLAN									
SOIL EROSION & SEDIMENTATION CONTROL											
SHEET	C-8.0	SOIL EROSION & SEDIMENTATION CONTROL PLAN									
STORM WATER MANAGEMENT											
SHEET	C-9.0	DRAINAGE AREA PLAN									
SHEET	C-9.1	STORM SEWER CALCULATIONS									
ROAD PLANS											
SHEET	C-10.0	ROAD PLAN									
DETAILS											
SHEET	C-11.0	DETAILS									
SPECIFICATIONS											
SHEET	C-12.0	SPECIFICATIONS									
SHEET	C-12.1	SPECIFICATIONS									
LANDSCAPE											
SHEET	LS-1.0	LANDSCAPE PLAN									
LANDSCAPE											
SHEET	LP-1.0	LANDSCAPE PLAN									
CITY OF TROY, OAKLAND COUNTY STANDARD DETAILS											

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THE LOCATIONS AND ELEVATIONS OF
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AND ELEVATIONS PRIOR TO THE START
OF CONSTRUCTION.

CLIENT :

ICON
DEVELOPMENT
VINCE SORRENTINO
35520 FORTON COURT,
CLINTON TOWNSHIP,
MICHIGAN, 48035

COVER
ECKFORD WOODS SITE CONDOMINIUM
525 ECKFORD DRIVE
PART OF NE 1/4, SEC. 15, T2N-R11E
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

DATE	PLAN SUBMITTALS/REVISIONS
11/12/2021	PRELIMINARY SITE PLAN TO CITY
2/7/2022	REVISED PRELIMINARY SITE PLAN TO CITY
3/18/2022	REVISED PRELIMINARY SITE PLAN TO CITY

ORIGINAL ISSUE DATE:
11/12/2021

PROJECT NO: 21-175

SCALE: N/A
0 1/2" 1"

FIELD: AS
DRAWN BY: BN
DESIGN BY: DD
CHECK BY: AP

G-10

NOT FOR CONSTRUCTION

BENCHMARKS

DATUM: NAVD88

BM A:
TOP OF 60D NAIL IN NORTH SIDE OF UTILITY POLE APPROX. 336' EAST
OF THE INTERSECTION OF ECKFORD DRIVE AND TALLMAN DRIVE,
APPROX. 28 FEET SOUTH OF THE CENTERLINE OF ECKFORD DRIVE.
ELEV = 680.65'

BM B:
TOP OF 60D NAIL IN NORTHWEST SIDE OF UTILITY POLE APPROX. 450'
EAST OF THE INTERSECTION OF ECKFORD DRIVE AND TALLMAN
DRIVE, APPROX. 28 FEET SOUTH OF THE CENTERLINE OF ECKFORD
DRIVE.
ELEV = 679.31'

SOILS INFO

SOIL TYPES ARE ACCORDING TO THE USDA SOIL SURVEY WEB SITE
(<https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>)

- 33: LENAWEES SILTY CLAY LOAM, 0-1% SLOPES
- 52A: SELFREDGE LOAMY SAND, 0-3% SLOPES

EXISTING PARKING

THERE ARE NO STRIPED PARKING SPACES ON THE SUBJECT PROPERTY.

STRUCTURE SCHEDULE

EX. STORM SEWER		
STRUCTURE	RIM ELEV.	PIPES
(25760) CBR	681.93	12" S IE= 672.13 12" N IE= 671.94
(25561) CBB	672.70	12" S IE= 668.52 12" N IE= 668.62
(25758) CBB	678.30	12" S IE= 670.24 12" N IE= 670.20
(25761) CBB	674.71	8" E IE= 669.71 12" S IE= 668.15 12" N IE= 668.15
(25981) CBB	674.68	8" E IE= 670.45
(25984) CBB	675.06	8" W IE= 671.60 12" S IE= 666.88 12" N IE= 666.83
(25997) CBB	673.00	8" W IE= 669.68 8" S IE= 669.68 12" N IE= 669.60

EX. SANITARY SEWER		
STRUCTURE	RIM ELEV.	PIPES
(25028) SMH	682.16	12" W IE= 664.05 12" E IE= 664.05
(25160) SMH	677.33	12" W IE= 663.07 12" E IE= 663.07
(25765) SMH	674.16	12" W IE= 661.93 12" E IE= 661.83

UTILITY REFERENCES

WM:
RECEIVED: CITY OF TROY
6/3/21

SAN:
RECEIVED: CITY OF TROY
6/3/21

STORM:
RECEIVED: CITY OF TROY
6/3/21

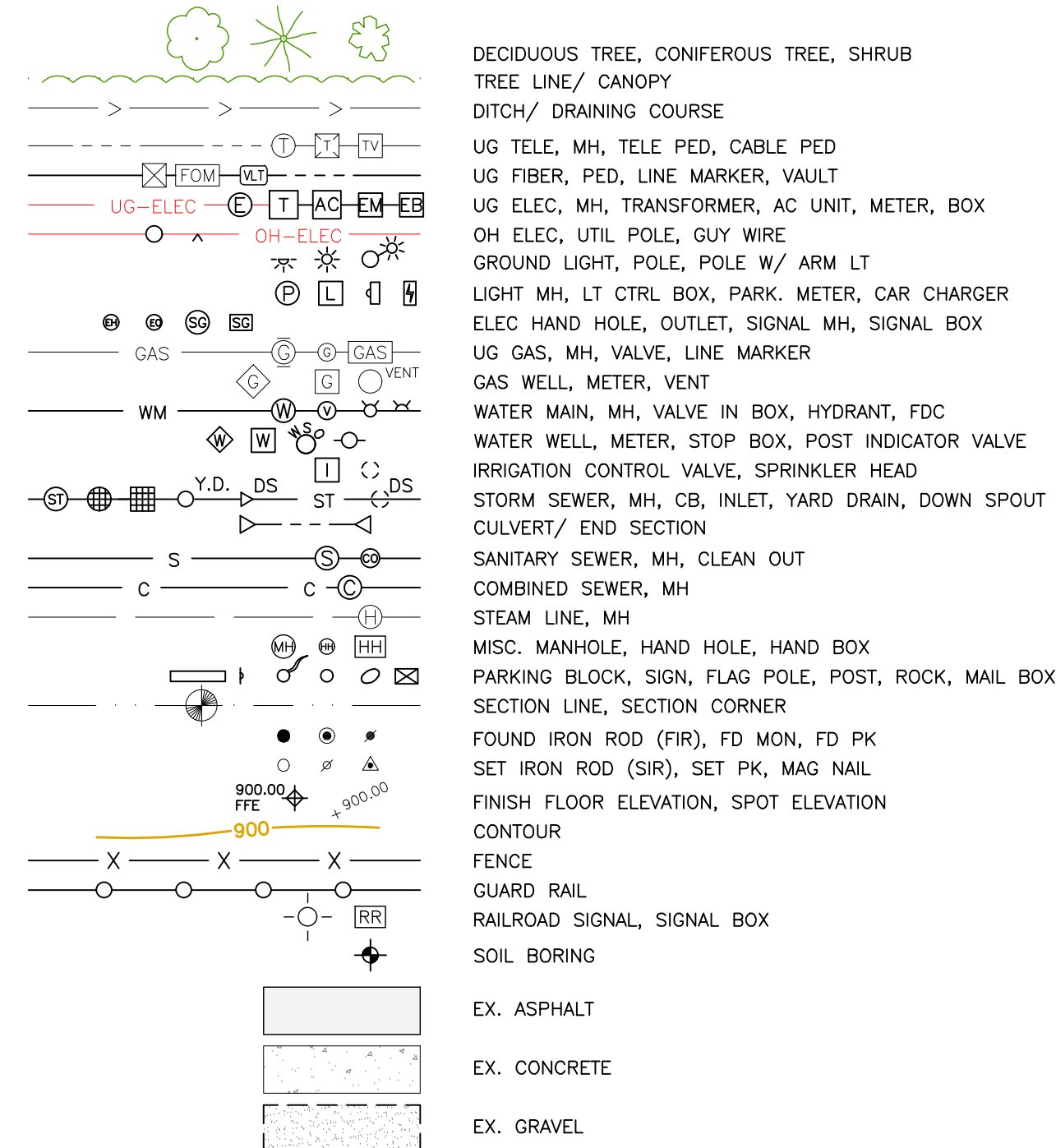
GAS:
RECEIVED: CONSUMERS ENERGY
6/16/21

ELEC:
RECEIVED: DTE ENERGY
6/16/21

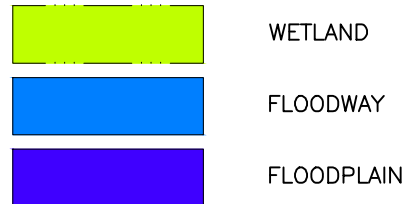
PHONE/CABLE:
RECEIVED: AT&T
6/2/21

PHONE/CABLE:
RECEIVED: COMCAST
6/14/21

EXISTING LEGEND



FEMA LEGEND



WETLAND NOTE

WETLANDS FLAGGED BY BARR ENGINEERING IN NOVEMBER 2020. WETLAND FLAGGING WAS SURVEYED BY MEGA IN JUNE 2021.

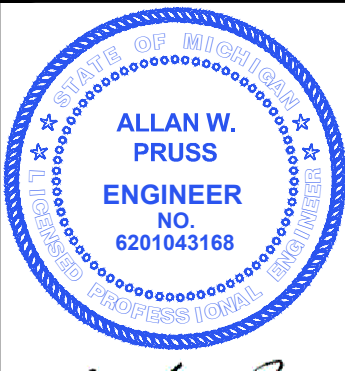
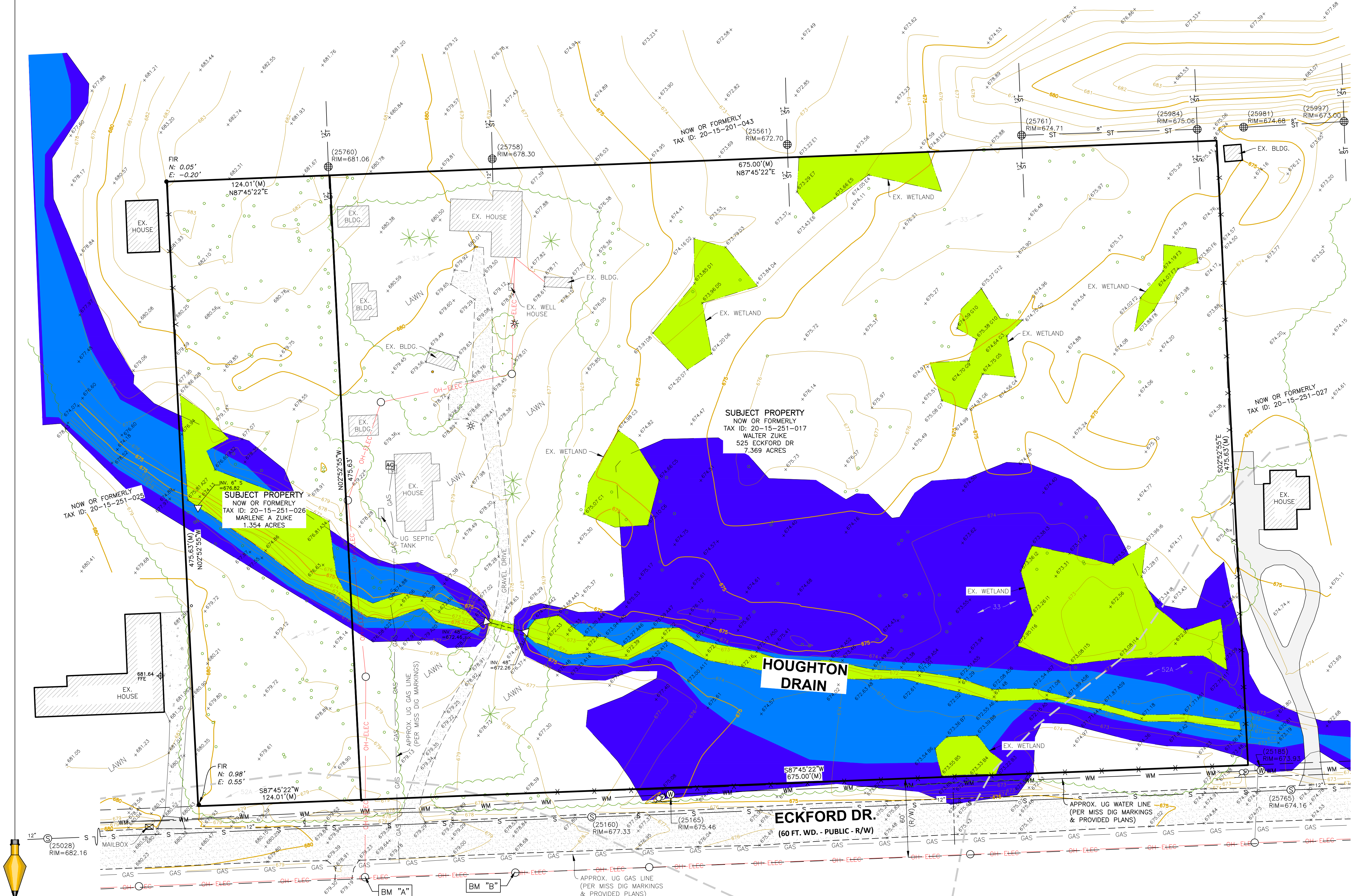
FLOOD ZONE

PLOTTED PER FEMA STUDY.

BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY, THE SUBJECT PROPERTY APPEARS TO LIE PARTIALLY IN ZONE (AE) WITH BASE FLOOD ELEVATIONS RANGING FROM 676 FEET TO 679 FEET, PARTIALLY IN REGULATORY FLOODWAY ZONE (AE), AND PARTIALLY IN ZONE (X) AREA OF MINIMAL FLOOD HAZARD, ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR THE COUNTY OF OAKLAND, COMMUNITY PANEL NO. (26125C0534F), EFFECTIVE DATE SEPTEMBER 29, 2006.

UTILITY NOTES

- ALL FRANCHISE UTILITIES (GAS, FIBER, CABLE, UG ELEC., TELE.) SHOWN ARE BASED ON MISS DIG MARKINGS LOCATED AT TIME OF SURVEY UNLESS NOTED OTHERWISE.
- 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.



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TOPOGRAPHIC SURVEY
ECKFORD WOODS SITE CONDOMINIUM
525 ECKFORD DRIVE
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11/12/2021

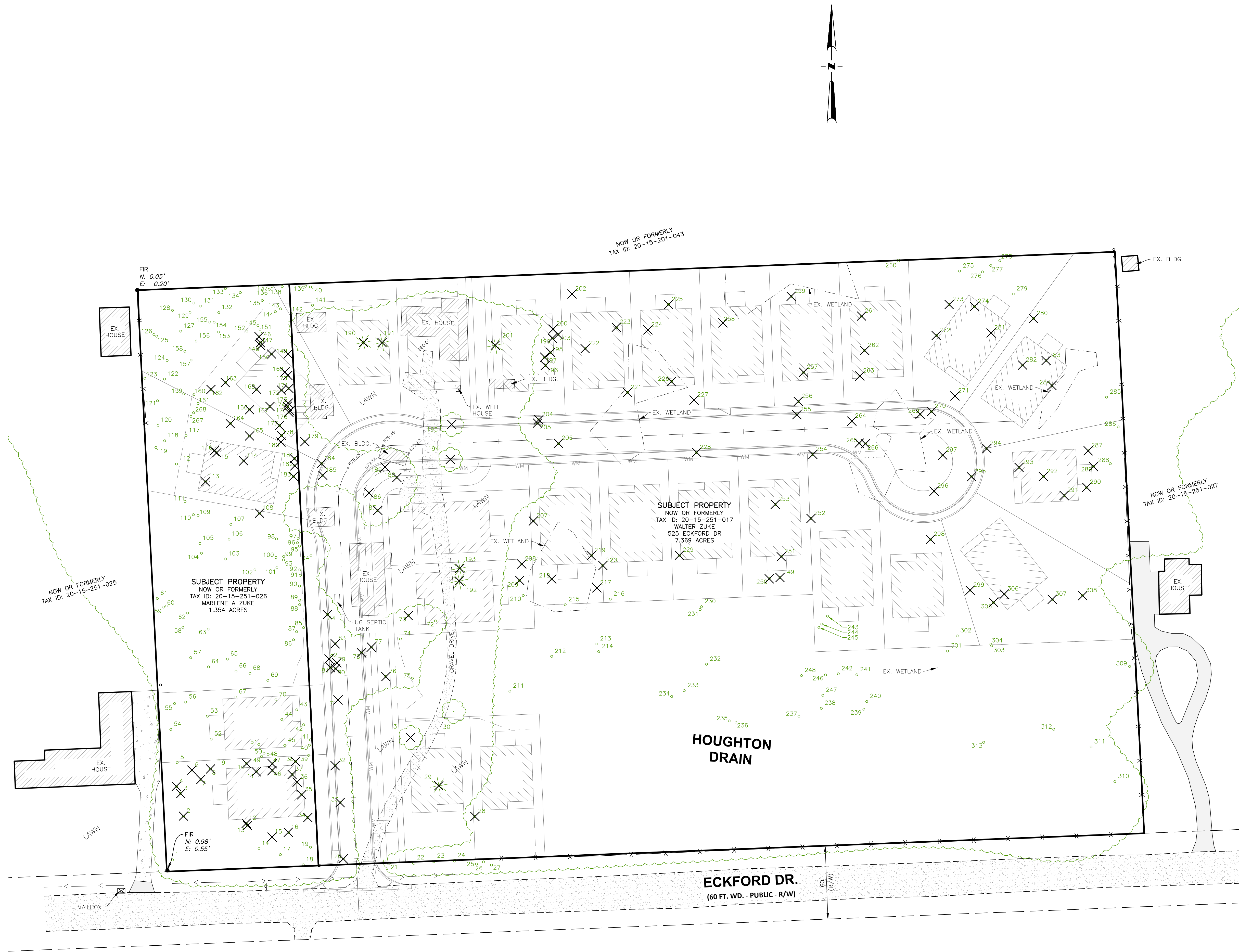
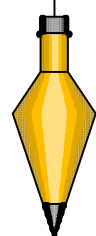
PROJECT NO: 21-175

SCALE: 1" = 40'
0 1/2" 1"

FIELD:
DRAWN BY: AS
DESIGN BY: BN
CHECK BY: AP

V-1.0

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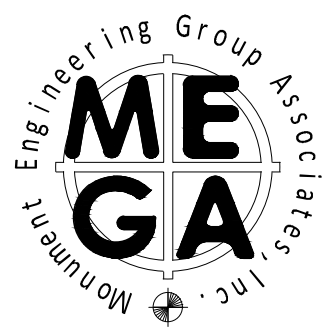
TREE SURVEY LEGEND

- DECIDUOUS TREE
- CONIFEROUS TREE
- TREE LINE/ CANOPY
- TREE TAG NUMBER (SEE TREE SCHEDULE)
- REMOVE TREE

TREE PRESERVATION NOTE

ANY TREES NOT MARKED OR SHOWN PER PLAN ARE TO BE PROTECTED & PRESERVED DURING CONSTRUCTION.

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TREE SURVEY
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SCALE: 1" = 40'
0 1/2" 1"

FIELD: AS
DRAWN BY: BN
DESIGN BY: DD
CHECK BY: AP

V-3.0

NOT FOR CONSTRUCTION



Tree Inventory



Monument Engineering Group Associates, Inc.
298 Veterans Drive, Fowlerville, MI
(517) 223-3512
www.monumentengineering.com

Tree Survey Inventory

Project: 21-175 Eckford Oaks Subdivision Date: 6/30/2021

Tag No.	Common Name	Botanical Name	Condition	D.B.H.	Landmark	Status	Notes
1	Crabapple	Malus	Good	6	No	Preserve	
2	P. Hickory	Carya	Good	14	No	Remove	
3	S. B. Hickory	Carya	Good	12	No	Remove	
4	P. Hickory	Carya	Good	11	No	Remove	
5	P. Hickory	Carya	Good	15	No	Preserve	
6	P. Hickory	Carya	Good	9	No	Remove	
7	P. Hickory	Carya	Good	8	No	Remove	
8	P. Hickory	Carya	Good	15	No	Remove	
9	P. Hickory	Carya	Good	7	No	Preserve	
10	P. Hickory	Carya	Good	12	No	Remove	
11	S. B. Hickory	Carya	Good	6	No	Remove	
12	S. B. Hickory	Carya	Good	11	No	Remove	
13	S. B. Hickory	Carya	Good	11	No	Remove	
14	P. Hickory	Carya	Good	23	Yes	Preserve	
15	B. Cherry	Prunus serotina	Good	10	No	Remove	
16	R. Oak	Quercus	Good	13	No	Remove	
17	W. Oak	Quercus	Good	10	No	Preserve	
18	W. Oak	Quercus	Good	22	Yes	Preserve	
19	W. Oak	Quercus	Good	15	No	Preserve	Twin
20	P. Hickory	Carya	Good	18	Yes	Remove	
21	B. Spruce	Picea	Fair	17	No	Preserve	
22	B. Spruce	Picea	Good	10	No	Preserve	
23	R. Pine	Pinus	Good	16	No	Preserve	
24	N. Spruce	Picea	Good	7	No	Preserve	
25	R. Oak	Quercus	Good	18	Yes	Preserve	Twin
26	P. Hickory	Carya	Good	9	No	Preserve	
27	P. Hickory	Carya	Good	14	No	Preserve	
28	R. Pine	Pinus	Good	6	No	Remove	
29	B. Spruce	Picea	Good	9	No	Remove	
30	B. Walnut	Juglans nigra	Good	27	Yes	Preserve	
31	R. Maple	Acer rubrum	Good	7	No	Remove	
32	B. Spruce	Picea	Good	8	No	Remove	
33	P. Hickory	Carya	Good	18	No	Remove	
34	S. B. Hickory	Carya	Good	12	No	Remove	
35	W. Oak	Quercus	Good	32	Yes	Remove	
36	W. Oak	Quercus	Good	8	No	Remove	
37	E. Hornhopbeam	Ostrya virginiana	Good	6	No	Remove	
38	W. Oak	Quercus	Good	31	Yes	Remove	
39	E. Hornhopbeam	Ostrya virginiana	Good	11	Yes	Preserve	
40	P. Hickory	Carya	Good	7	No	Preserve	
41	W. Oak	Quercus	Good	9	No	Preserve	
42	W. Oak	Quercus	Good	15/11	Yes	Preserve	
43	W. Oak	Quercus	Good	17	Yes	Preserve	
44	W. Oak	Quercus	Good	11	No	Preserve	
45	P. Hickory	Carya	Good	8	No	Preserve	
46	R. Maple	Acer rubrum	Good	6	No	Remove	
47	W. Oak	Quercus	Good	14	No	Remove	
48	P. Hickory	Carya	Good	6	No	Preserve	
49	P. Hickory	Carya	Fair	6	No	Preserve	
50	P. Hickory	Carya	Good	8	No	Preserve	
51	P. Hickory	Carya	Good	6	No	Preserve	
52	P. Hickory	Carya	Good	12	No	Preserve	
53	P. Hickory	Carya	Good	12	No	Preserve	
54	R. Pine	Pinus	Good	6	No	Preserve	
55	Basswood	Tilia	Good	19	Yes	Preserve	
56	P. Hickory	Carya	Good	8	No	Preserve	
57	W. Oak	Quercus	Good	27	Yes	Preserve	
58	P. Hickory	Carya	Good	14	No	Preserve	
59	Mulberry	Morus	Good	8	No	Preserve	
60	Mulberry	Morus	Good	7	No	Preserve	
61	Mulberry	Morus	Good	10	No	Preserve	
62	Mulberry	Morus	Good	6	No	Preserve	
63	B. Cherry	Prunus serotina	Good	10	No	Preserve	
64	W. Oak	Quercus	Good	15	No	Preserve	
65	W. Oak	Quercus	Good	25	Yes	Preserve	
66	W. Oak	Quercus	Good	16	Yes	Preserve	
67	W. Oak	Quercus	Good	21	Yes	Preserve	
68	S. B. Hickory	Carya	Good	8	No	Preserve	
69	W. Oak	Quercus	Good	27	Yes	Preserve	
70	W. Oak	Quercus	Good	21	Yes	Preserve	
71	Tamarack	Larix	Good	8	No	Remove	
72	Tulip Poplar	riodendron tulipifera	Good	14	No	Preserve	
73	B. Spruce	Picea	Fair	9	No	Remove	
74	B. Spruce	Picea	Good	12	No	Preserve	
75	R. Pine	Pinus	Good	6	No	Preserve	
76	Elm	Ulmus	Good	6	No	Remove	
77	B. Spruce	Picea	Good	12	No	Remove	
78	B. Spruce	Picea	Good	10	No	Remove	
79	R. Pine	Pinus	Fair	8	No	Remove	
80	R. Pine	Pinus	Good	7	No	Remove	
81	R. Pine	Pinus	Good	8	No	Remove	
82	R. Pine	Pinus	Good	6	No	Remove	
83	B. Spruce	Picea	Good	8	No	Remove	
84	B. Spruce	Picea	Good	11	No	Remove	
85	E. Hemlock	Tsuga	Good	6	No	Preserve	
86	W. Oak	Quercus	Good	15	No	Preserve	
87	Basswood	Tilia	Good	15	No	Preserve	
88	E. Hemlock	Tsuga	Good	7	No	Preserve	
89	E. Hemlock	Tsuga	Good	12	Yes	Preserve	
90	E. Hemlock	Tsuga	Good	9	No	Preserve	

91	E. Hemlock	Tsuga	Good	8	No	Preserve	
92	E. Hemlock	Tsuga	Good	7	No	Preserve	
93	E. Hemlock	Tsuga	Good	8	No	Preserve	
94	P. Hickory	Carya	Good	19	Yes	Preserve	
95	E. Hemlock	Tsuga	Good	8	No	Preserve	
96	E. Hemlock	Tsuga	Good	6	No	Preserve	
97	E. Hemlock	Tsuga	Good	6	No	Preserve	
98	P. Hickory	Carya	Good	20	Yes	Preserve	
99	P. Hickory	Carya	Good	17	Yes	Preserve	
100	E. Hornhopbeam	Ostrya virginiana	Good	7	No	Preserve	
101	Beech	Fagus grandifolia	Good	8	No	Preserve	
102	Beech	Fagus grandifolia	Good	27	Yes	Preserve	
103	P. Hickory	Carya	Good	24	Yes	Preserve	
104	P. Hickory	Carya	Good	6	No	Preserve	
105	R. Oak	Quercus	Good	33	Yes	Preserve	
106	B. Cherry	Prunus serotina	Good	7	No	Preserve	
107	R. Oak	Quercus	Good	36	Yes	Preserve	
108	B. Cherry	Prunus serotina	Good	14	No	Remove	
109	P. Hickory	Carya	Good	14	No	Preserve	
110	R. Maple	Acer rubrum	Good	20	Yes	Preserve	
111	B. Cherry	Prunus serotina	Good	6	No	Preserve	
112	Beech	Fagus grandifolia	Good	6	No	Preserve	
113	P. Hickory	Carya	Good	20	Yes	Remove	
114	P. Hickory	Carya	Good	16	Yes	Remove	
115	Beech	Fagus grandifolia	Good	7	No	Remove	
116	Beech	Fagus grandifolia	Good	7	No	Remove	
117	Beech	Fagus grandifolia	Good	7	No	Preserve	
118	B. Cherry	Prunus serotina	Good	6	No	Preserve	
119	B. Cherry	Prunus serotina	Good	6	No	Preserve	
120	Beech	Fagus grandifolia	Good	27	Yes	Preserve	
121	R. Maple	Acer rubrum	Good	23	Yes	Preserve	
122	Beech	Fagus grandifolia	Good	7	No	Preserve	
123	S. Maple	Acer saccharum	Good	7	No	Preserve	
124	Beech	Fagus grandifolia	Good	7	No	Preserve	
125	Beech	Fagus grandifolia	Good	6	No	Preserve	
126	Beech	Fagus grandifolia	Good	11	No	Preserve	
127	R. Maple	Acer rubrum	Good	12	No	Preserve	
128	B. Cherry	Prunus serotina	Good	7	No	Preserve	
129	P. Hickory	Carya	Good	7	No	Preserve	
130	Elm	Ulmus	Good	9	No	Preserve	
131	R. Maple	Acer rubrum	Good	6	No	Preserve	
132	P. Hickory	Carya	Good	7	No	Preserve	
133	Beech	Fagus grandifolia	Good	6	No	Preserve	
134	Beech	Fagus grandifolia	Good	11	No	Preserve	
135	B. Cherry	Prunus serotina	Good	9	No	Preserve	
136	B. Cherry	Prunus serotina	Good	12	No	Preserve	
137	R. Maple	Acer rubrum	Good	7	No	Preserve	
138	P. Hickory	Carya	Good	7	No	Preserve	
139	P. Hickory	Carya	Good	16	Yes	Preserve	
140	P. Hickory	Carya	Good	8	No	Preserve	
141	P. Hickory	Carya	Good	13	No	Preserve	
142	P. Hickory	Carya	Good	16	Yes	Preserve	
143	B. Cherry	Prunus serotina	Good	17	No	Preserve	
144	B. Cherry	Prunus serotina	Good	16	No	Preserve	
145	E. Hemlock	Tsuga	Good	7	No	Preserve	
146	E. Hemlock	Tsuga	Good	11	No	Remove	
147	E. Hemlock	Tsuga	Good	8	No	Remove	
148	E. Hemlock	Tsuga	Good	8	No	Remove	Twin
149	B. Cherry	Prunus serotina	Good	19	Yes	Remove	
150	S. B. Hickory	Carya	Good	8	No	Remove	
151	R. Maple	Acer rubrum	Good	7	No	Preserve	
152	P. Hickory	Carya	Good	29	Yes	Preserve	
153	Beech	Fagus grandifolia	Good	6	No	Preserve	
154	P. Hickory	Carya	Good	10	No	Preserve	
155	R. Maple	Acer rubrum	Good	8	No	Preserve	
156	E. Hornhopbeam	Ostrya virginiana	Good	7	No	Preserve	
157	W. Oak	Quercus	Good	24	Yes	Preserve	
158	R. Maple	Acer rubrum	Good	9	No	Preserve	
159	B. Cherry	Prunus serotina	Good	9	No	Preserve	
160	P. Hickory	Carya	Good	24	Yes	Preserve	
161	B. Cherry	Prunus serotina	Good	6	No	Preserve	
162	W. Oak	Quercus	Good	9	No	Remove	
163	P. Hickory	Carya	Good	11	No	Remove	
164	Beech	Fagus grandifolia	Good	17	No	Remove	
165	P. Hickory	Carya	Good	15	No	Remove	
166	Beech	Fagus grandifolia	Good	23	Yes	Remove	
167	Elm	Ulmus	Good	10	No	Remove	
168	W. Oak	Quercus	Good	17	Yes	Remove	
169	B. Cherry	Prunus serotina	Good	15	No	Remove	
170	W. Oak	Quercus	Good	11	No	Remove	
171	E. Hemlock	Tsuga	Good	9	No	Remove	
172	P. Hickory	Carya	Good	18	Yes	Remove	
173	E. Hemlock	Tsuga	Good	7	No	Remove	
174	E. Hemlock	Tsuga	Good	8	No	Remove	
175	R. Oak	Quercus	Good	14	No	Remove	
176	B. Cherry	Prunus serotina	Good	8	No	Remove	
177	E. Hemlock	Tsuga	Good	6	No	Remove	
178	E. Hemlock	Tsuga	Good	6	No	Remove	
179	P. Hickory	Carya	Good	24	Yes	Remove	
180	R. Maple	Acer rubrum	Good	21	Yes	Remove	
181	E. Hemlock	Tsuga	Good	9	No	Remove	
182	E. Hemlock	Tsuga	Good	7	No	Remove	
183	E. Hemlock	Tsuga	Good	7	No	Remove	
184	W. Birch	Betula	Good	6	No	Remove	
185	Spruce	Picea	Good	6	No	Remove	
186	Spruce	Picea	Good	10	No	Remove	
187	Mulberry	Morus	Good	9	No	Remove	Multi
188	R. Maple	Acer rubrum	Good	23	Yes	Remove	
189	R. Maple	Acer rubrum	Good	19	Yes	Remove	
190	Spruce	Picea	Good	12	No	Remove	

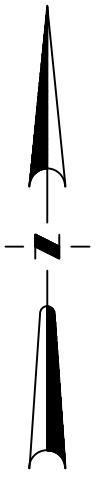
191	Spruce	Picea	Good	14	No	Remove	
192	R. Pine	Pinus	Good	16	No	Remove	
193	R. Pine	Pinus	Good	7	No	Remove	
194	Pear	Pyrus	Good	9	No	Remove	
195	W. Birch	Betula	Good	8	No	Remove	Twin
196	W. Pine	Pinus	Good	13	No	Remove	
197	W. Pine	Pinus	Good	10	No	Remove	
198	W. Pine	Pinus	Good	16	No	Remove	
199	W. Pine	Pinus	Good	14	No	Remove	
200	W. Pine	Pinus	Good	15	No	Remove	
201	Spruce	Picea	Good	8	No	Remove	
202	S.B. Hickory	Carya	Good	19	Yes	Remove	
203	P. Hickory	Carya	Good	21	Yes	Remove	
204	P. Hickory	Carya	Good	20	Yes	Remove	
205	W. Oak	Quercus	Good	30	Yes	Remove	
206	W. Oak	Quercus	Good	26	Yes	Remove	
207	Elm	Ulmus	Good	8	No	Remove	
208	W. Oak	Quercus	Good	26	Yes	Remove	
209	W. Oak	Quercus	Good	22	Yes	Remove	
210	Basswood	Tilia	Good	20	Yes	Preserve	
211	Cottonwood	Populus deltoides	Good	21	No	Remove	
212	W. Oak	Quercus	Good	64	Yes	Preserve	
213	W. Oak	Quercus	Good	41	Yes	Preserve	
214	B. Cherry	Prunus serotina	Fair	8	No	Preserve	
215	W. Oak	Quercus	Good	49	Yes	Preserve	
216	B. Walnut	Juglans nigra	Fair	9	No	Preserve	
217	Hawthorn	Crataegus	Good	7	No	Remove	



ZONING INFORMATION

THIS ZONING INFORMATION IS TAKEN FROM CITY OF TROY ZONING ORDINANCE
DATED: NOVEMBER 29, 2018

SUBJECT PARCEL ZONING: R-1C ONE FAMILY RESIDENTIAL (CLUSTER OPTION)	UNITS				PROPOSED BUILDING				BUILDING SETBACKS (FT)				DEDICATED OPEN SPACE		SITE AREAS			
	AREA (AC)	WIDTH AT BUILDING SITE (FT)	BASE NUMBER OF UNITS	MAX NUMBER OF UNITS	BLDG A AREA (SF)	BLDG B AREA (SF)	GROSS BLDG AREA (INSIDE SETBACKS) (SF)	NET BLDG AREA (FOOTPRINTS) (SF)	PERIMETER (E,W,S)	FRONT	SIDE	REAR	(EXCLUDES ROW & FRONT YARDS) (SF)	(%)	GROSS (SF)	ROW (SF)	NET (SF)	SUBMERGED (CREEK) (SF)
REQUIRED	VARIABLES	VARIABLES		27	1,200	1,200			40	20	7.5	25	76,002	20				
PROVIDED	VARIABLES	VARIABLES	21	26	2,500	1,800	94,488	63,111	40	20	7.5	25	172,311		380,011	39,471	340,541	11,934



CLUSTER DENSITY CALCULATION

BASE NUMBER OF UNITS x 30% DENSITY BONUS
= MAX NUMBER OF UNITS

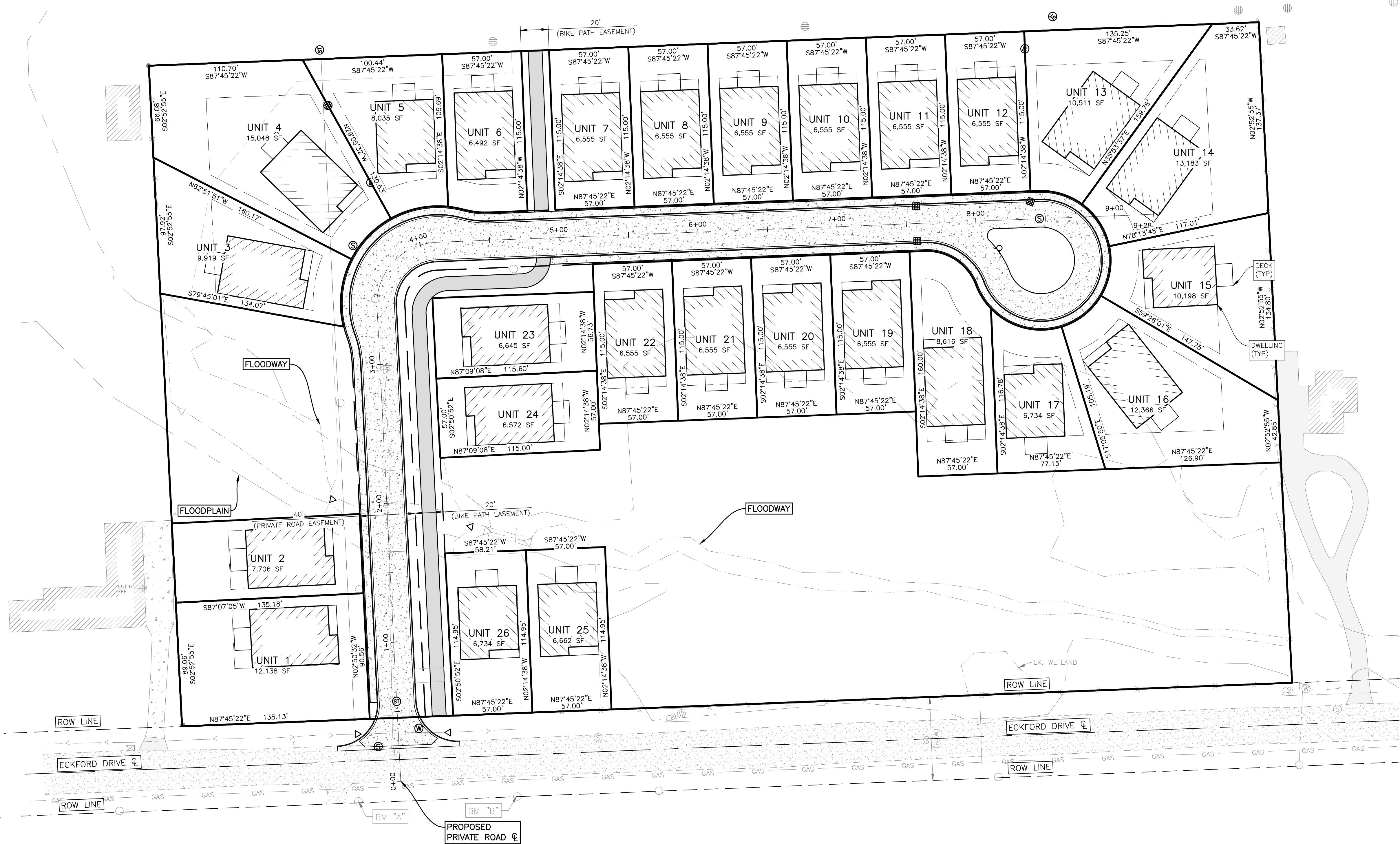
21 x 1.3 = 27 UNITS

DEDICATED OPEN SPACE CALCULATION

OPEN SPACE/GROSS SITE AREA = 172,311 SF / 380,011 SF x 100% = 45%

ADJACENT ZONING

NORTH: EP & CF
SOUTH: R-1C
EAST: R-1C
WEST: R-1C



PAVEMENT LEGEND

	EX. ASPHALT
	EX. CONCRETE
	EX. GRAVEL
	PR. CONCRETE
	STANDARD CURB AND GUTTER

REQUIRED PARKING

2 SPACES :1 DWELLING
26 DWELLINGS x 2 SPACES = 52 SPACES REQUIRED
MAX = 133% OF MIN = 33

EACH DWELLING WILL HAVE TWO (2) PARKING SPACES INSIDE THE ATTACHED GARAGE WITH TWO (2) PARKING SPACES IN EACH DRIVEWAY.

TOTAL PROVIDED PARKING: 104 SPACES

STORM WATER MANAGEMENT

STORM WATER RUNOFF GENERATED BY THIS DEVELOPMENT WILL BE DIRECTED TO THE FUTURE REGIONAL STORM WATER MANAGEMENT BASIN PLANNED BY BY CITY OF TROY. THE BASIN WILL BE ON THE NORTH ADJACENT PROPERTY.

BIKE PATH

THE DEVELOPMENT INTENDS TO PARTICIPATE IN THE REGIONAL BIKE PATH PLANNED BY CITY OF TROY. THE DEVELOPMENT WILL DEDICATE THE EASEMENT NECESSARY FOR THE BIKE PATH.

ECKFORD ROAD PAVING

THE DEVELOPMENT HAS AGREED WITH MONDRIAN TO PAVE ECKFORD ROAD ALONG THE COMMON FRONTAGE.

REGULATORY FLEXIBILITY WAIVERS

1. WAIVER FOR SECTION 10.04.E.2.a REQUIRING PERIMETER SETBACKS TO BE EQUAL TO REAR YARD SETBACKS IN ADJACENT ZONE. REQUESTING A 25' REAR YARD SETBACK FOR UNITS 13 AND 14 ALONG THE NORTH PROPERTY BOUNDARY.
2. WAIVER FOR SECTION 7.08.B REQUIRING DECKS TO BE AT LEAST 25' AWAY FROM THE REAR LOT LINE. SEE DECK WAIVER TABLE ON THIS SHEET.

DECK WAIVER TABLE

UNIT	DECK WAIVER DISTANCE
1	0
2	0
3	10
4	0
5	5
6	10
7	5
8	5
9	5
10	5
11	5
12	5
13	0
14	0
15	12
16	0
17	12
18	5
19	5
20	5
21	5
22	5
23	5
24	5
25	12
26	12

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ENGINEER
NO. 6201043168

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CLIENT :

ICON DEVELOPMENT

VINCE SORRENTINO
35520 FORTON COURT,
CLINTON TOWNSHIP,
MICHIGAN, 48035

CLUSTER OPTION PLAN

ECKFORD WOODS SITE CONDOMINIUM
525 ECKFORD DRIVE
PART OF NE 1/4, SEC. 15, T2N-R11E
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

DATE	PLAN SUBMITTALS/REVISIONS
11/12/2021	PRELIMINARY SITE PLAN TO CITY
2/7/2022	REVISED PRELIMINARY SITE PLAN TO CITY
3/15/2022	REVISED PRELIMINARY SITE PLAN TO CITY

ORIGINAL ISSUE DATE: 11/12/2021

PROJECT NO: 21-175

SCALE: 1" = 40'

0 1/2" 1"

FIELD: AS
DRAWN BY: BN
DESIGN BY: DO
CHECK BY: AP

C-10

NOT FOR CONSTRUCTION



ZONING INFORMATION

THIS ZONING INFORMATION IS TAKEN FROM CITY OF TROY ZONING ORDINANCE
DATED: NOVEMBER 29, 2018

SUBJECT PARCEL ZONING: R-1C ONE FAMILY RESIDENTIAL	UNITS			BUILDING	BUILDING SETBACKS (FT)		
	AREA (AC)	WIDTH AT BUILDING SITE (FT)	BASE NUMBER OF UNITS	DWELLING (MIN SF)	FRONT	SIDE	REAR
REQUIRED	10,500	85		1,200	30	10	40
PROVIDED	VARIES	VARIES	21	VARIES	30	10	40

PAVEMENT LEGEND

	EX. ASPHALT
	EX. CONCRETE
	EX. GRAVEL
	PR. CONCRETE
	STANDARD CURB AND GUTTER

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DEVELOPMENT**

VINCE SORRENTINO
35520 FORTON COURT,
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MICHIGAN, 48035

PARALLEL PLAN

ECKFORD WOODS SITE CONDOMINIUM
525 ECKFORD DRIVE
PART OF NE 1/4, SEC. 15, T2N-R11E
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

PLAN SUBMITTALS/REVISIONS	DATE
PRELIMINARY SITE PLAN TO CITY	11/12/2021
REVISED PRELIMINARY SITE PLAN TO CITY	2/7/2022
REVISED PRELIMINARY SITE PLAN TO CITY	3/15/2022

ORIGINAL ISSUE DATE:
11/12/2021

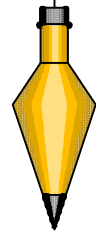
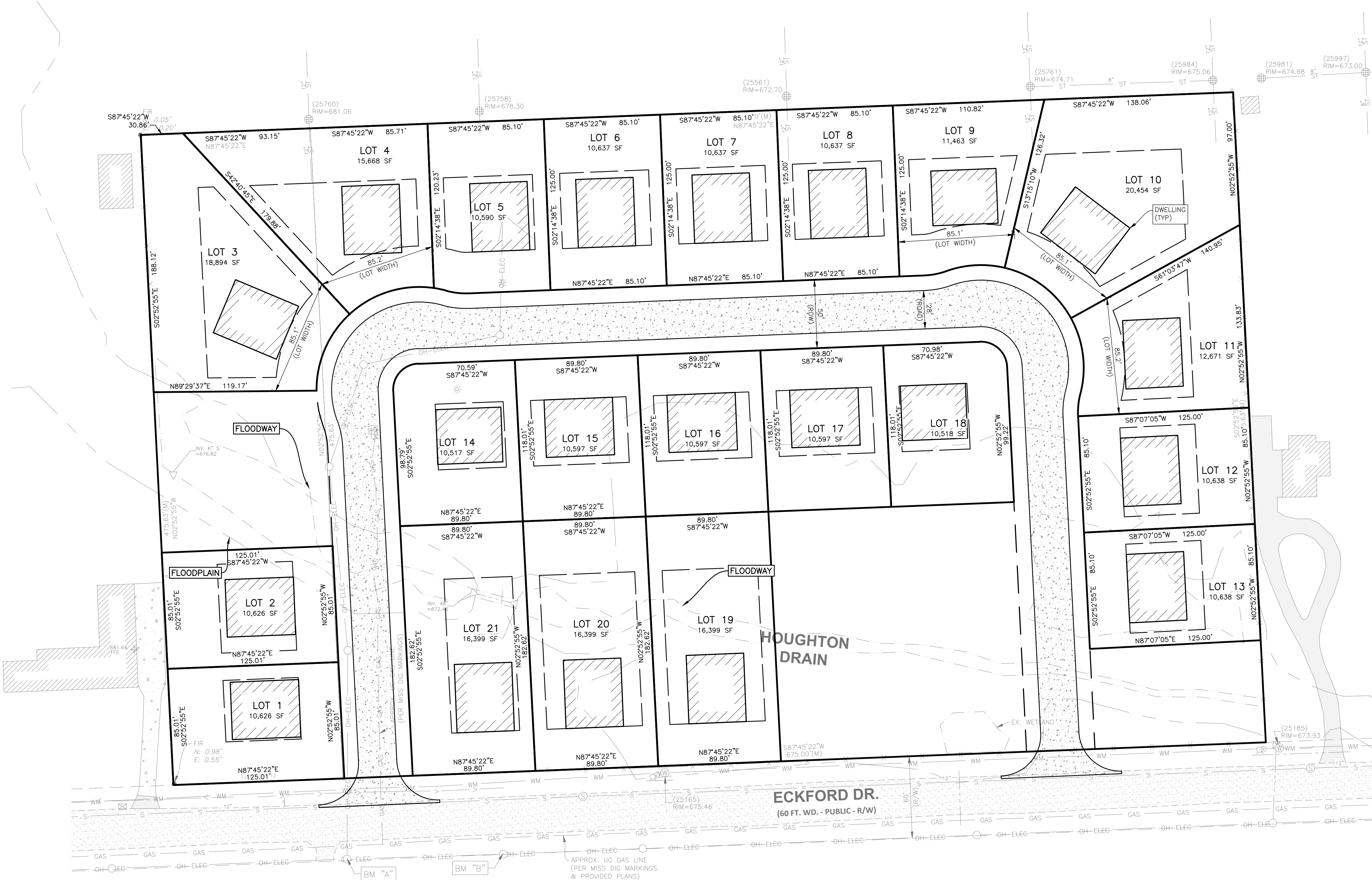
PROJECT NO: 21-175

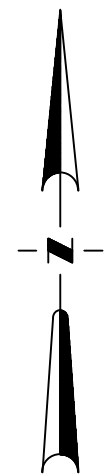
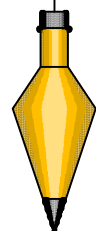
SCALE: 1" = 40'
0 1/2" 1"

FIELD: AS
DRAWN BY: BN
DESIGN BY: DD
CHECK BY: AP

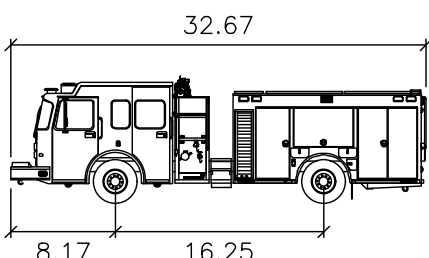
C-11

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EMERGENCY VEHICLE



TOYNE PUMPER

	FEET
WIDTH	: 8.35
TRACK	: 7.93
LOCK TO LOCK TIME	: 6.0
STEERING ANGLE	: 50.0

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CLIENT :

**ICON
DEVELOPMENT**

VINCE SORRENTINO
35520 FORTON COURT,
CLINTON TOWNSHIP,
MICHIGAN, 48035

EMERGENCY VEHICLE CIRCULATION

ECKFORD WOODS SITE CONDOMINIUM
525 ECKFORD DRIVE
PART OF NE 1/4, SEC. 15, T2N-R11E
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

PLAN SUBMITTALS/REVISIONS	DATE
PRELIMINARY SITE PLAN TO CITY	11/12/2021
REVISED PRELIMINARY SITE PLAN TO CITY	2/7/2022
REVISED PRELIMINARY SITE PLAN TO CITY	3/15/2022

ORIGINAL ISSUE DATE:
11/12/2021

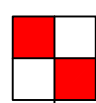
PROJECT NO: 21-175

SCALE: 1" = 40'

FIELD: AS
DRAWN BY: BN
DESIGN BY: DD
CHECK BY: AP

C-2.0

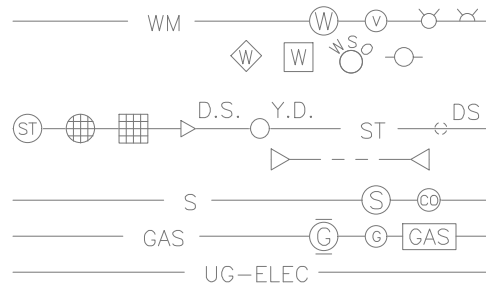
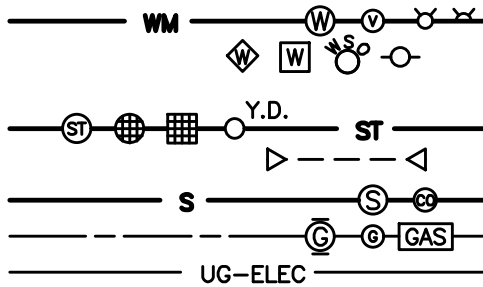
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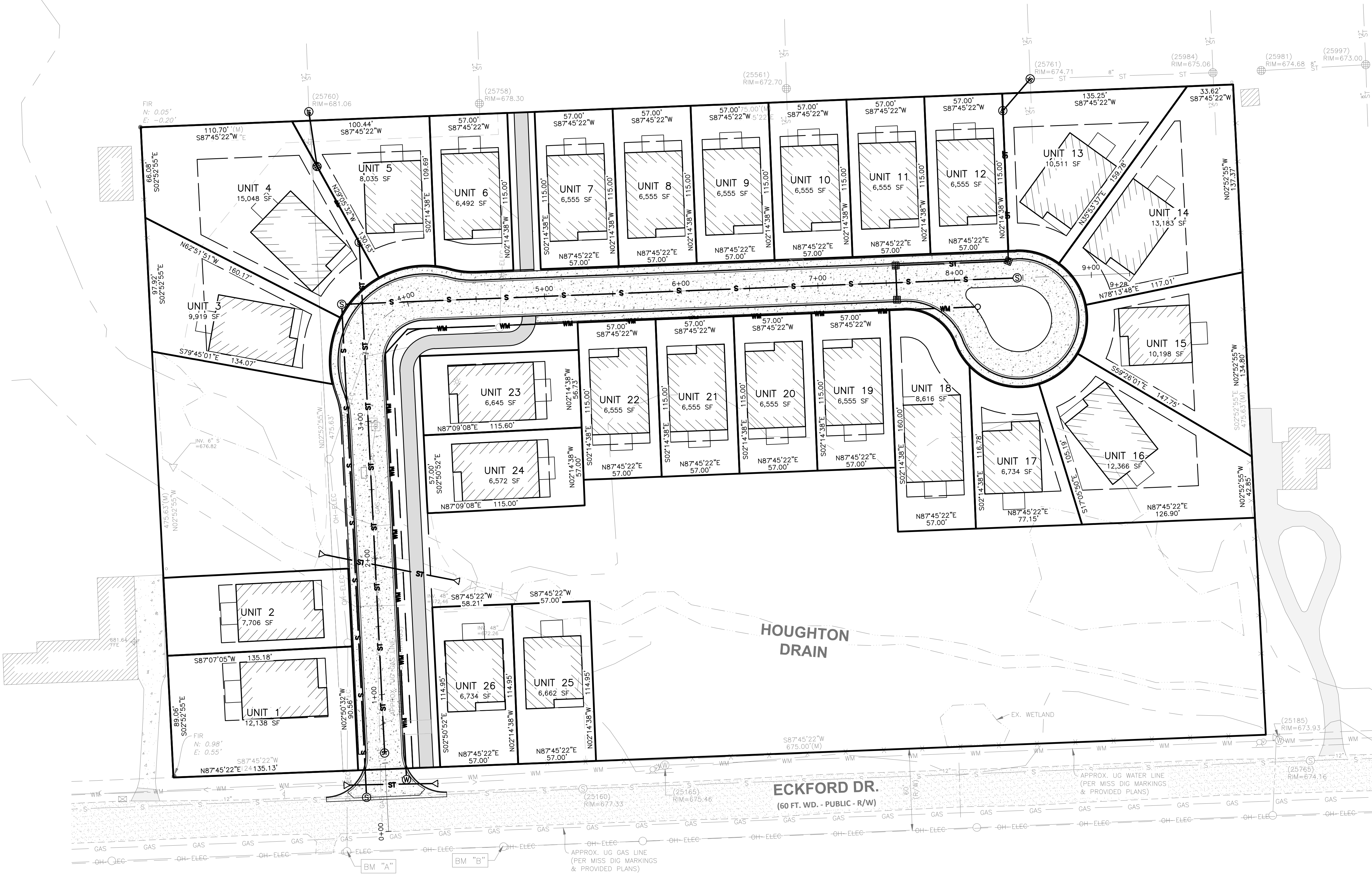
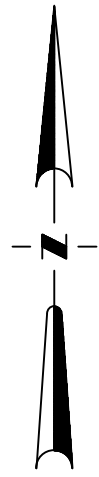
UTILITY LEGEND

PROPOSED

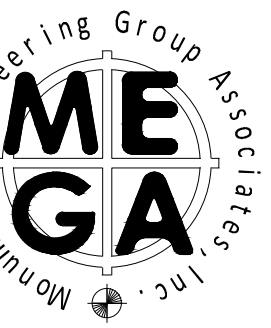
EXISTING



WATER MAIN, MH, VALVE IN BOX, HYDRANT
WATER WELL, METER, STOP BOX, POST INDICATOR VALVE
STORM SEWER, MH, CB, INLET, DOWN SPOUT, YARD DRAIN
CULVERT/ END SECTION
SANITARY SEWER, MH, CLEAN OUT
UG GAS, MH, VALVE, LINE MARKER
UG ELEC (ELEC, CABLE, FIBER)



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ICON
DEVELOPMENT
VINCE SORRENTINO
35520 FORTON COURT,
CLINTON TOWNSHIP,
MICHIGAN, 48035

UTILITY PLAN

ECKFORD WOODS SITE CONDOMINIUM
525 ECKFORD DRIVE
PART OF NE 1/4, SEC. 15, T2N-R11E
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

PLAN SUBMITTALS/REVISIONS	DATE
PRELIMINARY SITE PLAN TO CITY	11/12/2021
REVISED PRELIMINARY SITE PLAN TO CITY	2/7/2022
REVISED PRELIMINARY SITE PLAN TO CITY	3/15/2022

ORIGINAL ISSUE DATE:
11/12/2021

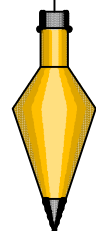
PROJECT NO: 21-175

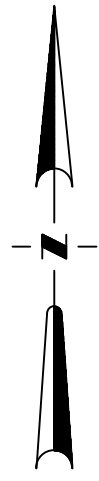
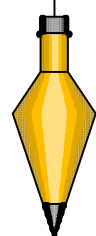
SCALE: 1" = 40'
0 1/2" 1"

FIELD: AS
DRAWN BY: BN
DESIGN BY: DO
CHECK BY: AP

C-3.0

NOT FOR CONSTRUCTION





GRADING LEGEND

	PROPOSED TOP OF PAVEMENT GRADE
	PROPOSED SIDEWALK GRADE
	PROPOSED FINISH GRADE
	PROPOSED TOP OF CURB GRADE
	PROPOSED GUTTER PAN GRADE
	PROPOSED TOP OF WALL GRADE
	PROPOSED BOTTOM OF WALL GRADE
	MATCH EXISTING GRADE
	PROPOSED FINISH FLOOR GRADE
	PROPOSED RIM GRADE
	ADJUSTED RIM GRADE
	PROPOSED INVERT GRADE
	ADA COMPLIANT SIDEWALK RAMP
	ADA COMPLIANT SIDEWALK LANDING
	EXISTING ELEVATION
	EXISTING CONTOUR
	PROPOSED CONTOUR
	SOIL TYPE LIMIT AND LABEL (FROM USGS SOIL SURVEY)
	LIMITS OF DISTURBANCE
	OVERFLOW ROUTE

EROSION CONTROL STANDARDS

- ALL EROSION AND SEDIMENT CONTROL WORK SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF OAKLAND COUNTY WATER RESOURCES OFFICE.
- DAILY INSPECTION SHALL BE MADE BY THE CONTRACTOR FOR EFFECTIVENESS OF EROSION AND SEDIMENTATION CONTROL MEASURES, AND ANY NECESSARY REPAIRS SHALL BE PERFORMED WITHOUT DELAY.
- EROSION AND ANY SEDIMENTATION FROM WORK ON THIS SITE SHALL BE CONTAINED ON THE SITE AND NOT ALLOWED TO COLLECT ON ANY OFF-SITE AREAS OR IN WATERWAYS. WATERWAYS INCLUDE BOTH NATURAL AND MAN-MADE OPEN DITCHES, STREAMS, STORM DRAINS, LAKES AND PONDS.
- CONTRACTOR SHALL APPLY TEMPORARY EROSION AND SEDIMENTATION CONTROL MEASURES WHEN REQUIRED AND AS DIRECTED ON THESE PLANS. CONTRACTOR SHALL REMOVE TEMPORARY MEASURES AS SOON AS PERMANENT STABILIZATION OF SLOPES, DITCHES AND OTHER CHANGES HAS BEEN ACCOMPLISHED.
- STAGING OF THE WORK WILL BE DONE BY THE CONTRACTOR AS DIRECTED IN THESE PLACES AND AS REQUIRED TO INSURE PROGRESSIVE STABILIZATION OF DISTURBED AREAS.
- SOIL EROSION CONTROL PRACTICES WILL BE ESTABLISHED IN EARLY STAGES OF CONSTRUCTION BY THE CONTRACTOR. SEDIMENT CONTROL PRACTICES WILL BE APPLIED AS A PERIMETER DEFENSE AGAINST ANY TRANSPORTING OF SILT OFF THE SITE.
- A CERTIFIED STORM WATER OPERATOR WILL BE NAMED ON THE MDEQ NOTICE OF COVERAGE FOR NPDES AS REQUIRED.
- ALL DISTURBED AREAS ARE TO BE TOP SOILED AND SEEDED WITH THE FOLLOWING MIN RATIO:
TOP SOIL 3" IN DEPTH, GRASS SEED 210 LBS PER ACRE, FERTILIZER 150 LBS PER ACRE, STRAW MULCH 3" DEPTH 1.5 TO 2 TONS PER ACRE.

SOIL EROSION CONTROL MAINTENANCE SCHEDULE AND NOTES.

- CONTRACTOR MUST OBTAIN A SOIL EROSION AND SEDIMENTATION CONTROL PERMIT FROM OAKLAND COUNTY WATER RESOURCES OFFICE PRIOR TO COMMENCING WORK.
- EARTHWORK SHALL BE LIMITED TO THE PROPOSED SITE AS SHOWN ON THE PLAN.
- CONTRACTOR SHALL INSPECT THE SOIL EROSION/SEDIMENTATION CONTROL DEVICES ONCE A WEEK AND/OR WITHIN 24 HOURS OF A RAINFALL EVENT WHICH RESULTS IN A STORM WATER DISCHARGE FROM THE SITE. ANY DAMAGE TO EROSION CONTROL MEASURES MUST BE REPAIRED IMMEDIATELY.
- ALL MUD OR DEBRIS TRACKED ONTO EXISTING PUBLIC ROADS FROM THE SITE DUE TO CONSTRUCTION SHALL BE PROMPTLY REMOVED BY THE CONTRACTOR.
- SILT FENCE MAINTENANCE SHALL INCLUDE THE REMOVAL OF ANY BUILT-UP SEDIMENT WHEN THE SEDIMENT HEIGHT ACCUMULATES TO 1/3 TO 1/2 OF THE HEIGHT OF THE FENCE. THE CONTRACTOR IS RESPONSIBLE TO REMOVE, REPLACE, RETRENCH OR RE-BACKFILL THE SILTATION FENCE SHOULD IT FAIL OR BE DAMAGED DURING CONSTRUCTION.
- PERMANENT STABILIZATION MUST BE COMPLETED WITHIN 30 DAYS OF FINAL GRADING.
- ACCESS ROADS MUST BE MAINTAINED AS NECESSARY, TO KEEP THEM EFFECTIVE, NEW LAYERS OF STONE MAY BE ADDED AS OLD LAYERS BECOME COMPACTED. STEPS SHOULD ALSO BE TAKEN TO REPAIR THE ACCESS ROADS IF RUTS OR PONDING WATER APPEARS.
- INLET FILTERS SHOULD BE INSPECTED FOR BUILDUP OF SILT AND OTHER DEBRIS. THIS IS EVIDENT IF GEOTEXTILE/SOD STRUCTURE IS CAUSING FLOODING. MAINTENANCE WOULD CONSIST OF REMOVING OF SEDIMENTS WITH A STIFF BRISTLE BROOM OR SQUARE POINT SHOVEL. IF INLET FILTER IS BEYOND THIS LEVEL OF REPAIR, IT MAY BE NECESSARY TO REPLACE BOTH THE SOD AND GEOTEXTILE FILTER.
- IF SOIL EROSION/SEDIMENT CONTROL MEASURES ARE INADEQUATE FOR THE SITE. THE PROPER EROSION CONTROL AUTHORITY MUST BE NOTIFIED.

CLIENT :

**ICON
DEVELOPMENT**
VINCE SORRENTINO
35520 FORTON COURT,
CLINTON TOWNSHIP,
MICHIGAN, 48035

PRELIMINARY GRADING PLAN
ECKFORD WOODS SITE CONDOMINIUM
525 ECKFORD DRIVE
PART OF NE 1/4, SEC. 15, T2N-R11E
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

DATE	PLAN SUBMITTALS/REVISIONS
11/12/2021	PRELIMINARY SITE PLAN TO CITY
2/7/2022	REVISED PRELIMINARY SITE PLAN TO CITY
3/15/2022	REVISED PRELIMINARY SITE PLAN TO CITY

ORIGINAL ISSUE DATE:
11/12/2021

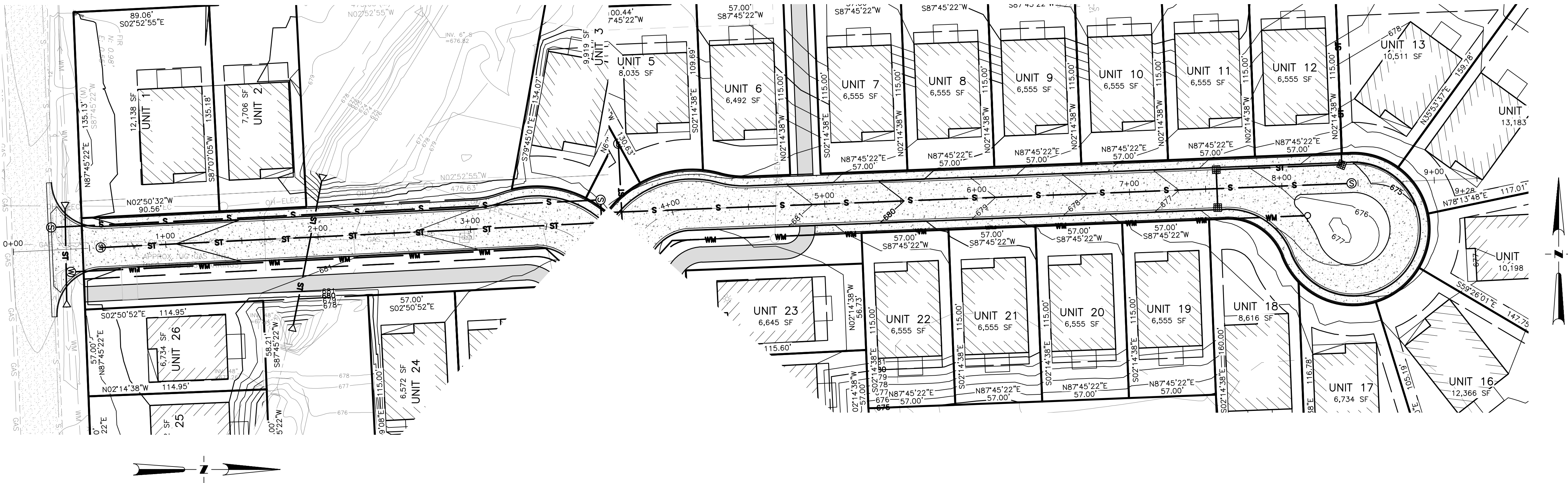
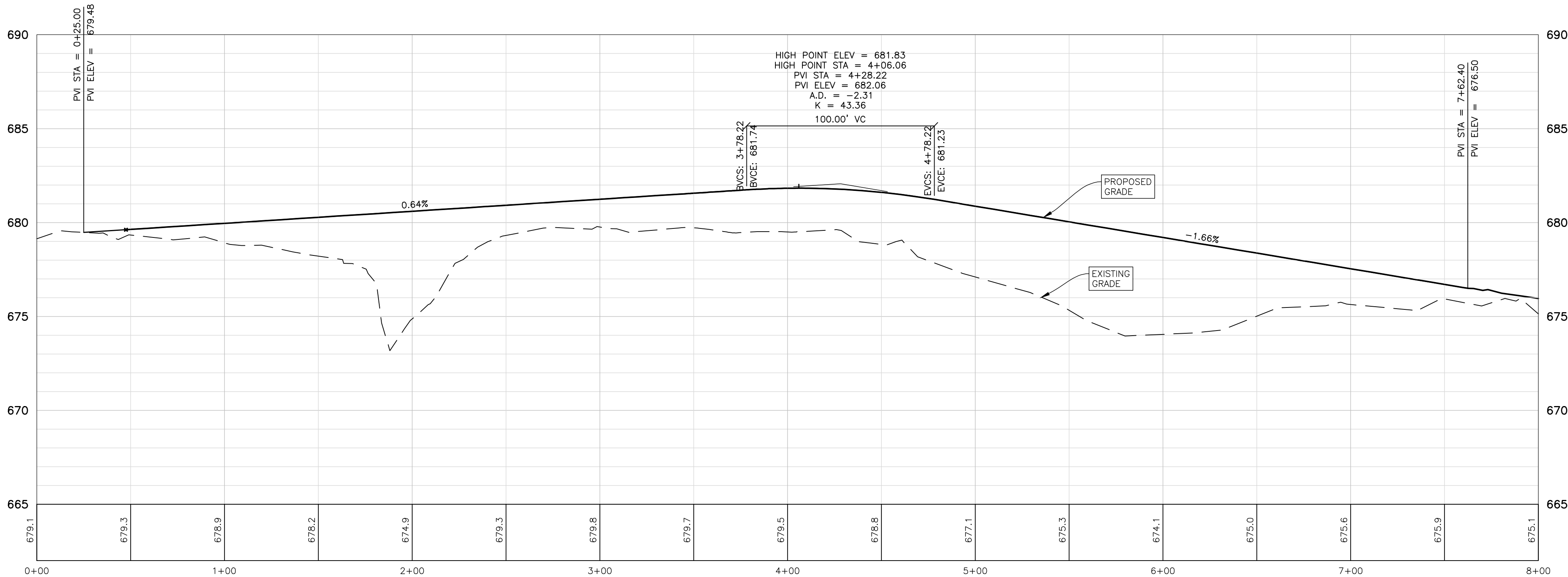
PROJECT NO: 21-175

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0 1/2" 1"

FIELD: AS
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DESIGN BY: DD
CHECK BY: AP

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THE LOCATIONS AND ELEVATIONS OF
EXISTING UNDERGROUND UTILITIES AS SHOWN
ON THIS DRAWING ARE ONLY APPROXIMATE
AND 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 :

**ICON
DEVELOPMENT**

VINCE SORRENTINO
35520 FORTON COURT,
CLINTON TOWNSHIP,
MICHIGAN, 48035

ROAD PLAN

ECKFORD WOODS SITE CONDOMINIUM
525 ECKFORD DRIVE
PART OF NE 1/4, SEC. 15, T2N-R11E
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

PLAN SUBMITTALS/REVISIONS	DATE
PRELIMINARY SITE PLAN TO CITY	11/12/2021
REVISED PRELIMINARY SITE PLAN TO CITY	2/7/2022
REVISED PRELIMINARY SITE PLAN TO CITY	3/18/2022

ORIGINAL ISSUE DATE:
11/12/2021

PROJECT NO: 21-175

SCALE: 1" = 40'
0 1/2" 1"

FIELD: AS
DRAWN BY: BN
DESIGN BY: DO
CHECK BY: AP

C-10.0

NOT FOR CONSTRUCTION

general landscape notes:

1. LANDSCAPE CONTRACTOR SHALL VISIT THE SITE, INSPECT EXISTING CONDITIONS, REVIEW PROPOSED PLANTINGS AND RELATED WORK, CONTACT THE OWNER AND/OR LANDSCAPE ARCHITECT WITH ANY CONCERNS OR DISCREPANCY BETWEEN THE PLAN, PLANT MATERIAL LIST, AND/OR SITE CONDITIONS.
2. PRIOR TO BEGINNING OF CONSTRUCTION ON ANY WORK, CONTRACTORS SHALL VERIFY LOCATIONS OF ALL ON SITE UTILITIES, GAS, ELECTRIC, TELEPHONE, CABLE TO BE LOCATED BY CONTACTING MISS DIG 1-800-482-1111. ANY DAMAGE OR INTERRUPTION OF SERVICES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. COORDINATE ALL RELATED WORK ACTIVITIES WITH OTHER TRADES AND REPORT ANY UNACCEPTABLE JOB CONDITIONS TO OWNER PRIOR TO COMMENCING.
3. NUMERICAL VALUE ON THE LANDSCAPE QUANTITIES SPECIFIED ON THE PLAN TAKE PRECEDENCE OVER GRAPHIC REPRESENTATION. VERIFY ANY CONCERN-DISCREPANCY WITH LANDSCAPE ARCHITECT.
4. ALL CONSTRUCTION AND PLANT MATERIAL LOCATION TO BE ADJUSTED ON SITE IF NECESSARY.
5. ALL SUBSTITUTIONS OR DEVIATIONS FROM THE LANDSCAPE PLAN MUST BE APPROVED BY CITY OF TROY AND LANDSCAPE ARCHITECT.
6. ALL LARGE TREES AND EVERGREENS TO BE STAKED, GUYED AND WRAPPED AS DETAILED, SHOWN ON PLAN.
7. PLANT BEDS TO BE DRESSED WITH MIN. 4" OF NATURAL COLOR FINELY DOUBLE SHREDDED HARDWOD BARK MULCH.
8. DIG SHRUB PITS 1' LARGER THAN SHRUB ROOT BALLS AND TREE PITS 2' LARGER THAN ROOT BALL. BACK FILL WITH ONE PART TOP SOIL AND ONE PART SOIL FROM EXCAVATED PLANTING HOLE.
9. REMOVE ALL TWINE, WIRE AND BURLAP FROM TREE AND SHRUB EARTH BALLS, AND FROM TREE TRUNKS. 4" THICK BARK MULCH FOR TREES IN 4" DIA. CIRCLE WITH 3" PULLED AWAY FROM TRUNK. 4" THICK BARK MULCH FOR SHRUBS AND 4" THICK BARK MULCH FOR PERENNIALS.
10. PLANT MATERIAL QUALITY & INSTALLATION SHALL BE IN ACCORDANCE WITH THE CURRENT AMERICAN ASSOCIATION OF NURSEYMEN LANDSCAPE STANDARDS.
11. ALL PLANTING AREAS TO BE PREPARED WITH APPROPRIATE SOIL MIXTURES AND FERTILIZER BEFORE PLANT INSTALLATION.
12. PLANT TREES AND SHRUBS GENERALLY NO CLOSER THAN THE FOLLOWING DISTANCES FROM SIDEWALKS, CURBS AND PARKING STALLS:
- a). SHADE TREES 5 FT.
 - b). ORNAMENTAL AND EVERGREEN TREES (CRAB, PINE, SPRUCE, ETC.) 10 FT.
 - c). SHRUBS THAT ARE LESS THAN 1 FOOT TALL AND WIDE AT MATURITY 2 FT.
13. NO TREES OR EVERGREENS TO BE INSTALLED OVER ANY PROPOSED OR EXISTING UTILITY LINES AS SHOWN ON THE OVERALL LANDSCAPE PLAN. SEE ENGINEERING PLANS FOR LOCATION AND DETAILS.
14. WATERING OF ALL PLANTS AND TREES TO BE PROVIDED IMMEDIATELY AND MULCHING WITHIN 24 HOURS AFTER INSTALLATION.
15. ALL TREE PITS TO BE TESTED FOR PROPER DRAINAGE PRIOR TO TREE PLANTING. PROVIDE APPROPRIATE DRAINAGE SYSTEM AS REQUIRED IF THE TREE PIT DOES NOT DRAIN SUFFICIENTLY.
16. DISTURBED LAWN AREAS TO RECEIVED SEEDING
- SEED MIX SHALL BE APPLIED AT A RATE OF 200 POUNDS PER ACRE AND WEED CONTENT SHALL NOT EXCEED 1%. SEED, PROVIDE A MINIMUM 4" TOP SOIL ON ALL SEEDED LAWN AREA
- SEEDED LAWN AREAS SHALL CONSIST OF THE FOLLOWING TYPES AND PROPORTIONS:
- 5% PERENNIAL RYE GRASS
 - 10% RED FESCUE
 - 25% CHEWING FESCUE
 - 60% KENTUCKY BLUE GRASS
17. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL LANDSCAPE PLANT MATERIALS AND IRRIGATION INSTALLATION FOR A PERIOD OF TWO YEAR BEGINNING AFTER THE COMPLETION OF LANDSCAPE INSTALLATION DATE APPROVED BY THE CITY OR LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL REPLACE DURING AND AT THE END OF THE GUARANTEE PERIOD, ANY DEAD OR UNACCEPTABLE PLANTS, AS DETERMINED BY THE TOWNSHIP OR LANDSCAPE ARCHITECT, WITHOUT COST TO THE OWNER.

landscape maintenance notes:

LANDSCAPE MAINTENANCE PROCEDURES AND FREQUENCIES TO BE FOLLOWED SHALL BE SPECIFIED ON THE LANDSCAPE PLAN, ALONG WITH THE MANNER IN WHICH THE EFFECTIVENESS, HEALTH AND INTENDED FUNCTIONS OF THE VARIOUS LANDSCAPE AREAS ON THE SITE WILL BE ENSURED.

1. LANDSCAPING SHALL BE KEPT IN A NEAT, ORDERLY AND HEALTHY GROWING CONDITION, FREE FROM DEBRIS AND REFUSE.
2. PRUNING SHALL BE MINIMAL AT THE TIME OF INSTALLATION, ONLY TO REMOVE DEAD OR DISEASED BRANCHES. SUBSEQUENT PRUNING SHALL ASSURE PROPER MATURATION OF PLANTS TO ACHIEVE THEIR APPROVED PURPOSE.
3. ALL DEAD OR DISEASED PLANT MATERIAL SHALL BE REMOVED AND REPLACED WITHIN SIX (6) MONTHS AFTER IT DIES OR IN THE NEXT PLANTING SEASON, WHICHEVER OCCURS FIRST. THE PLANTING SEASON FOR DECIDUOUS PLANTS SHALL BE BETWEEN MARCH 15 AND NOVEMBER 15 OR UNTIL THE PREPARED SOIL BECOMES FROZEN. THE PLANTING SEASON FOR EVERGREEN PLANTS SHALL BE BETWEEN MARCH 1 AND JUNE 1. PLANT MATERIAL INSTALLED TO REPLACE DEAD OR DISEASED MATERIAL SHALL BE AS CLOSE AS PRACTICAL TO THE SIZE OF THE MATERIAL IT IS INTENDED TO REPLACE.

landscape plan for:

"Eckford Woods"
a planned single family community
City of Troy, Michigan

note:

unless noted otherwise, numerical value on landscape quantities specified on plan take precedence over graphic representation.

PROPOSED STREET TREES TO BE LOCATED BETWEEN WALK AND BLDG. UNIT AND SPACED AT 50' O.C. NO TREES TO BE INSTALLED OVER ANY EXISTING OR PROPOSED INGROUND UTILITIES. FIELD ADJUST AS REQUIRED PER FINAL DRIVEWAY AND INGROUND UTILITIES LOCATIONS

PROPOSED UNDERGROUND UTILITIES-SEE ENGINEERING PLAN FOR FINAL LOCATIONS, SIZES, TYPES, ELEVATIONS AND DETAILS. CROWN CUL-DE-SAC ISLAND 12" AT CENTER. LAWN AREAS TO RECEIVE SEEDING ON FINISH GRADES. PROVIDE POSITIVE DRAINAGE.

DISTURBED LAWN AREAS TO RECEIVE SEEDING ON FINISH GRADES. PROVIDE POSITIVE DRAINAGE.

UNDERGROUND UTILITIES-SEE ENGINEERING PLAN FOR FINAL LOCATIONS, SIZES, ELEVATIONS AND DETAILS.

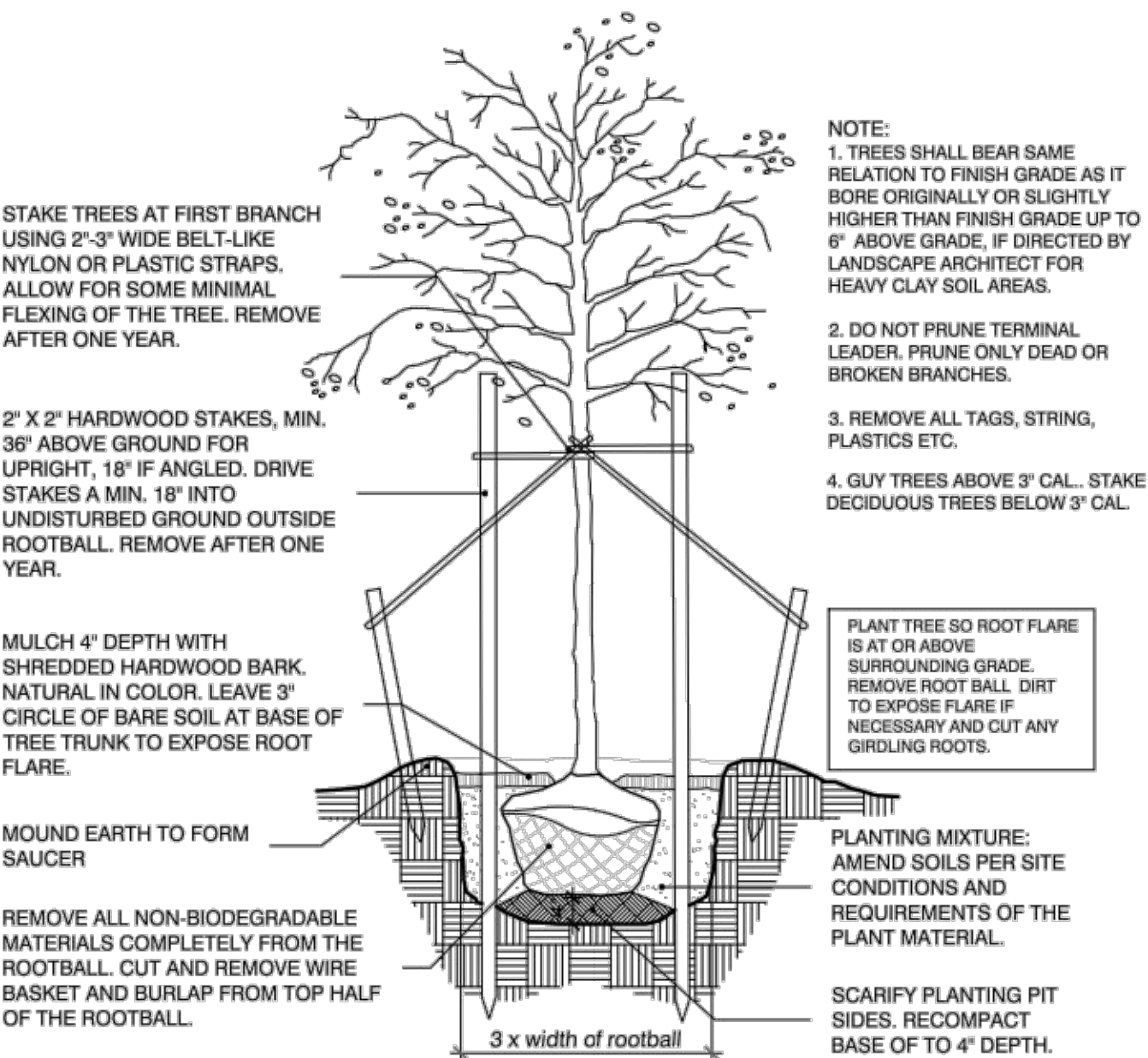
DISTURBED LAWN AREAS TO RECEIVE SEEDING ON FINISH GRADES. PROVIDE POSITIVE DRAINAGE.

landscape requirements:

street trees	REQUIRED	PROVIDED
TOTAL SQ.FT. OF R.O.W. FRONTAGE (ECKFORD DRIVE)	784'±	
ONE (1) DECIDUOUS TREE PER 50 FT. OF R.O.W. FRONTAGE (256 LIN.FT. / 50' PER TREE = 5.12 TREES)	5	6
TOTAL SQ.FT. OF R.O.W. FRONTAGE (INTERIOR STREET R.O.W.)	1,745'±	
ONE (1) DECIDUOUS TREE PER 50 FT. OF R.O.W. FRONTAGE (1,745 LIN.FT. / 50' PER TREE = 35.4 TREES)	36	36

plant material list

key	quant.	botanical name	common name	size	comments
LARGE AND SMALL DECIDUOUS TREES					
LS	8	LIQUIDAMBAR STYRACIFLUA	AMERICAN SWEETGUM	2 1/2" BB	
QB	11	QUERCUS BICOLOR	SWAMP WHITE OAK	2 1/2" BB	
AR	10	ACER R. FRANKSRED	RED SUNSET RED MAPLE	2 1/2" BB	
TR	6	TILIA AMERICANA 'REDMOND'	REDMOND LINDEN	2 1/2" BB	
LT	6	LIRIODENDRON TULIPIFERA	TULIPTREE	2 1/2" BB	
PD	3	PICEA GLAUCA 'DENSATA	BLACK HILL SPRUCE	8" BB	



tree planting detail
no scale

FP A
FELINO A. PASCUAL
and ASSOCIATES
Community Land Planner and
registered Landscape Architect
24333 Orchard Lake Rd, Suite G
Farmington Hills, MI 48336
ph. (248) 557-5588
fax. (248) 557-5416



client:
ICON DEVELOPMENT
35520 Forton Court
Clinton Township,
Michigan 48035

project:
ECKFORD WOODS

project location:
City of Troy,
Michigan
525 Eckford Drive

sheet title:
STREET TREE LANDSCAPE PLAN

job no./issue/revision date:
LS21.129.11 SPA 11/12/2021
LS22.023.02 SPA 2/2/2022
LS22.023.03 SPA 3/18/2022

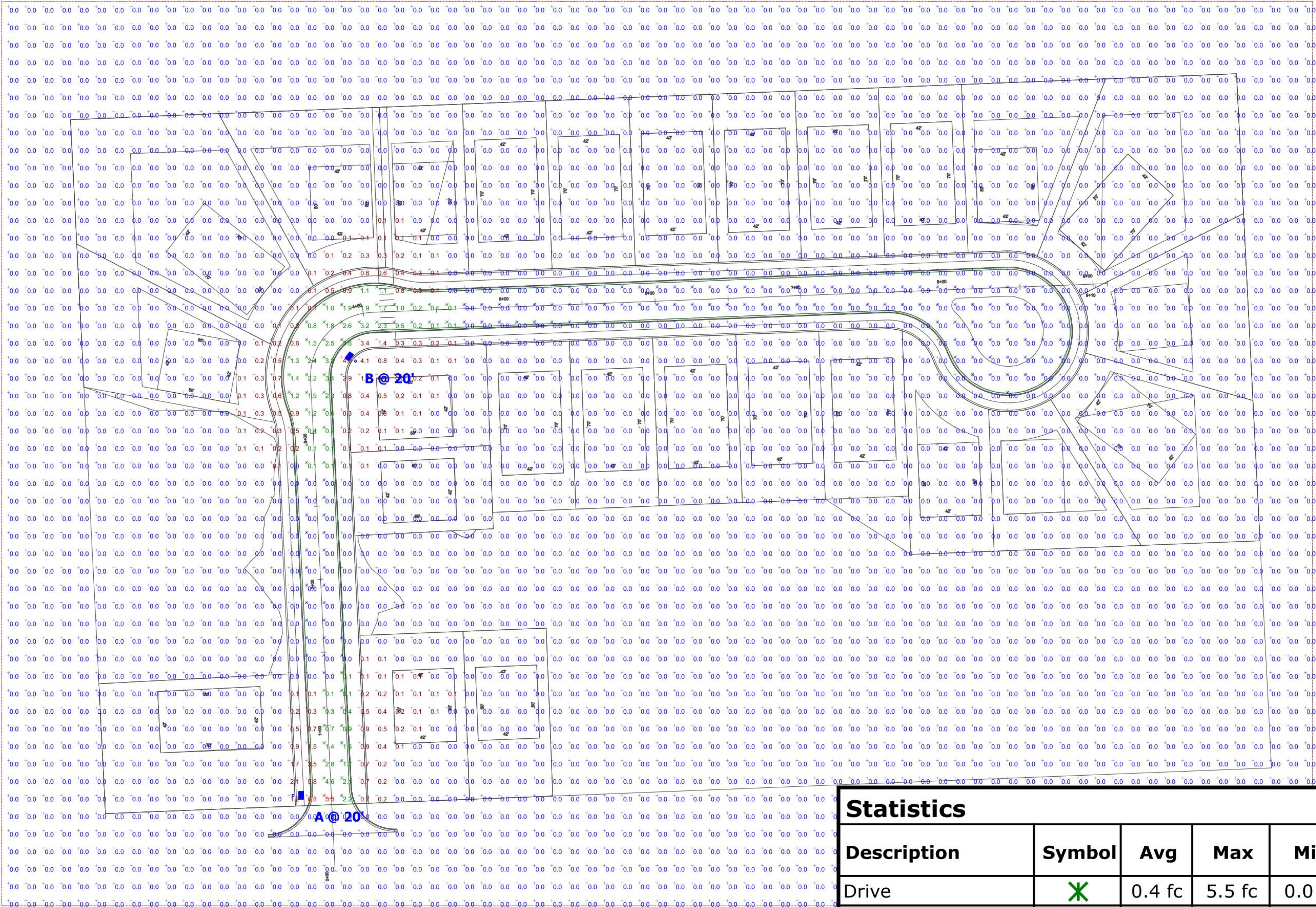
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Do Not scale drawings. Use figured dimensions only



The location 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 of accuracy; contractor shall be exclusively responsible for determining the exact location and elevation prior to the start of construction

project no:
LS22.023.02

sheet no:
LS-1



- General Note**
1. SEE SCHEDULE FOR LUMINAIRE MOUNTING HEIGHT.
 2. CALCULATIONS ARE SHOWN IN FOOTCANDLES AT: 0' - 0"
 3. LIGHTING ALTERNATES REQUIRE NEW PHOTOMETRIC CALCULATION AND RESUBMISSION TO CITY FOR APPROVAL.

THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING / FUTURE FIELD CONDITIONS. THIS LIGHTING LAYOUT REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER VARIABLE FIELD CONDITIONS. MOUNTING HEIGHTS INDICATED ARE FROM GRADE AND/OR FLOOR UP.

THESE LIGHTING CALCULATIONS ARE NOT A SUBSTITUTE FOR INDEPENDENT ENGINEERING ANALYSIS OF LIGHTING SYSTEM SUITABILITY AND SAFETY. THE ENGINEER AND/OR ARCHITECT IS RESPONSIBLE TO REVIEW FOR MICHIGAN ENERGY CODE AND LIGHTING QUALITY COMPLIANCE.

UNLESS EXEMPT, PROJECT MUST COMPLY WITH LIGHTING CONTROLS REQUIRMENTS DEFINED IN ASHRAE 90.1 2013. FOR SPECIFIC INFORMATION CONTACT GBA CONTROLS GROUP AT ASG@GASSERBUSH.COM OR 734-266-6705.

FOR ORDERING INQUIRIES CONTACT GASSER BUSH AT QUOTES@GASSERBUSH.COM OR 734-266-6705.

THIS DRAWING WAS GENERATED FROM AN ELECTRONIC IMAGE FOR ESTIMATION PURPOSE ONLY. LAYOUT TO BE VERIFIED IN FIELD BY OTHERS.

MOUNTING HEIGHT IS MEASURED FROM GRADE TO FACE OF FIXTURE. POLE HEIGHT SHOULD BE CALCULATED AS THE MOUNTING HEIGHT LESS BASE HEIGHT.

Statistics

Description	Symbol	Avg	Max	Min	Avg/Min	Max/Min
Drive	✕	0.4 fc	5.5 fc	0.0 fc	N/A	N/A
Grade @ 0'	+	0.0 fc	6.8 fc	0.0 fc	N/A	N/A

Schedule

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Lumens Per Lamp	Light Loss Factor	Wattage
	A	1	Lithonia Lighting	DSX0 LED P6 40K RCCO MVOLT	DSX0 LED P6 40K RCCO MVOLT	LED	9739	0.9	134
	B	1	Lithonia Lighting	DSX0 LED P6 40K T3M MVOLT	DSX0 LED P6 40K T3M MVOLT	LED	15508	0.9	134



ECKFORD
PHOTOMETRIC PLAN
GASSER BUSH ASSOCIATES
WWW.GASSERBUSH.COM

LIGHTING PLAN

LP-1.0

Designer
DS
Date
11/11/2021
Scale
Not to Scale
Drawing No.
#21-68808 V1
1 of 1



1 FRONT ELEVATION - BASE
A2.1 Scale: 3/16" = 1'-0"

2 STORY

REVIEW	09.08.21

Front Elevation
Base

JBMA Project No.
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PRELIMINARY NOT FOR CONSTRUCTION

A2.1



1 SIDE ELEVATION - BASE
A2.2 Scale: 3/16" = 1'-0"

2 STORY

REVIEW	09.08.21

Side Elevation
Base

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PRELIMINARY NOT FOR CONSTRUCTION A2.2



1 REAR ELEVATION - BASE
A2.3 Scale: 3/16" = 1'-0"

2 STORY

REVIEW	09.08.21

Rear Elevation
Base

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1 SIDE ELEVATION - BASE
A2.4

Scale: 3/16" = 1'-0"

2 STORY

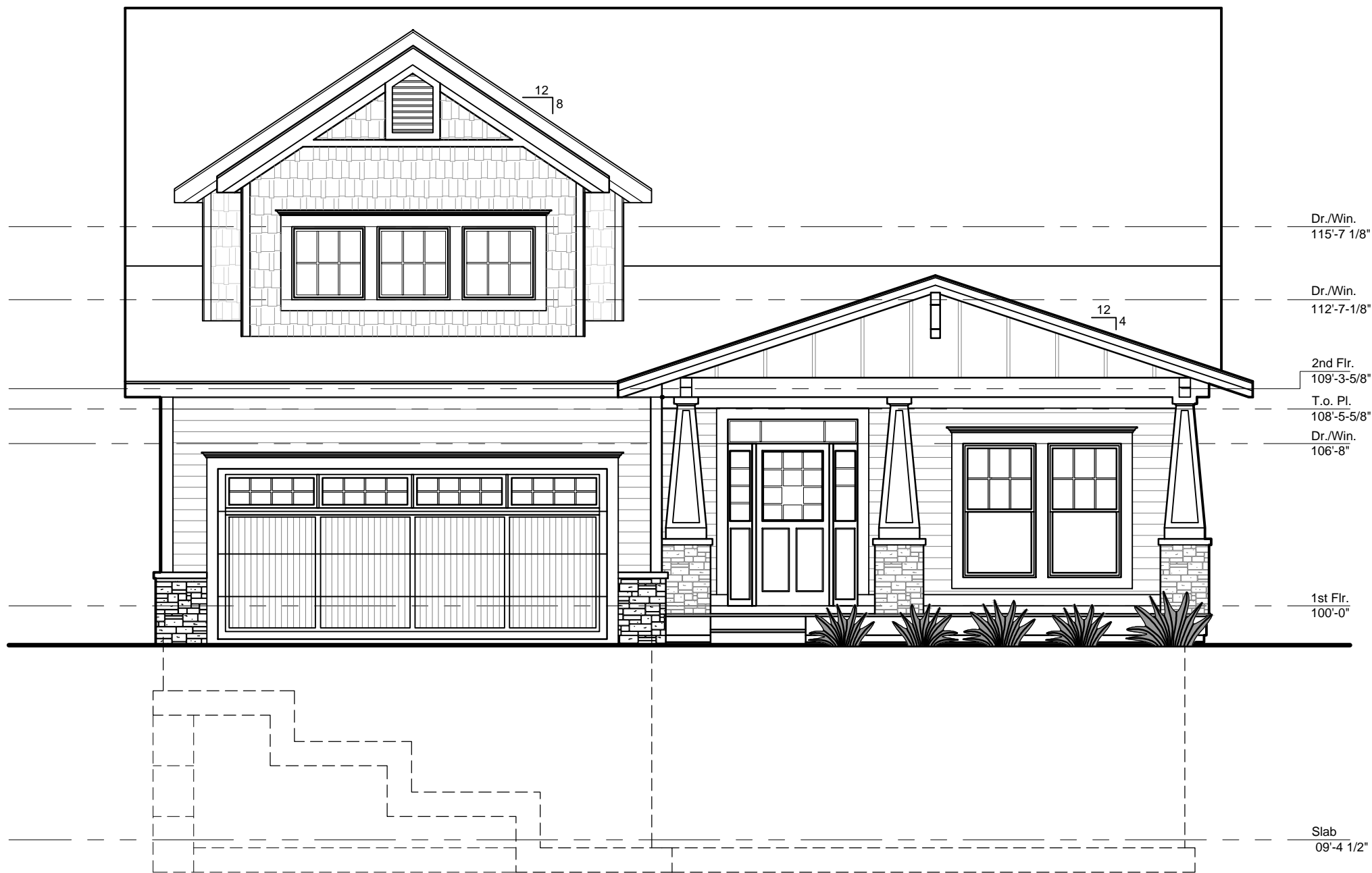
REVIEW	09.08.21

Side Elevation
Base

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A2.4



1 FRONT ELEVATION - ALT 1
A2.5 Scale: 3/16" = 1'-0"

2 STORY

PRELIMINARY NOT FOR CONSTRUCTION

REVIEW 09.08.21

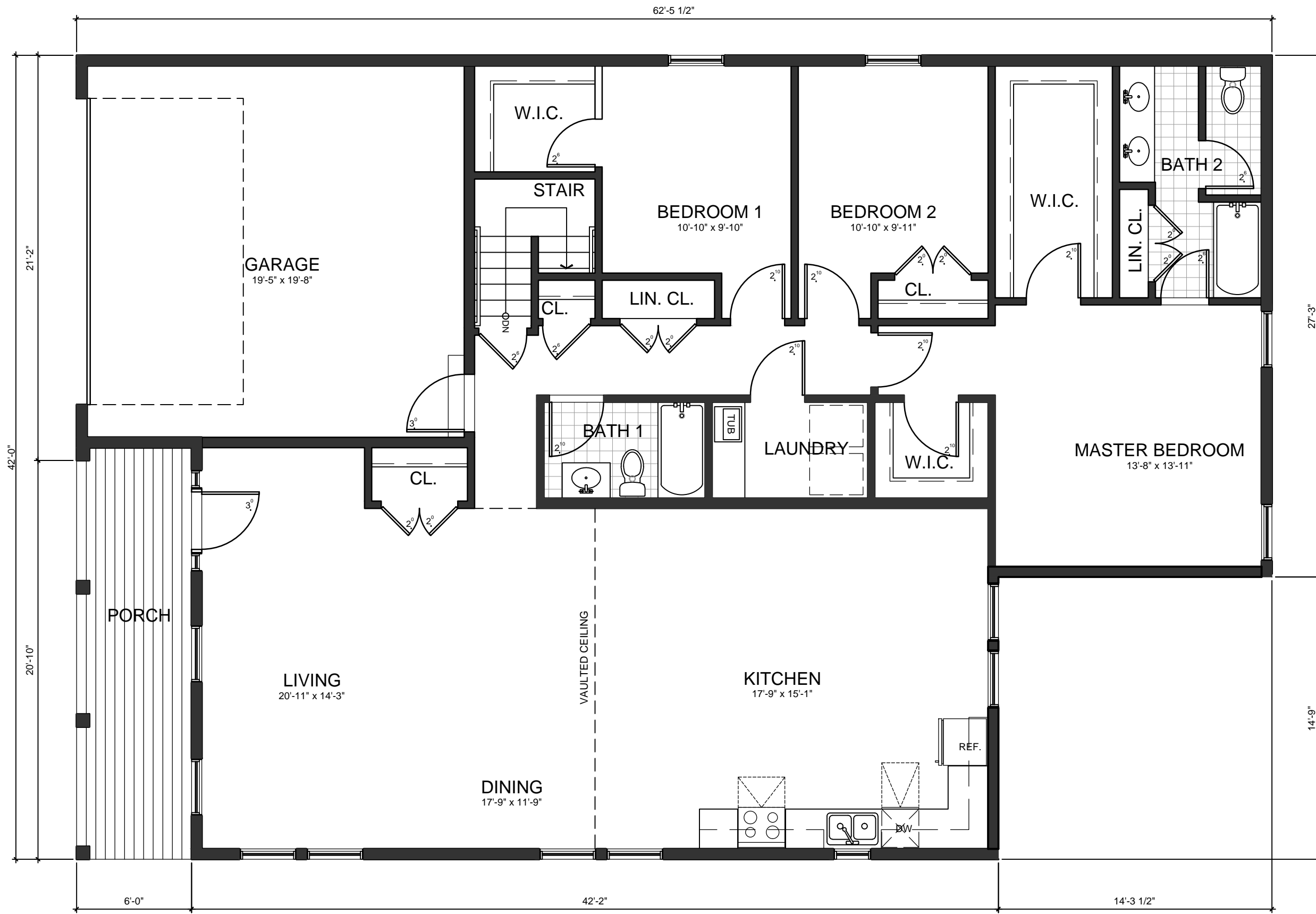
Front Elevation
Alt 1

JBMA Project No.

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A2.5



1 FIRST FLOOR PLAN - BASE
A1.1 Scale: 3/16" = 1'-0"

1 STORY

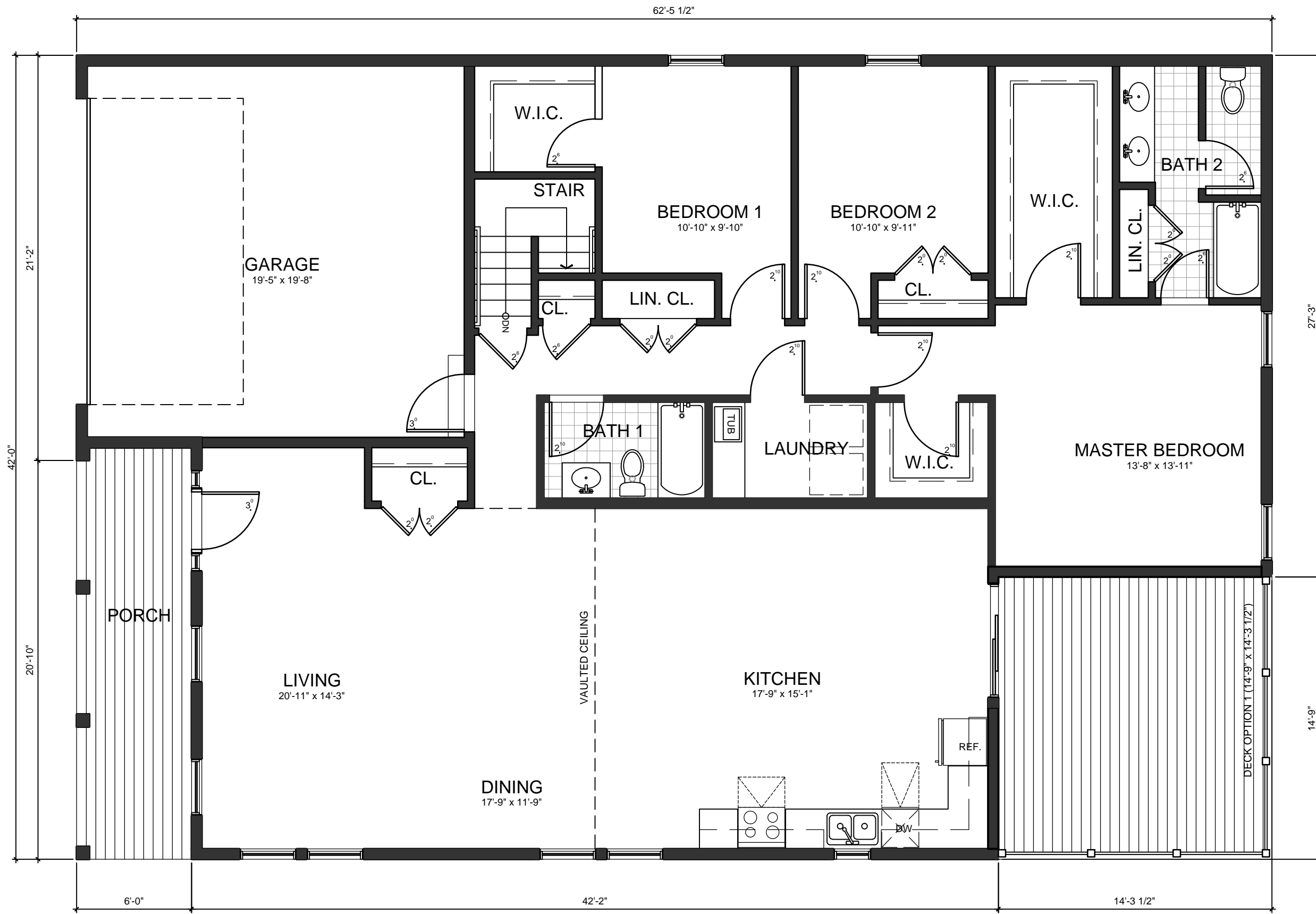
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REVIEW	08.16.21

First Floor
Base

JBMA Project No.
221150
2021

A1.1



1 FIRST FLOOR PLAN - BASE WITH DECK
A1.1a Scale: 3/16" = 1'-0" 1 STORY

PRELIMINARY NOT FOR CONSTRUCTION

REVIEW	08.16.21

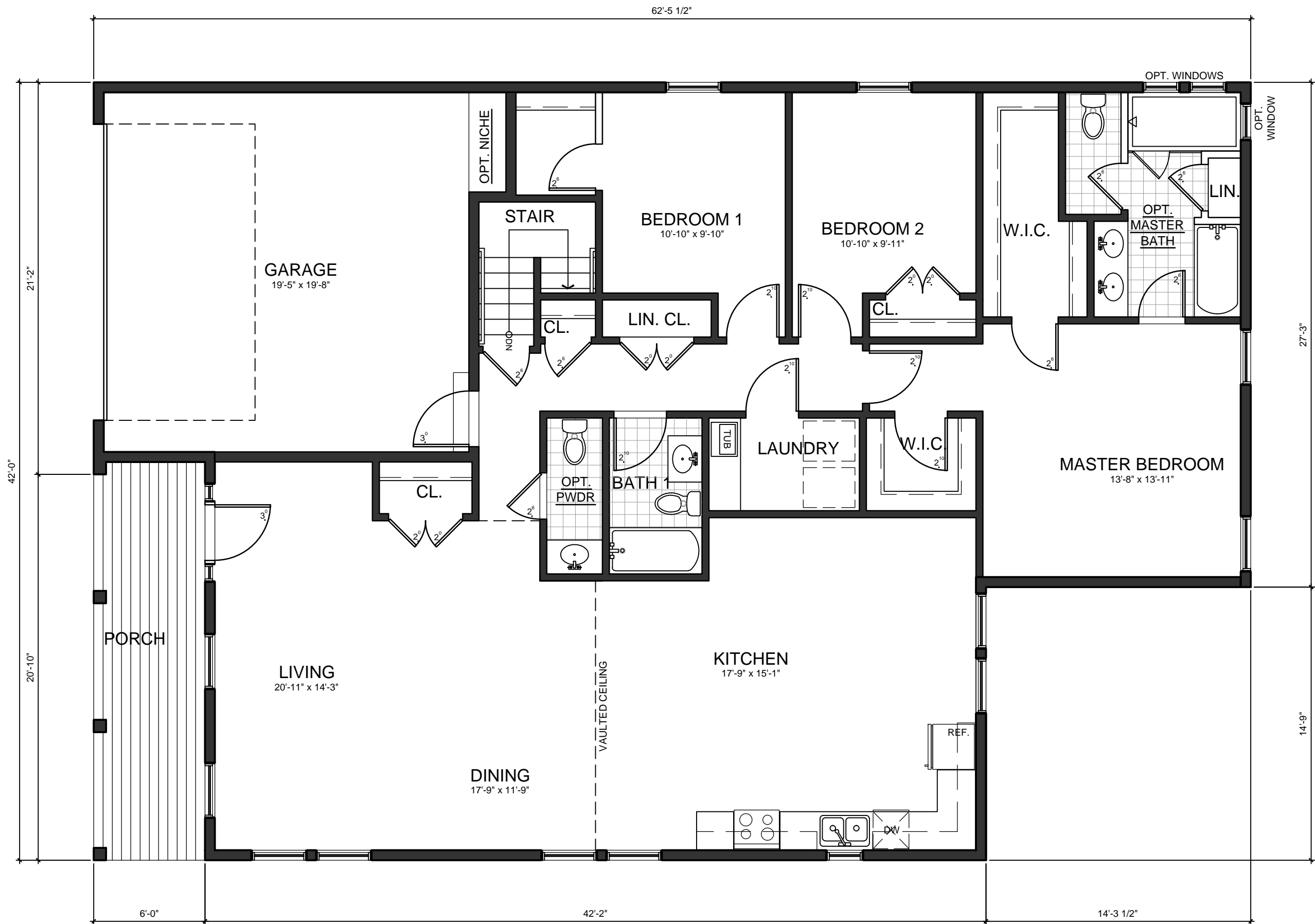
First Floor
Base
with Deck

JBMA Project No.

221150

2021

A1.1a



1 FIRST FLOOR PLAN - BASE - INTERIOR LAYOUT OPTIONS
A1.1d Scale: 3/16" = 1'-0" 1 STORY

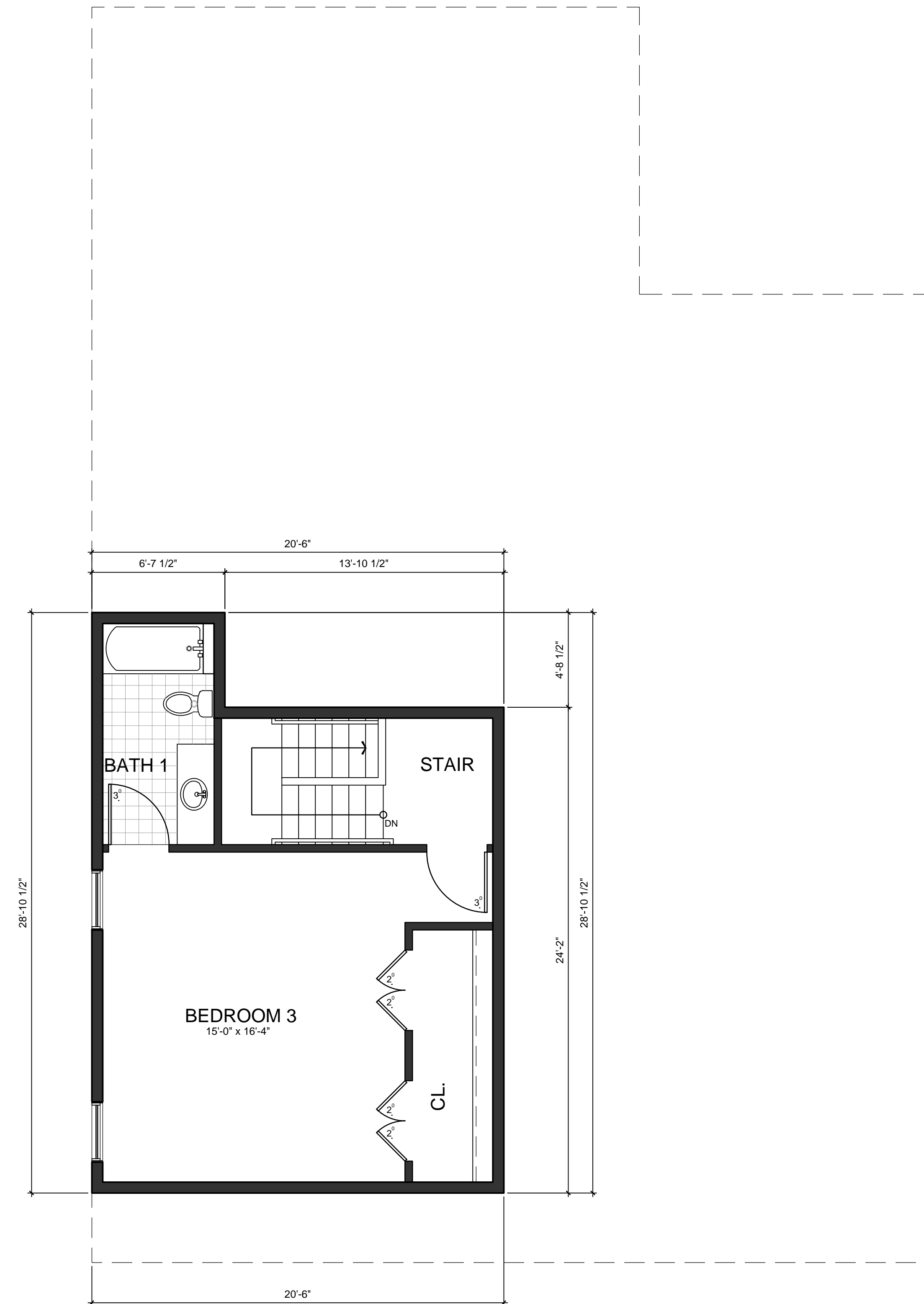
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REVIEW	08.16.21

First Floor Plan
Base - Interior
Layout Options

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221150
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A1.1d



1 SECOND FLOOR PLAN - BASE
A1.2 Scale: 1/4" = 1'-0" 2 STORY

Review	07.13.21

2nd Floor Plan
Base

JBMA Project No.
221150
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PRELIMINARY NOT FOR CONSTRUCTION



2 SIDE ELEVATION - BASE
A2.1 Scale: 1/4" = 1'-0" 2 STORY



1 FRONT ELEVATION - BASE
A2.1 Scale: 1/4" = 1'-0" 2 STORY

REVIEW	07.16.21

Elevations
Michigan
Base Model

JBMA Project No.
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A2.1

PRELIMINARY NOT FOR CONSTRUCTION



2 SIDE ELEVATION - BASE
A2.2 Scale: 1/4" = 1'-0" 2 STORY

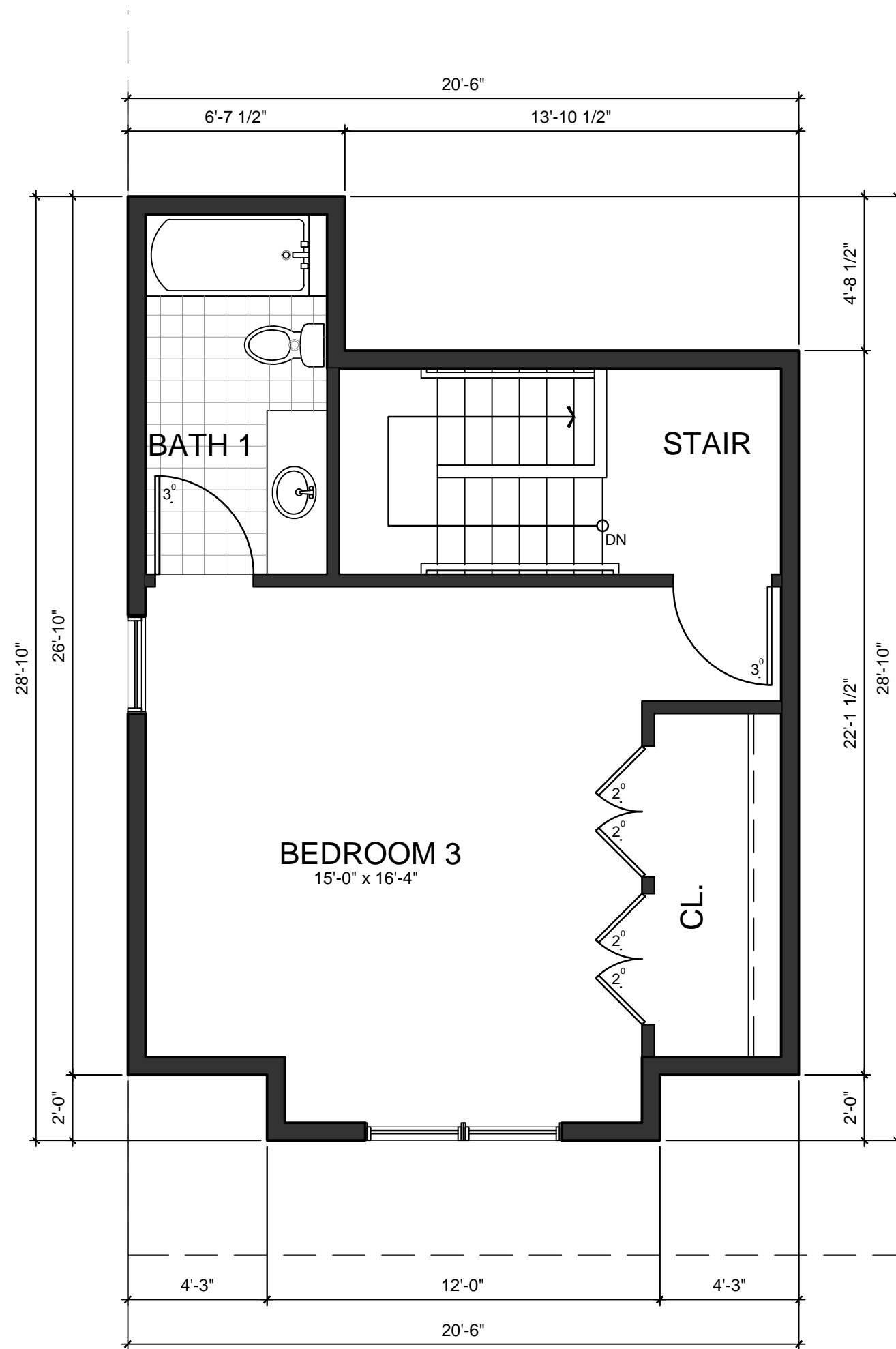


1 REAR ELEVATION - BASE
A2.2 Scale: 1/4" = 1'-0" 2 STORY

REVIEW	07.16.21

Elevations
Michigan
Base Model

JBMA Project No.
221150
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2 2nd FLOOR PLAN - ALT '1'

A2.3 Scale: 1/4" = 1'-0"

2 STORY OPTION



1 FRONT ELEVATION - ALT '1'

A2.3 Scale: 1/4" = 1'-0"

2 STORY OPTION

REVIEW 07.19.21

Elevation and
2nd Floor Plan
Michigan ALT '1'

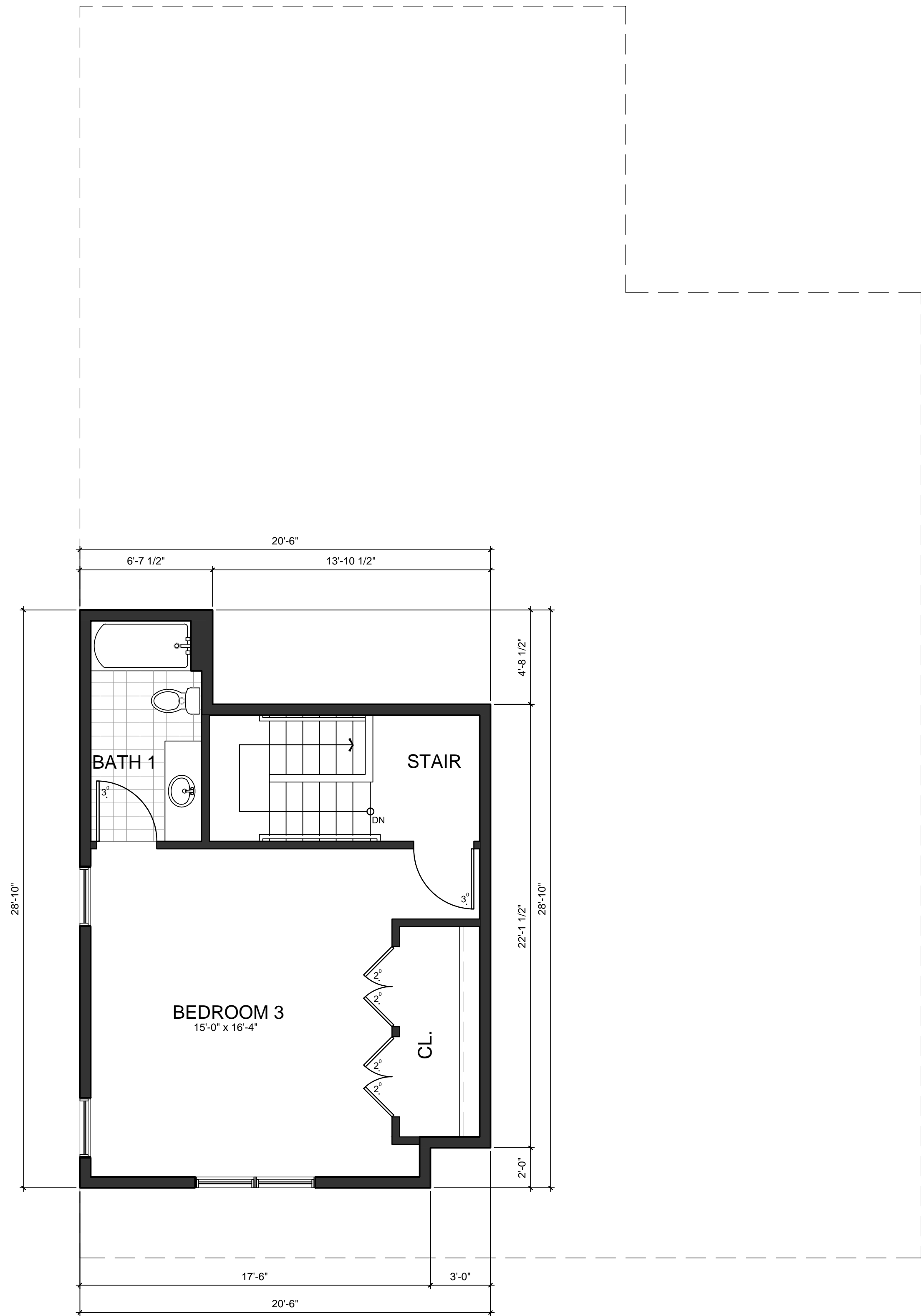
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A2.3

PRELIMINARY NOT FOR CONSTRUCTION



2 2nd FLOOR PLAN - ALT '2'
A2.4 Scale: 1/4" = 1'-0" 2 STORY OPTION



1 FRONT ELEVATION - ALT '2'
A2.4 Scale: 1/4" = 1'-0" 2 STORY OPTION

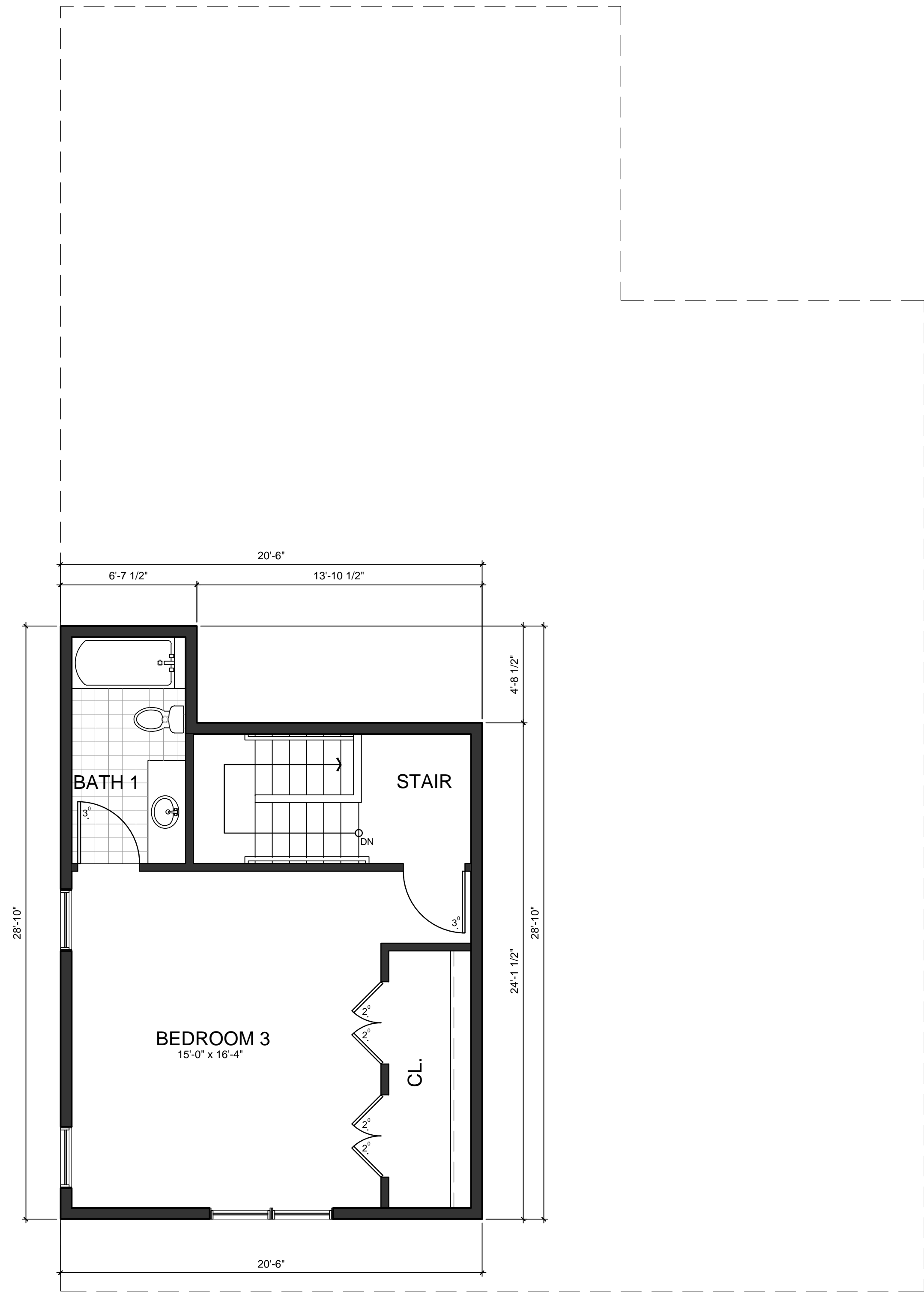
	07.07.21
REVIEW	

Elevation and
2nd Floor Plan
Michigan ALT '2'

JBMA Project No.
221150
©2019

PRELIMINARY NOT FOR CONSTRUCTION

A2.4



2 2nd FLOOR PLAN - ALT '3'
A2.5 Scale: 1/4" = 1'-0" 2 STORY OPTION



1 FRONT ELEVATION - ALT '3'
A2.5 Scale: 1/4" = 1'-0" 2 STORY OPTION

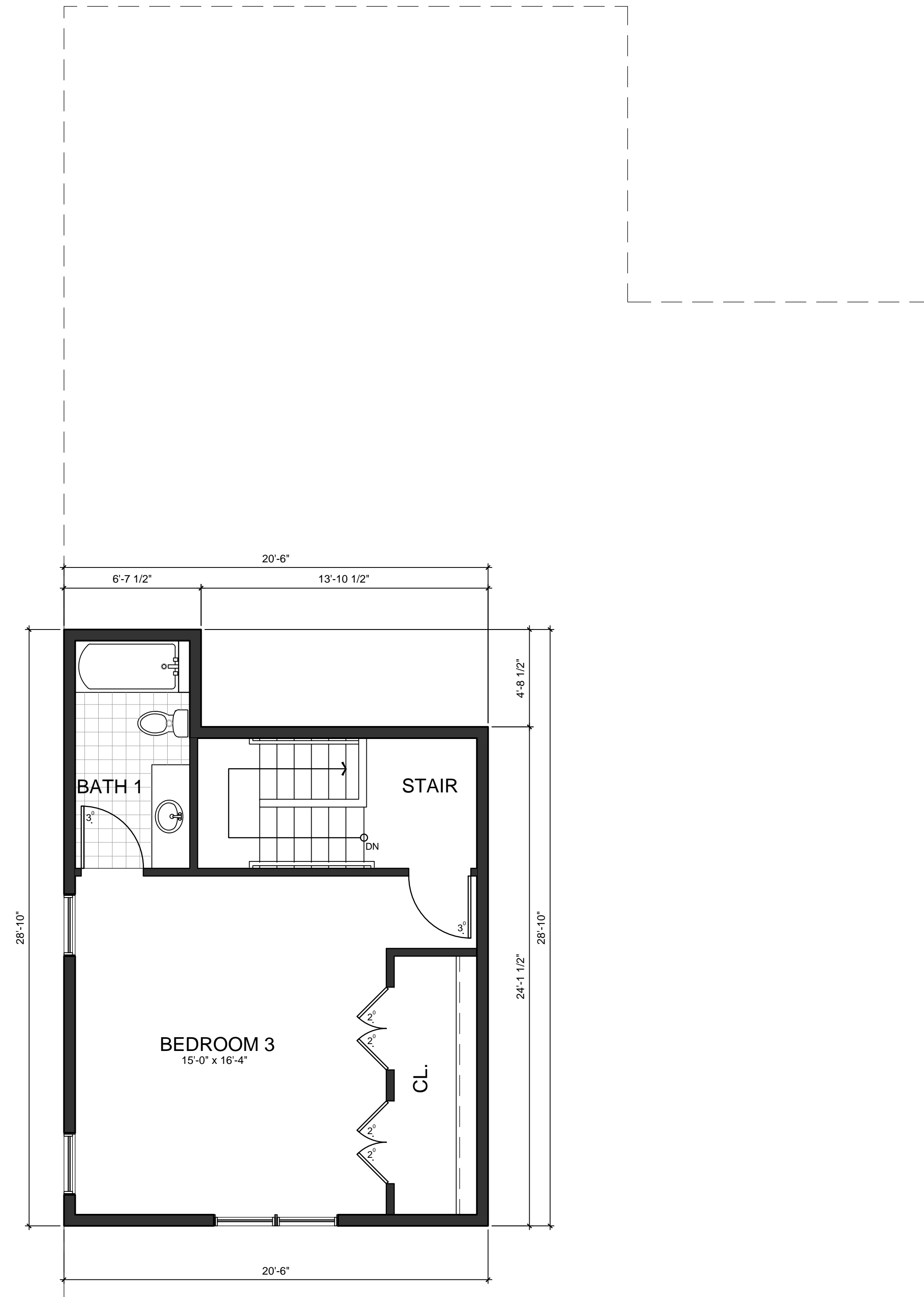
REVIEW	07.19.21

Elevation and
2nd Floor Plan
Michigan ALT '3'

JBMA Project No.
221150
©2019

PRELIMINARY NOT FOR CONSTRUCTION

A2.5



2 2nd FLOOR PLAN - ALT '4'
A2.6 Scale: 1/4" = 1'-0" 2 STORY OPTION



1 FRONT ELEVATION - ALT '4'
A2.6 Scale: 1/4" = 1'-0" 2 STORY OPTION

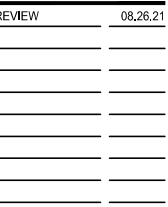
REVIEW	07.19.21

Elevation and
2nd Floor Plan
Michigan ALT '4'

JBMA Project No.
221150
©2019

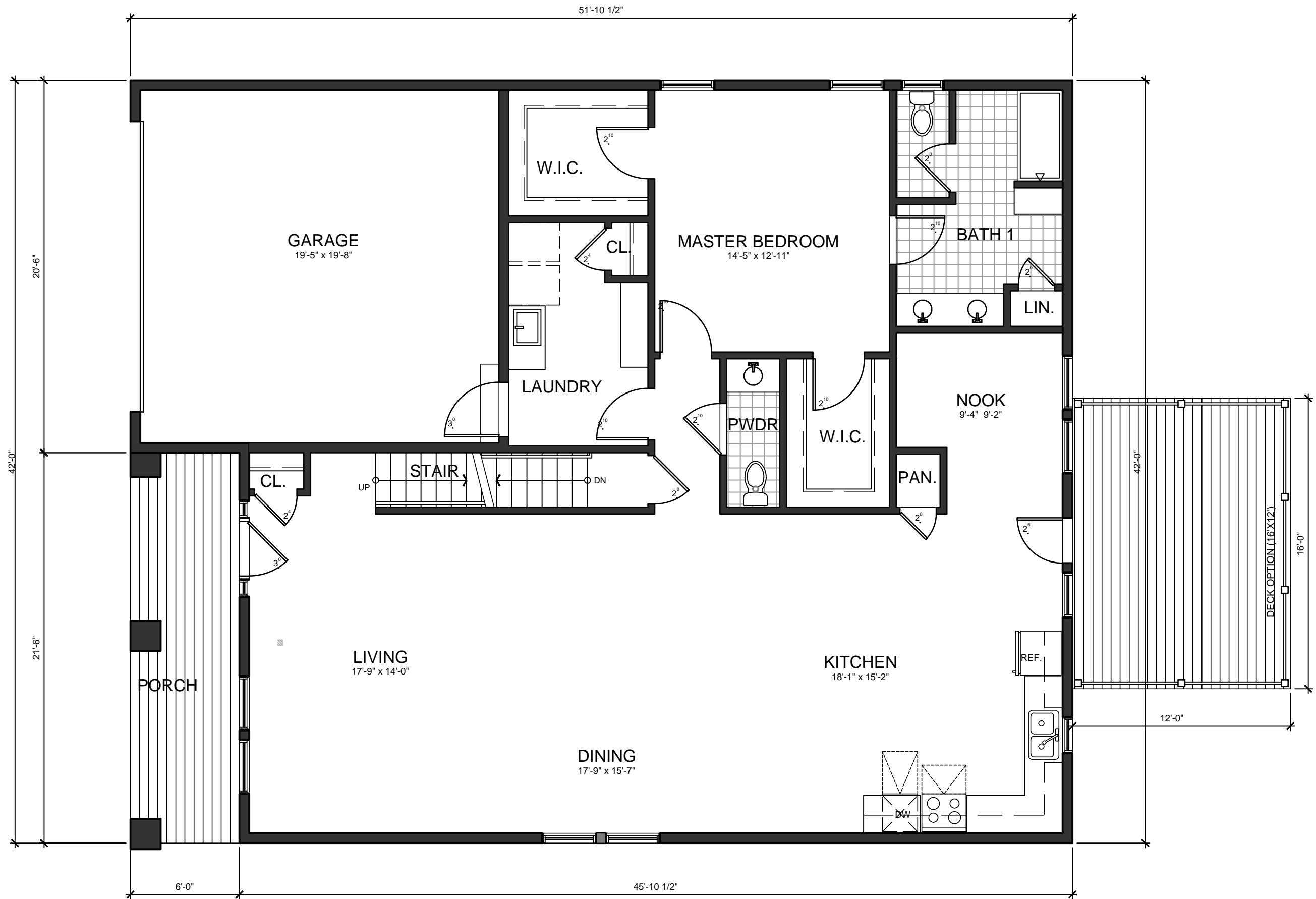
PRELIMINARY NOT FOR CONSTRUCTION

A2.6



BMA Project No.
221150
©2021

A1.1



1 FIRST FLOOR PLAN - BASE WITH DECK
A1.1a Scale: 3/16" = 1'-0" 2 STORY

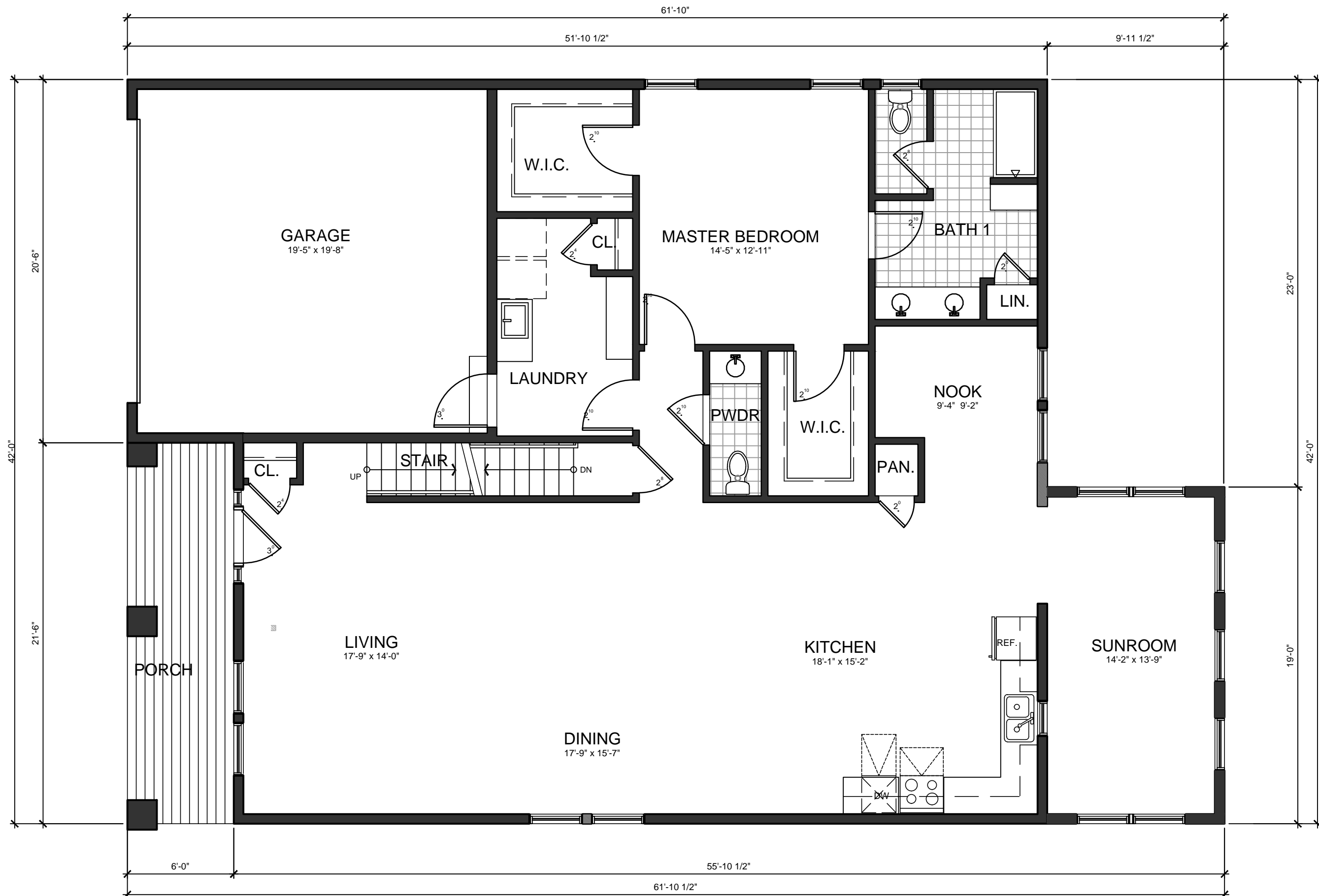
PRELIMINARY NOT FOR CONSTRUCTION

REVIEW	08.26.21

First Floor Plan
Base with Deck

JBMA Project No.
221150
© 2021

A1.1a



1 FIRST FLOOR PLAN - SUNROOM
A1.1b Scale: 3/16" = 1'-0"

2 STORY

PRELIMINARY NOT FOR CONSTRUCTION

REVIEW	08.26.21

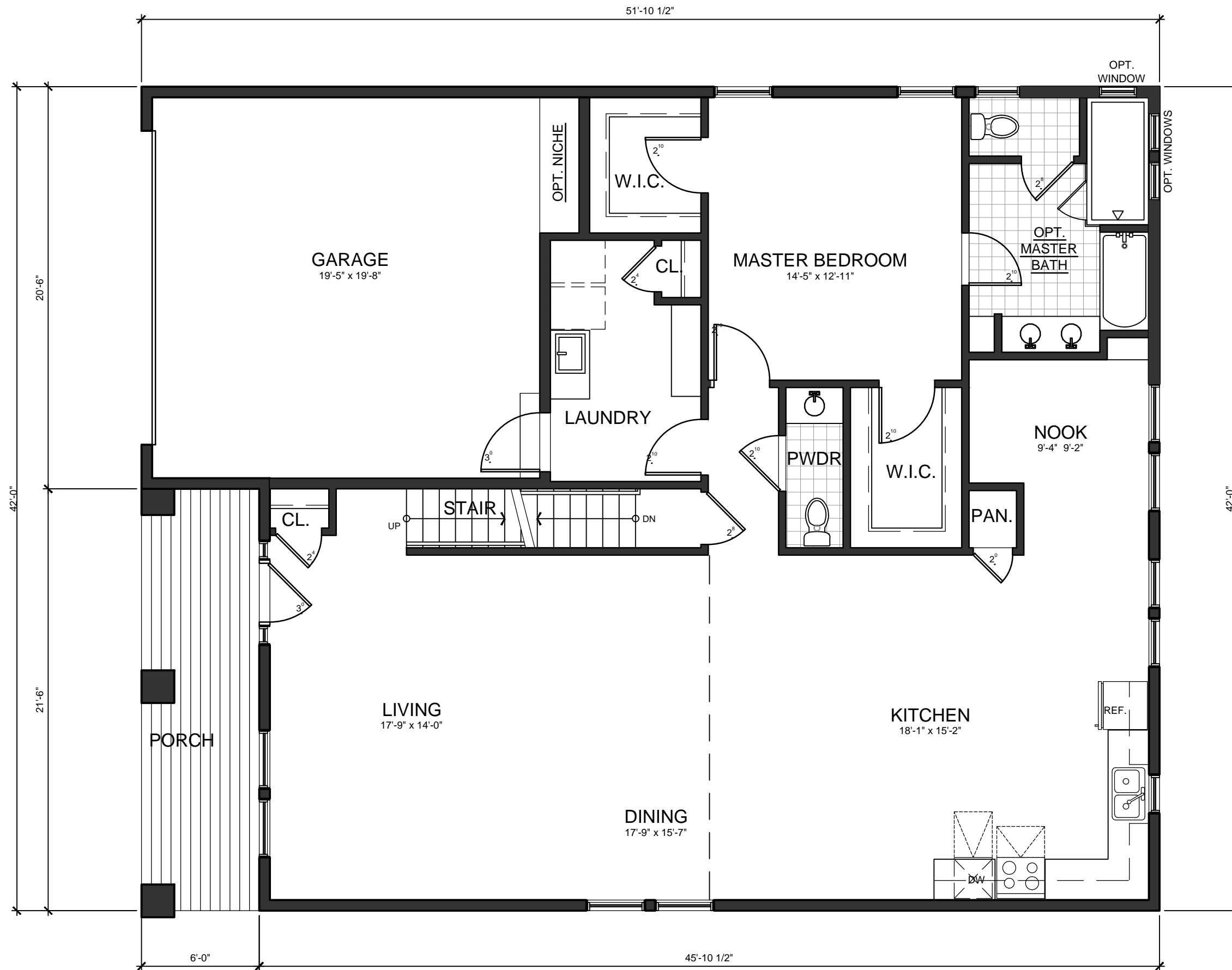
First Floor Plan
Sunroom

JBMA Project No.
221150
© 2021

A1.1b



A1.1c



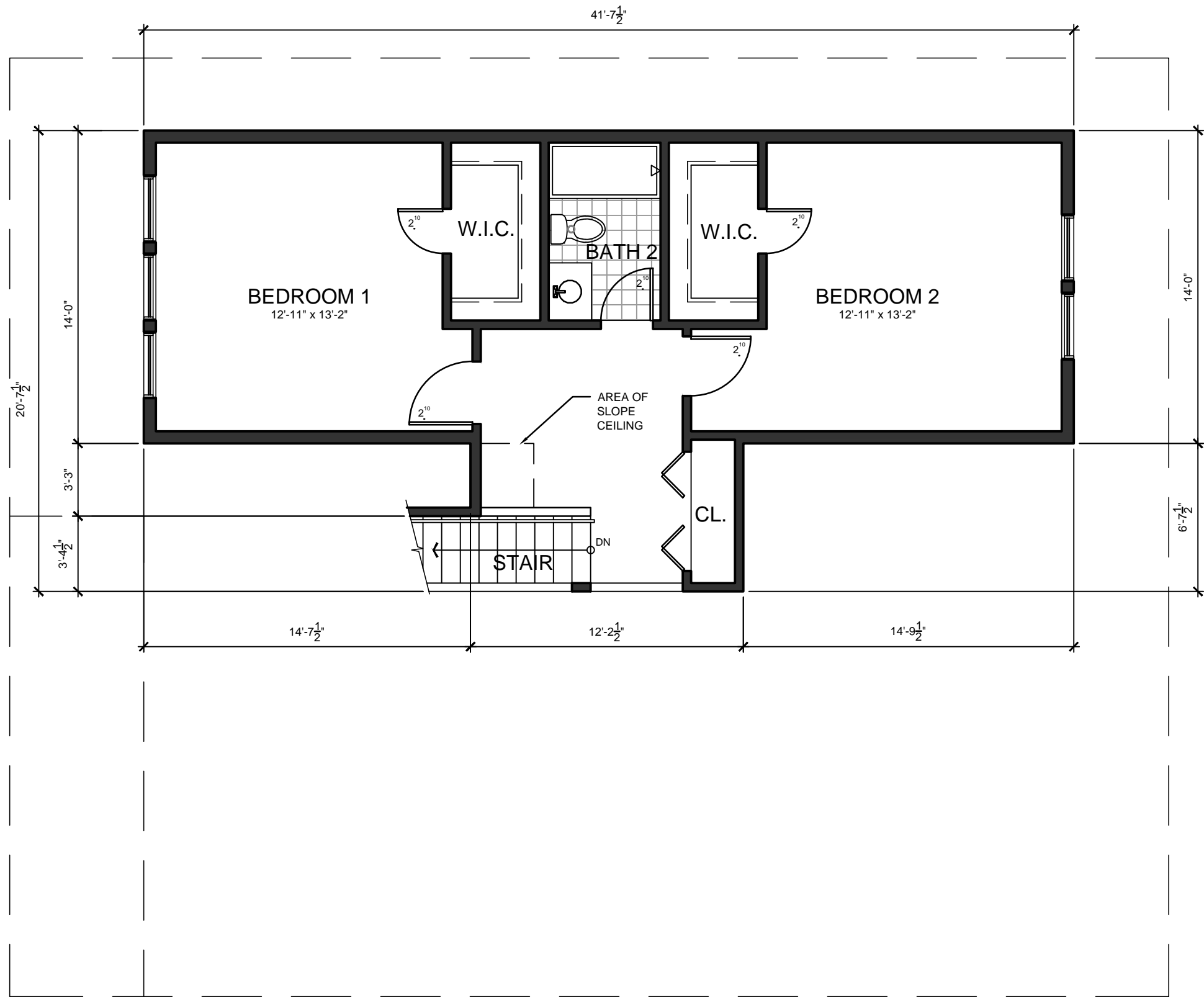
1 FIRST FLOOR PLAN - BASE - INTERIOR OPTIONS
A1.1d Scale: 3/16" = 1'-0" 2 STORY

REVIEW	08.26.21

First Floor Plan
Base
Interior Options

JBMA Project No.
221150
© 2021

PRELIMINARY NOT FOR CONSTRUCTION A1.1d



1 SECOND FLOOR PLAN - BASE
A1.2

Scale: 3/16" = 1'-0"

2 STORY

PRELIMINARY NOT FOR CONSTRUCTION

REVIEW	DATE
	08.26.21

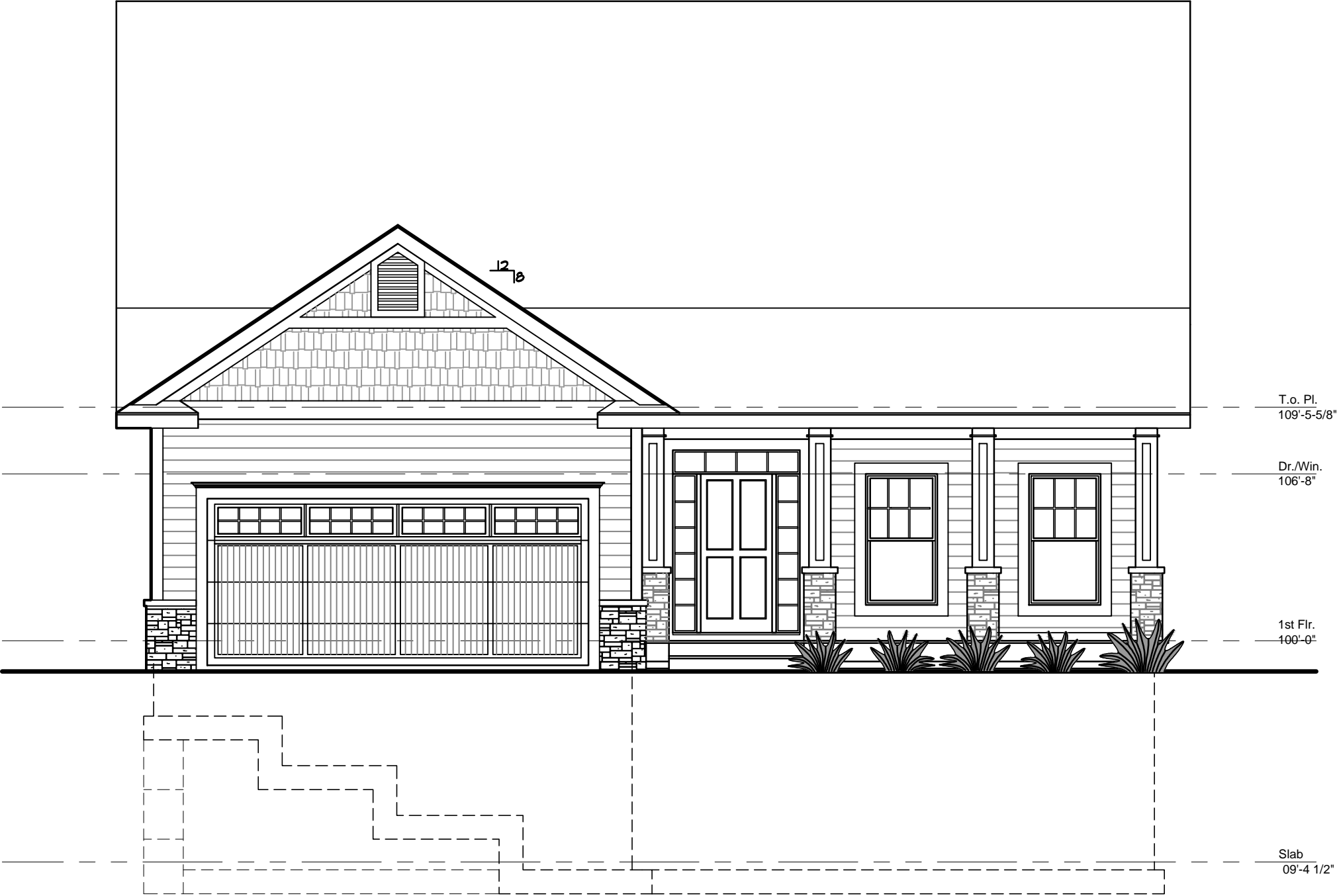
Second Floor
Plan - Base

JBMA Project No.

221150

© 2021

A1.2



1
A2.1

FRONT ELEVATION - BASE

Scale: 3/16" = 1'-0"

1 STORY

REVIEW	08.24.21

Front Elevation
Base

JBMA Project No.
221150
© 2021

PRELIMINARY NOT FOR CONSTRUCTION

A2.1



1 SIDE ELEVATION - BASE
A2.2 Scale: 3/16" = 1'-0"

1 STORY

PRELIMINARY NOT FOR CONSTRUCTION

REVIEW	08.24.21

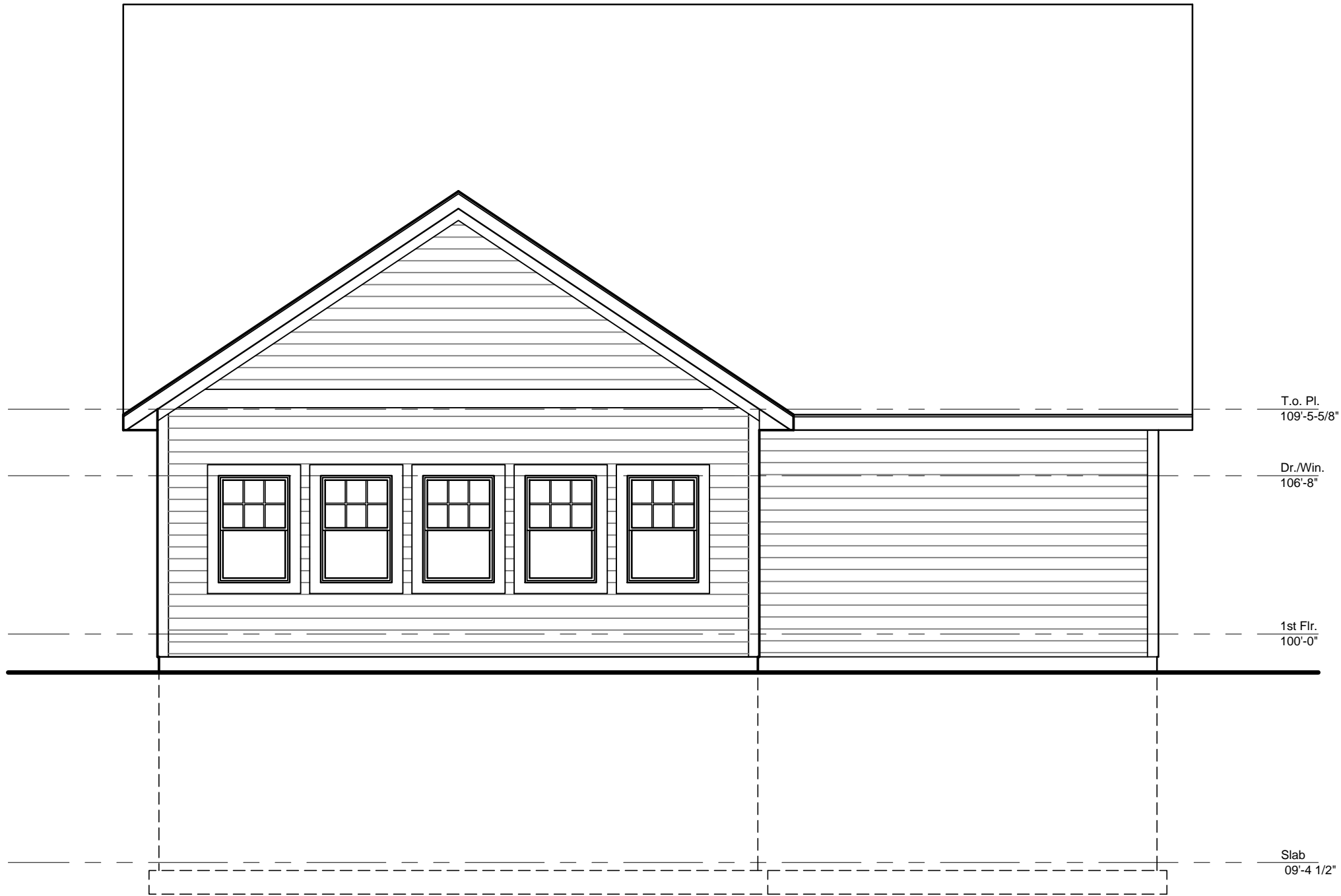
Front Elevation
Base

JBMA Project No.

221150

© 2021

A2.2



1 REAR ELEVATION - BASE
A2.3

Scale: 3/16" = 1'-0"

1 STORY

PRELIMINARY NOT FOR CONSTRUCTION

REVIEW	08.24.21

Rear Elevation
Base

JBMA Project No.
221150
© 2021

A2.3



1
A2.4

SIDE ELEVATION - BASE

Scale: 3/16" = 1'-0"

1 STORY

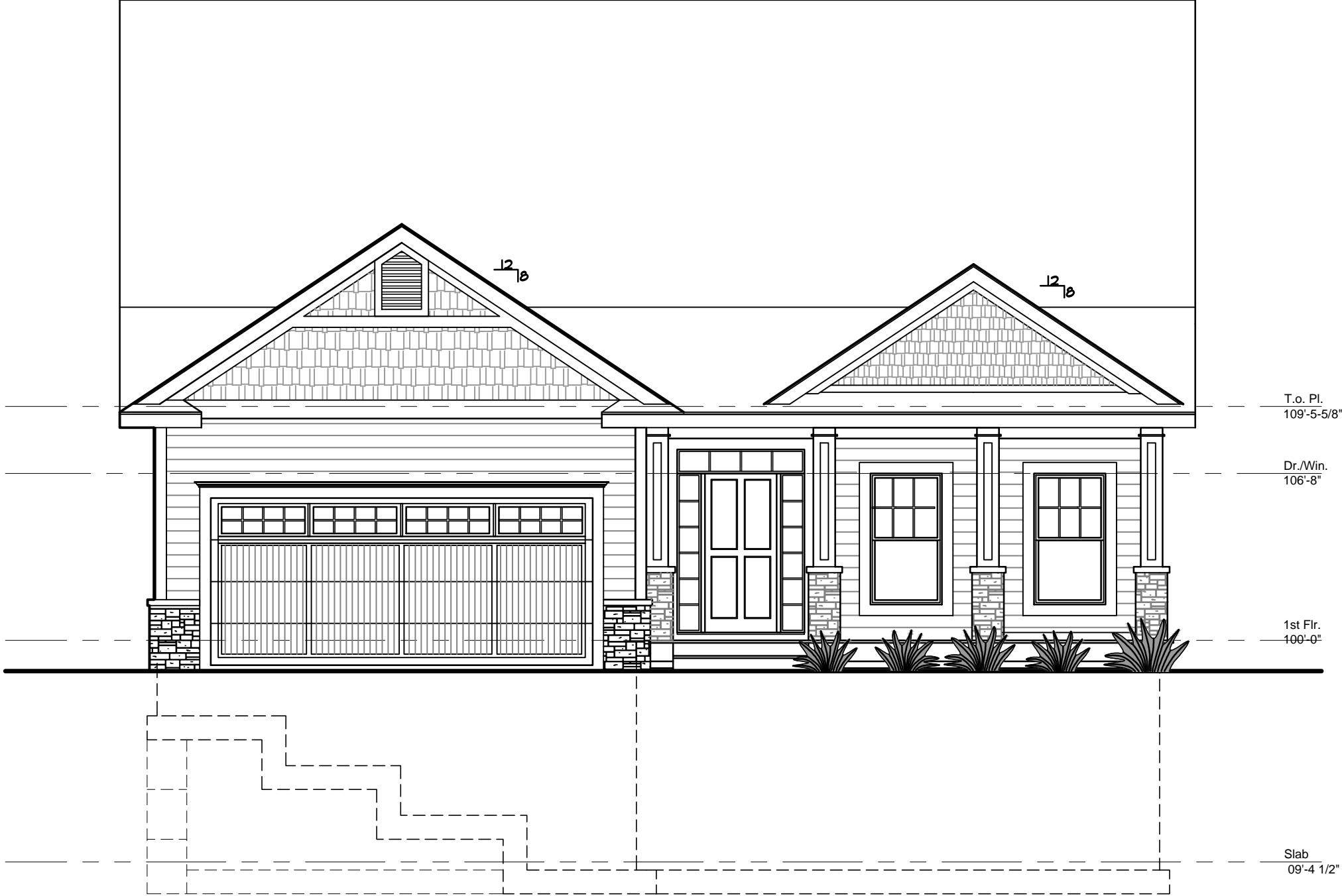
REVIEW	08.24.21

Side Elevation
Base

JBMA Project No.
221150
© 2021

PRELIMINARY NOT FOR CONSTRUCTION

A2.4



1 FRONT ELEVATION - ALT 1
A2.5 Scale: 3/16" = 1'-0" 1 STORY

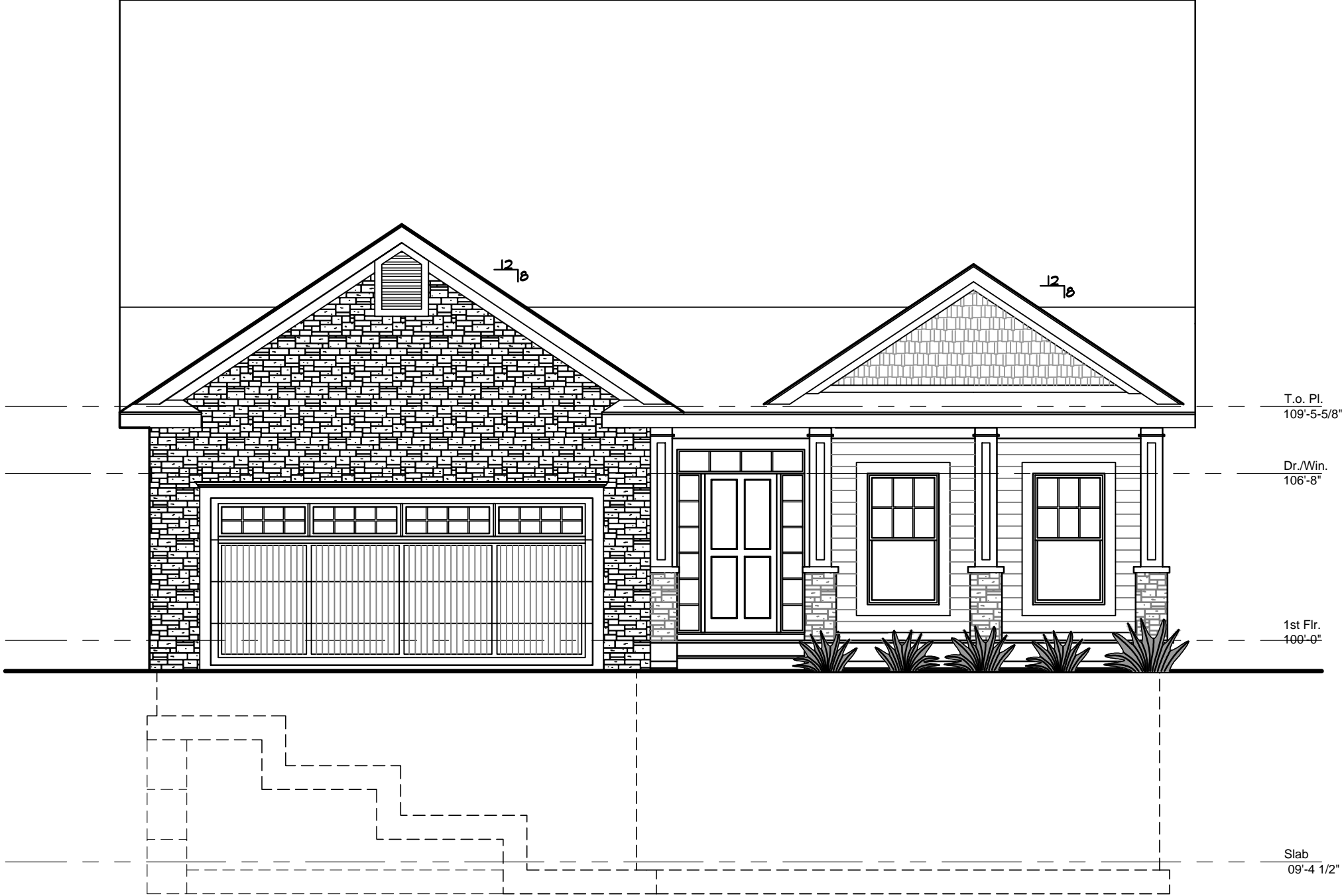
REVIEW	08.24.21

Front Elevation
Alt 1

JBMA Project No.
221150
© 2021

PRELIMINARY NOT FOR CONSTRUCTION

A2.5

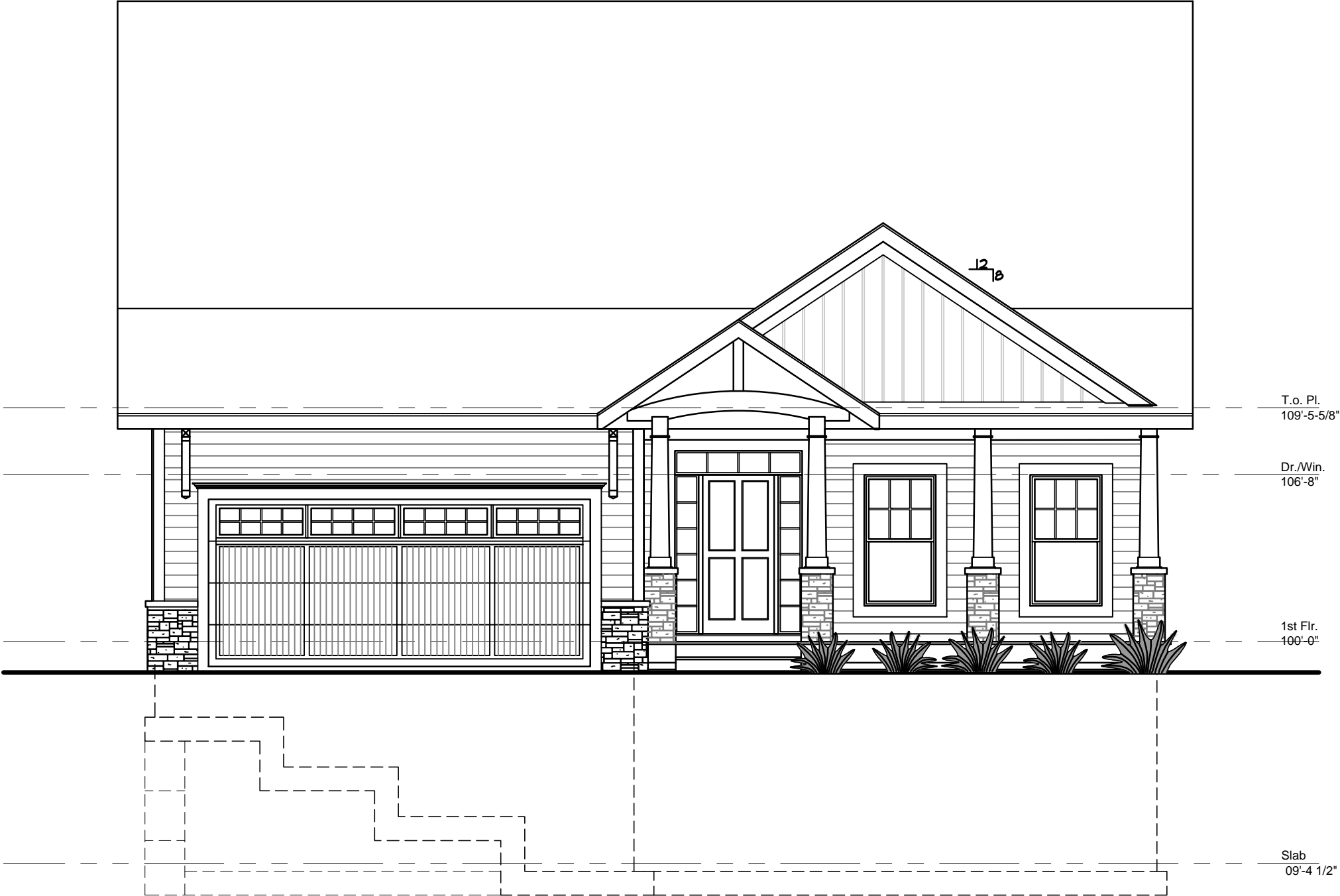


1 FRONT ELEVATION - ALT 2
A2.6 Scale: 3/16" = 1'-0" 1 STORY

REVIEW	08.24.21

Front Elevation
Alt 2

JBMA Project No.
221150
© 2021



1 FRONT ELEVATION - ALT 3
A2.7 Scale: 3/16" = 1'-0" 1 STORY

REVIEW	08.24.21

Front Elevation
Alt 3

JBMA Project No.
221150
© 2021

PRELIMINARY NOT FOR CONSTRUCTION

A2.7



1 FRONT ELEVATION - ALT 4
A2.8 Scale: 3/16" = 1'-0" 1 STORY

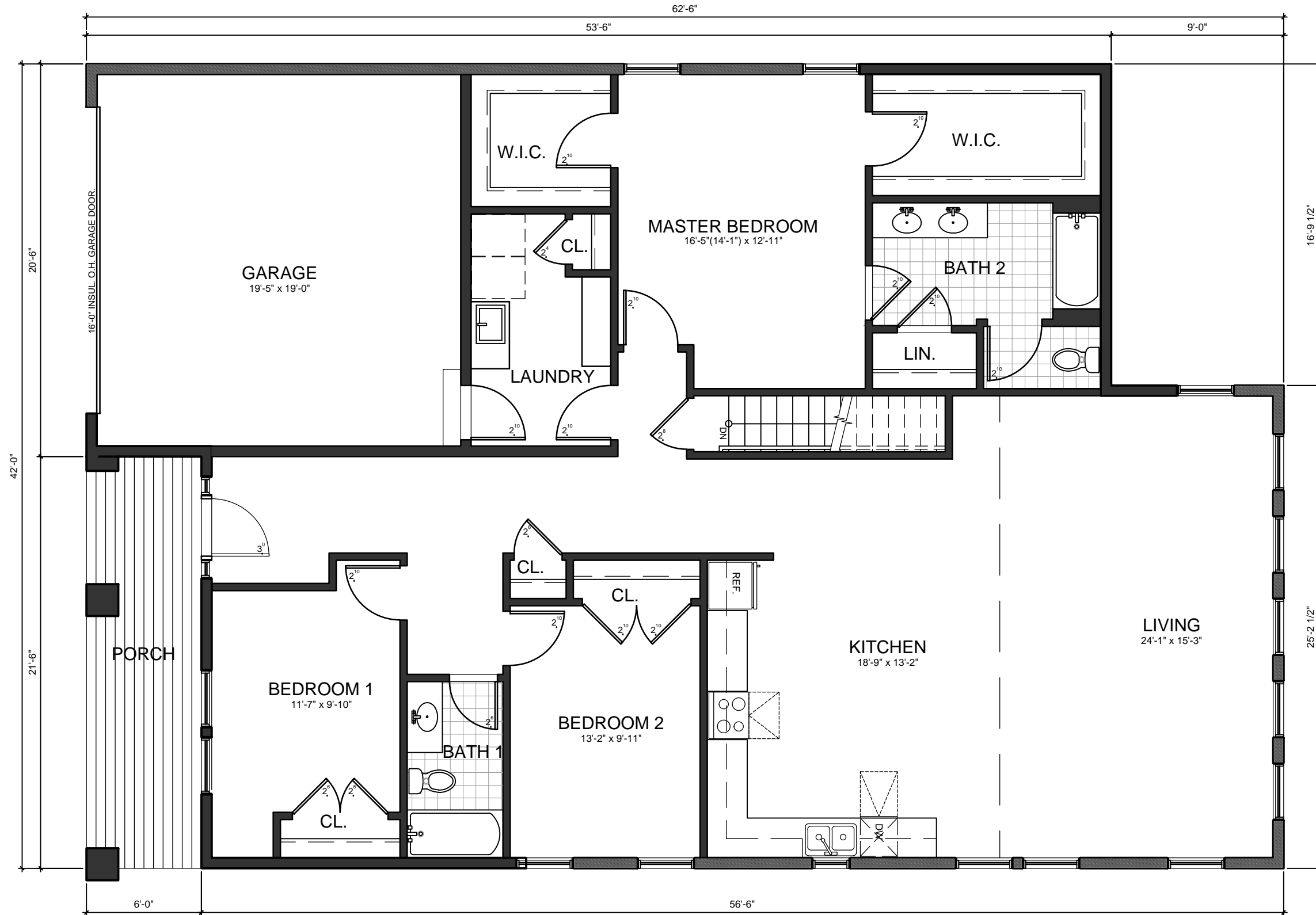
REVIEW	08.24.21

Front Elevation
Alt 4

JBMA Project No.
221150
© 2021

PRELIMINARY NOT FOR CONSTRUCTION

A2.8



1 FIRST FLOOR PLAN - BASE
A1.1 Scale: 3/16" = 1'-0"

1 STORY

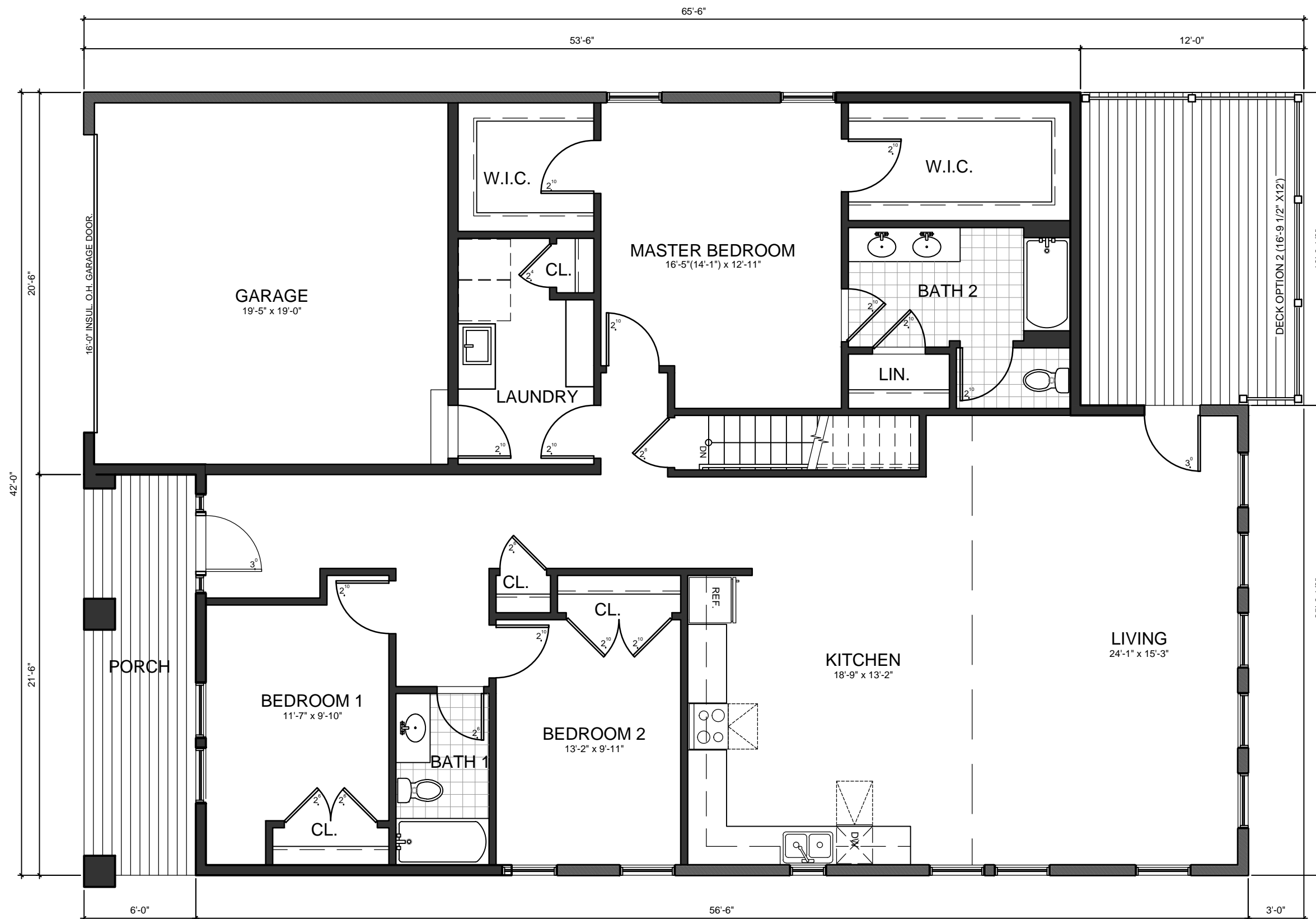
PRELIMINARY NOT FOR CONSTRUCTION

REVIEW	08.16.21

First Floor Plan
Base

JBMA Project No.
221150
©2021

A1.1



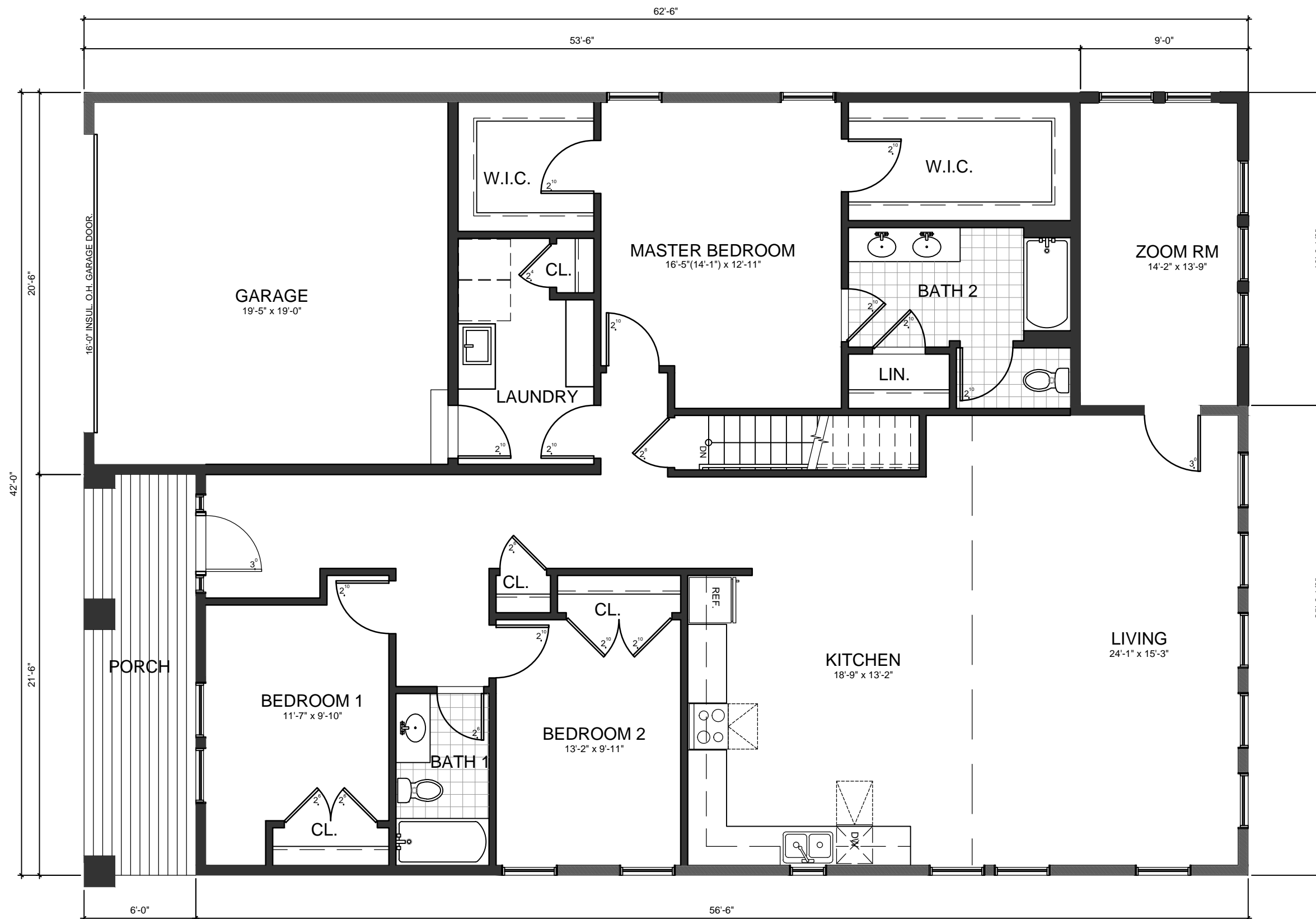
1 FIRST FLOOR PLAN - BASE WITH DECK
A1.1a Scale: 3/16" = 1'-0" 1 STORY

PRELIMINARY NOT FOR CONSTRUCTION **A1.1a**

REVIEW 08.16.21

First Floor Plan
Base
with Deck

JBMA Project No.
221150
©2021



1 FIRST FLOOR PLAN - ZOOM ROOM
A1.1b Scale: 3/16" = 1'-0"

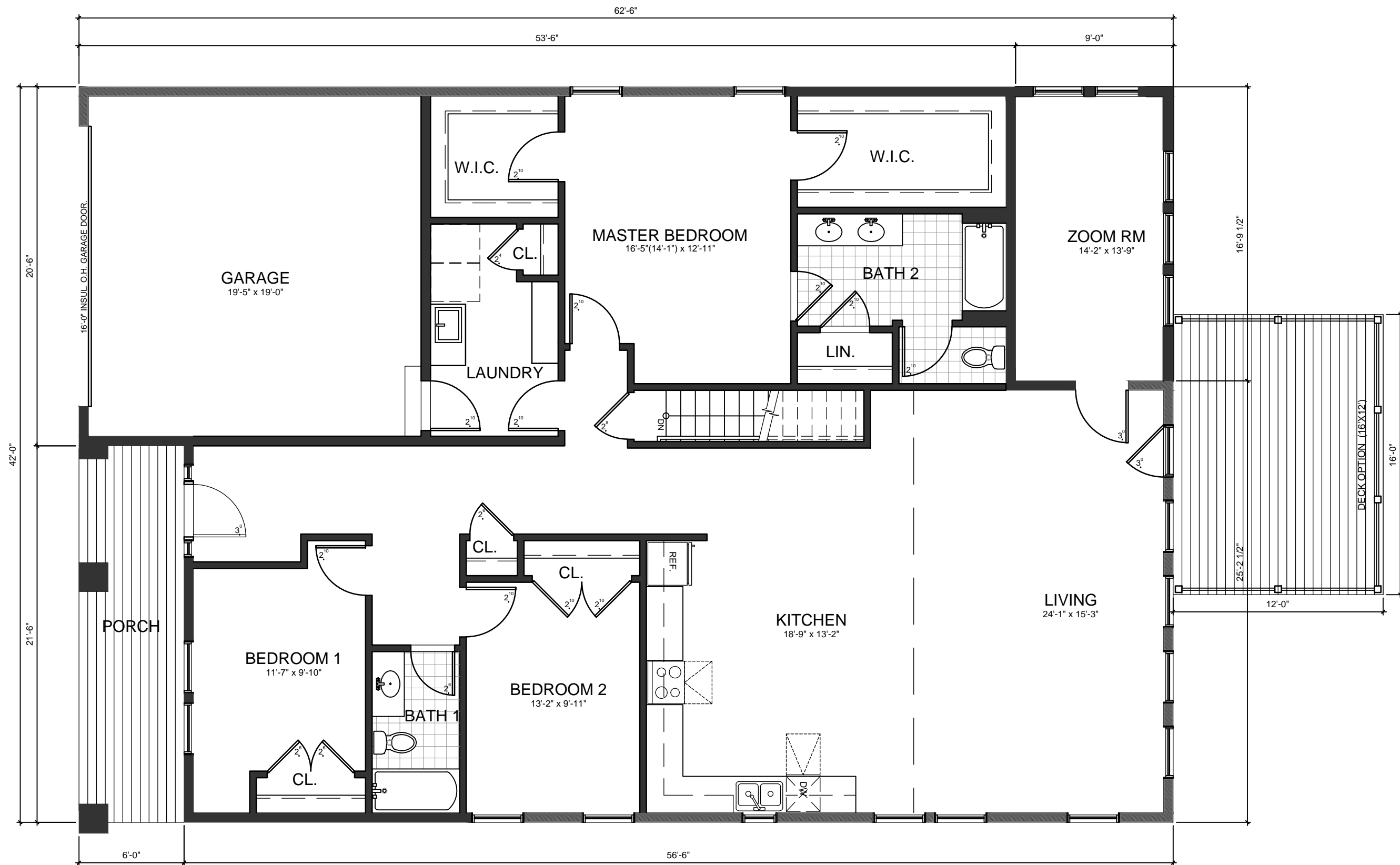
1 STORY

PRELIMINARY NOT FOR CONSTRUCTION A1.1b

REVIEW 08.16.21

First Floor Plan
Zoom Room

JBMA Project No.
221150
© 2021



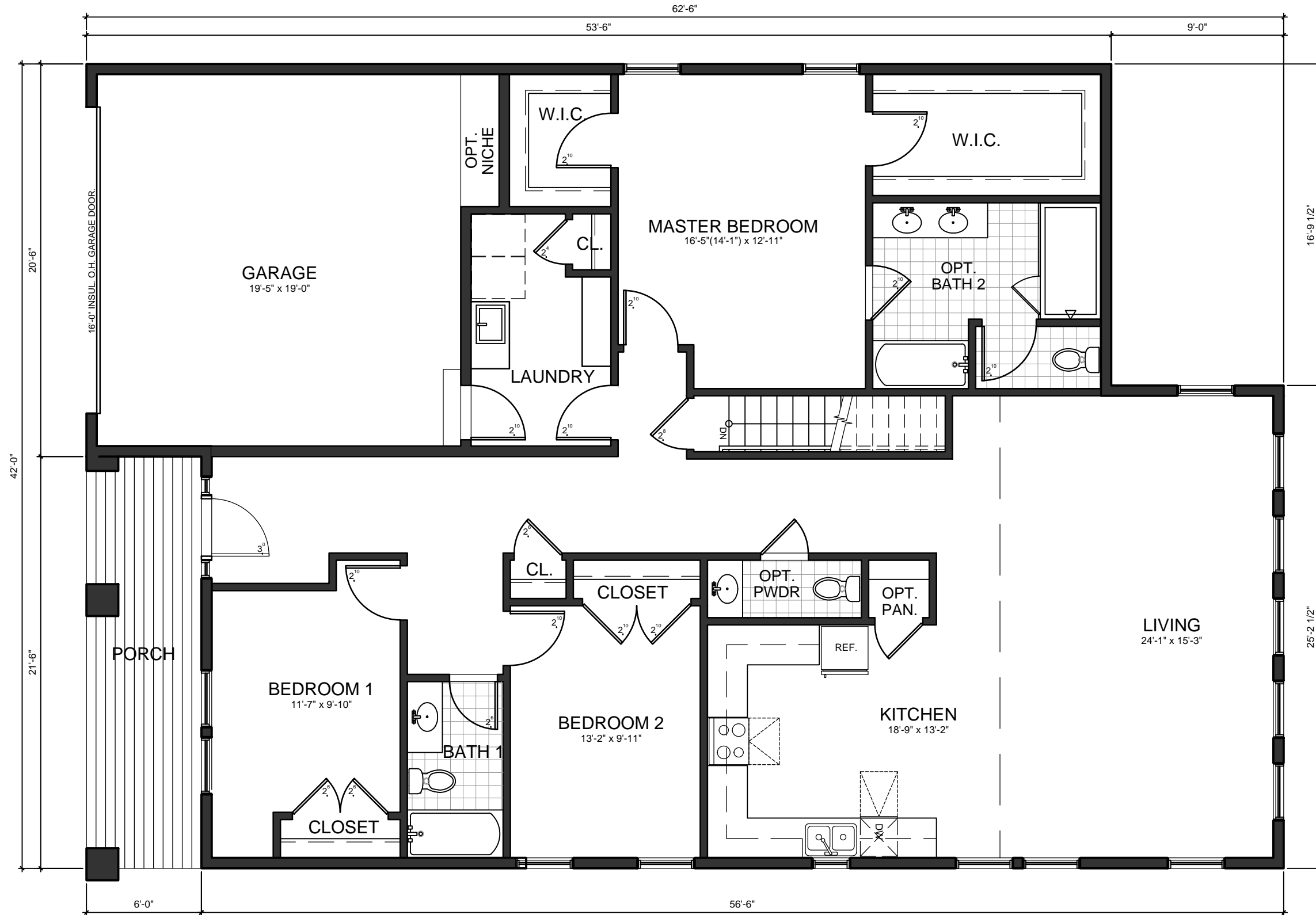
1 FIRST FLOOR PLAN - ZOOM ROOM WITH DECK
A1.1c Scale: 3/16" = 1'-0" 1 STORY

PRELIMINARY NOT FOR CONSTRUCTION A1.1c

REVIEW 08.16.21

First Floor Plan
Zoom Room
with Deck

JBMA Project No.
221150
© 2021



1 FIRST FLOOR PLAN - BASE - INTERIOR LAYOUT OPTIONS
A1.1d Scale: 3/16" = 1'-0" 1 STORY

PRELIMINARY NOT FOR CONSTRUCTION **A1.1d**

REVIEW	08.16.21

First Floor Plan
Base - Interior
Layout Options

JBMA Project No.
221150
©2021





From: [Anthony Kapas Kapas](#)
To: [Jackie Ferencz](#)
Subject: Proposed Eckford Woods
Date: Friday, January 14, 2022 1:18:35 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jackie, thank you for providing the information regarding the Eckford Woods project and it's proposed date being delayed until after Feb 3 in front of the planning board. As I explained to you when I came into the city, this project in addition to the yet to be proposed project across Eckford (the prior Darcy properties now owned by Mondrian properties LLC). I would like to provide the following preliminary comments should I somehow miss the planning meeting.

I have spoken to Mr Savidant on a few occasions regarding both projects and although the Eckford woods project does show functional use of the land as well as represent quite a substantial additional tax revenue for the city, it does not fit the current typical property definitions for the street. We have all heard the old saying In real estate it all boils down to three things... Location, location, location. This builder recognizes this. That is why he is seeking to build where he is, it represents a very lucrative unique project in the city of Troy, within the highly desirable Troy high school limits. I recognize that it would adversely effect my property value in a number of ways.

1. The project (further impacted by the additional project across the street). Will completely change the look and feel of our small street. This portion of the street is currently composed of lots approximately 1 acre in size and the plans I have seen for the Eckford Woods (EW) reduce that to lots considerably smaller in size (approx 1/4 acre or less)
2. Our quaint dirt road will be required to be paved by the builders.
3. My lot and property will be sandwiched between the existing subdivision on my west, the newly proposed subdivision on the east and looking out my front door the yet to be proposed subdivision. Even the representative for Eckford Woods indicated that my property will be an island in a sea of new construction/new housing when completed.
4. Traffic will increase dramatically on our street due to the additional housing, and due to the removal of the dirt portion of the road, cut through traffic between Rochester rd, and Livernois road will increase as well.
5. I was approached by the builders agent regarding purchasing my property and to see if we would be interested in selling thus in effect flowing from the existing subdivision on the west side into a common style area through the end of (EW) but they are only willing to pay for the value of the land and do not recognize that to accept this for my 3200 sf home with its 6 car garage and 2 acres is well below market value. Indicating the only thing they are interested in was the land. (had I owned a small house, this would not have been a concern as the land value would have far exceeded the house value). And in fact the offer I received from them was originally almost 20% below the offer I received when Plulti builders were intending on building on the property 3 years ago (I do believe that all of us would agree that values in Troy have gone up dramatically within the last 3 years). I do believe that one thing all of us in the room will agree upon is the fact that property values have gone up dramatically within the last 3 years).

We have all seen it before, driven down a street and see a home surrounded by either a subdivision, buildings, or some other type of improvement and thought that the owners were stupid for not selling when that construction

around them was being done. In my own mind I've thought that the owners must have been attempting to get astronomical amounts for their property to be included. I can assure you that in this instance, this is not the case. I derived my value by common real estate practices of looking to similar sized homes, took the average sale price then discounted that by the fact that I would not be required to pay real estate commissions. I did not account for the size of my garage, nor the additional out builder or many other factors when proposing my value.

As proof of this, I offer up 5 property addresses on Larchwood on the west side of John R road. 1910, 1920, 1930, 1950, and 1970 Larchwood. Each of these residential homes (that were originally on a residential street) are now surrounded by commercial properties. Each of these properties are in effect not able to be sold and have in fact been rental since as far back as I can research. Each of these house owners have attempted to sell their homes multiple times. Only to find that they are unsuccessful to receive any offers remotely near prevailing rates. In addition, I myself have argued this with the city council back in the early 90's. The property next to my then first home (31 Cloveridge) was being bought by the owner of the commercial property next to it on Livernois. City council argued with me indicating that a parking lot and brick wall was much better for my property values than the existing home was. I have attempted many times to sell my home (47 Cloveridge). But the prevailing reason I receive as the primary turn off to the house is the parking lot and brick wall that I am now stuck with. If I have received offered on the home they are typically 30% and in some cases up to 50% below market value. All of the offers I have received have been from investment companies with multiple rental properties. If allowed to build this project as currently proposed, this builder will in fact indirectly steal most of the appreciation in my property. The issue with this is I had intended on moving within the next 5 years anyway (I am getting older and no longer need the space this house has). but when I do, exactly who can I hold accountable for the decline in my property's value once the builder has completed this project taken his (and my) profits and moved to the next area? The city will shrug their shoulders and indicate that being locked between these subdivision did not adversely effect my value and (if anything) will attempt to point to some other unknown factors. The builder will be nowhere to be found and I will be left with a property that was once considered "living the dream" by one of the members on this board.

Just so you don't misunderstand, I recognize that Eckford will be developed at some point in time (most likely soon since this builder does own the property) but, I suggest that if they are unwilling to take the bad with the good, that they build properties lot that are comparable to the ones surrounding the land they intend to build on (as I stated prior approx 1 acre in size). This will ensure that they will not adversely effect any other property owners values and would be considered an acceptable compromise to me. (they currently own approx 9 acres so 9-10 lots in lue of the 26 proposed).

Lastely, The builders agent has indicated that this is a done deal with the city, I pray that is not the case. I hope you take my concerns seriously, and not just the additional tax dollars into account when looking at this project as well as other proposed projects in the area.

Thank you for the opportunity to provide this feedback,

Anthony Kapas
Owner / resident 501 Eckford, Troy mi

From: [Amy Garabedian](#)
To: [Planning](#)
Subject: Eckford Condos -No thank you
Date: Monday, April 25, 2022 10:32:59 AM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I'm a 16 year Troy resident and was made aware of a project for yet more condos in what is a nice sub with large lots about a mile from my current home. Please do not approve this plan. The amount of building in Troy, especially massive condo complexes like the ones currently being built at Wattles/Crooks are not just going to cause traffic issues and more flooding but are, quite frankly, eye sores. We moved to Troy for the green spaces and good sized lots, but all of the development is greatly concerning.

Please vote to not approve this plan today.

Best,

Amy

Sent from my iPhone

From: beaueng@aol.com
To: [Planning](#)
Subject: Comments, Concerns, and Questions regarding 4/26/22 Planning Commission Hearing on Troy Eckford Woods (SP2123) Development
Date: Monday, April 25, 2022 11:18:46 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We would like to provide our questions, concerns, and comments regarding the proposed Troy Eckford Woods (SP2123) development of parcel 88-20-15-251-017 and 88-20-15-251-026.

1. We are concerned with the number of units (26) and the small lot sizes (57' x 115') proposed for these detached cluster condos within a 8.7 acre footprint. We recognize that Troy has been approving numerous detached cluster condo development projects, but nearly all of them utilized 75' or greater lot frontage sizes. Troy Eckford Woods is predominantly proposing 57' lot frontage sizes. Additionally, the (development acreage-to-# of units) is much lower than nearly all other cluster condo developments.

Troy Eckford Woods: (8.7 acres / 26 units) = 0.335

-This drops dramatically with the planned 45% green space due to the wetlands/floodways (4.785 acres / 26 units) = 0.184

West Troy Meadows SP1813: (19.4 acres / 35 units) = 0.554

GFA Ottawa Residential SP1804: (6.88 acres / 16 units) = 0.430

Meadows of Troy SP2013: (12.42 acres / 31 units) = 0.401

Adler Cove SP2120: (10 acres / 20 units) = 0.500

Whispering Pines SP1724: (18.08 acres / 54 units) = 0.335

GFA Hopedale SP1931: (2.76 acres / 7 units) = 0.394

Paradise Park at Raintree SC23: (18.11 acres / 59 units) = 0.307 **planned 32% green space**

Oak Forest SC25: (7 acres / 12 units) = 0.583

2. We have a major concern with the impact that the cluster development will have on storm water management. We have experienced several occurrences where the storm sewer drain #25997 located in the back of our property adjacent to the DPW south property line has backed up causing significant flooding of several backyards.

In addition, the storm water ditches that run along Eckford Drive are nearly flooded during major rain storms. The addition of this cluster development will increase the amount of rain water runoff into the Eckford storm ditches and storm sewer drains located north of all the properties.

Will the City of Troy planned/future regional storm management basin to be located north of the properties adequately manage all the storm water and prevent storm sewer drain backups resulting in property flooding of existing properties on Eckford?

Reminder: The storm water management problems that the new homes on Leetonia Drive caused to the homes on Tallman Drive and the resulting need for a major renovation of the retention pond that is adjacent to Leonard Elementary School.

3. How will the developer construct the private road and Condo Units #2, 25, and 26 which are shown to be built on top of the Houghton Drain Floodway?
4. What concern has the Planning Commission expressed regarding the cluster development grading will have on the existing wetlands and floodplains along Eckford?
5. We are very concerned with the volume of traffic and the resulting excessive speeding on Eckford Dr once the cluster development is completed and the dirt portion of Eckford Drive is paved. This will become a major cut-through straightaway to Rochester Road.

The added vehicle traffic and speeding presents a significant danger to vehicles pulling out onto Eckford and for walking pedestrians as there are no sidewalks along Eckford Drive. Can speed bumps or a set of stop signs be planned along Eckford to control speeding?

The added vehicle traffic just adds to the hazardous conditions on Tallman Drive during the start and end of the school day at Leonard Elementary School. Stopped vehicles line up along Tallman Drive and creates a backup onto Eckford Drive. The increased vehicle traffic will also cause backups at the traffic light at the intersection of Eckford Drive and Rochester Road.

6. What is the proposed market price points for the cluster detached condos? To be zoned as a condominium development, what services will the condo HOA be responsible for and cover? Snow removal of road, sidewalks, and driveways? Lawn service? Exterior maintenance such as exterior painting, roofing replacement?
7. What are the construction hours and days of the week that the developer/builder is required to observe? We already deal with considerable noise pollution at all hours of the day and night from the City of Troy DPW facility for Eckford properties on the north side.

We would prefer not to see a cluster development or any kind of development on this property as we have enjoyed the ambience and charm that the dirt portion of Eckford Drive has provided over the last 29 years. We recognize that Troy has been seeing a significant

growth of new residential developments, especially cluster detached condos (single family homes). We would just like to see a balanced vision that takes into consideration the existing home property layouts and ambience in the surrounding area and not negatively impact the property values and salability of the existing homes. Ideally, cluster developments should be located adjacent to community parks and useable green spaces where families and children have places to enjoy and play safely.

Thank you.

Ronald Eng and Donna Beauregard
749 Eckford Drive

From: [Cindy D](#)
To: [Planning](#)
Subject: Eckford Condo Dev.
Date: Monday, April 25, 2022 2:59:51 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission Board,

Please deny the Eckford Condominium Development. This does not fit into the single family residential area. I believe that this type of development should not be inserted into the current single family homes.

Thank you,

Cynthia Desmon
Troy Resident

From: [Megan Donnelly](#)
To: [Planning](#)
Subject: eckford condos
Date: Monday, April 25, 2022 12:25:51 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

I hope this finds you well. I am reaching out regarding the condos that are seeking plan approval on Eckford Dr.. As a resident of this Leonard Elementary neighborhood, I was shocked when I originally heard of this plan. As someone who drives down Eckford every day, you will always see lawns already flooded, and drainage ditches already full, as there is nowhere for the water to go. That property specifically is massively mapped as floodpains\wetlands already! Aside from my concern regarding the water, I am honestly more devastated that adding twice as many homes to an existing street is going to drastically change the overall aesthetic of the area. So many of us neighbors enjoy peaceful walks on this dirt road as it gives an "up north" kind of vibe. We have families of deer that we see and enjoy every day. It's rare to find a little slice of heaven like this in a heavily populated city and I'd hate to see it go. The city has already approved condos on every open square inch of property it seems, and I don't understand why we have to add another 25ish here in the middle of a single home residential street! I would hope you could put yourself in the shoes of all these property owners on the street and see how the value of their homes will also be impacted by this decision. Please consider keeping this land as single home residential and allow us to maintain this little treasure we have here in Troy. I understand the city must maintain growth and development, but at what cost?

I'm sure you receive several calls and emails regarding all of the open projects and truly do appreciate you taking the time to read through these emails. I will try to be at the meeting tomorrow, but with my work schedule it is uncertain, and I don't want to go unheard.

Have a wonderful day and hope to see you tomorrow!

Megan Donnelly
325 Randall Dr
586 405 5782

From: [Monica Ferguson](#)
To: [Planning](#)
Subject: Eckford Oaks Condos
Date: Sunday, April 24, 2022 5:50:08 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am a Troy resident and have been for over 30 years. I am writing to ask you to stop putting up any more condos In Troy, particularly Eckford. The density in this city is no longer acceptable and we need to reassess future sites. It will create traffic issues and impact quality of life for home owners. Please do the right thing and say no.

Monica Ferguson
6737 Michael Dr, Troy MI 48098
248 202 6512.

From: [Janet Gambalan](#)
To: [Planning](#)
Subject: Proposed Eckford condo development
Date: Monday, April 25, 2022 8:04:39 AM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City of Troy Planning Department,

We have been residents on Eckford Drive since 2005. We selected this quiet and safe area to raise our three boys. Over the years we have enjoyed the peaceful and safe neighborhood. We have spotted so much wildlife enjoying their sanctuary around the woods surrounding Eckford Drive- large groups of deer, turkeys, cats, foxes, and even coyotes. The construction of a condominium complex in the middle of such a serene and natural area will have a very sad impact on the community. There will be a large increase in traffic through the neighborhood. This traffic will put the safety of our children playing outside, walking to school, and riding their bikes at risk. The wildlife will be forced to move elsewhere. The quiet street that attracted us and many neighbors to the area will be gone and property values of existing houses will decrease. A condo development placed where Sugar Maple Village meets the quiet dirt road portion of Eckford Drive will be out of place and an eyesore. We will no longer be able to sit on our deck and enjoy the naturalistic view and sounds of birds chirping as we have for the past 16 years. Please consider the current residents of Eckford Drive and the surrounding streets when voting on the condo proposal. As an alternative, a few new single family homes on at least 1 acre apiece would blend into the current pattern of the surrounding area and provide appeal to upcoming home buyers.

Sincerely,

Michael and Janet Gambalan
441 Eckford Dr

From: [Irys German](#)
To: [Planning](#)
Subject: Eckford Road Project
Date: Monday, April 25, 2022 12:12:43 AM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City of Troy Planning Department,

As a resident of Eckford Drive for over 42 years I have seen our city and neighborhood flourish over many decades.

As a child who used to walk to school down a dirt road, or ride my bike through the trails on the corner of Eckford and Tallman, Eckford was always an ideal area to live in Troy. I always had the hopes that my son would have the opportunity to have the same experiences down this road that I have.

Now as a parent, I wave at speeders flying by to slow down when the neighborhood kids are at the bus stop. Despite of parents efforts at our bus stop, the same speeders still continue to speed despite rain, snow and sleet. Calling the Troy Police every at least once a school year to voice our concerns over the safety helps for only one or two days they come out for the call. We had 3 near miss incidents during bus pick up times because of the heavy traffic and speeders. One specific incident, almost hitting a first grade students when a speeder was going past a school bus when it was at stop.

The Project going up on Eckford near Tallman does not conform with the neighborhood in many ways. It also brings a bigger safety issue to the families that live here. With plans to pave the road, Eckford will become an even more desired Autobahn for speeders. Bringing the volume of homes to an already congestion corner, with an elementary school just a block away, this will only aggravate the issues the neighborhood already has with traffic.

The Eckford Oak Construction does not scale and conform to the homes on Eckford Drive. From Rochester Road through Sugar Maple Village to Livernois. This construction site will NOT improve the quality of the neighborhood but rather decline the quality of public safety. From the traffic issues to the drainage issues this neighborhood has, please consider these factors.

Sincerely,

Irys German
Eckford Resident

From: [josephine.grider](#)
To: [Planning](#)
Subject: Proposed condos on Eckford Dr
Date: Tuesday, April 26, 2022 7:05:34 AM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am opposed to the development of condominiums in the middle of this residential area. Please preserve our single family neighborhood communities.

Sent from my iPhone

From: [GSH](#)
To: [Planning](#)
Subject: Eckford plan
Date: Monday, April 25, 2022 9:30:33 AM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom it may concern, I Live in Rochester Hills, and have rental properties near the Eckford development. I often search for houses for sale near this area to relocate and live. Please do not let this one crazy development ruin the GEM of Troy. We all need that space to create a cushion between the crazy building going on and green space.
This development would be a knock against Troy and an insult to every single resident. Money grabs should be stopped. We need you to do the right thing and protect the city from over development.

Thanks
Glenn Hark

From: [Anthony Kapas Kapas](#)
To: [Jackie Ferencz](#)
Subject: Proposed Eckford Woods
Date: Friday, January 14, 2022 1:18:35 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jackie, thank you for providing the information regarding the Eckford Woods project and it's proposed date being delayed until after feb 3 in front of the planning board. As I explained to you when I came into the city, this project in addition to the yet to be proposed project across Eckford (the prior Darcy properties now owned by Mondrian properties LLC). I would like to provide the following preliminary comments should I some how miss the planning meeting.

I have spoken to Mr Savidant on a few occasions regarding both projects and although the Eckford woods project does show functional use of the land as well as represent quite a substantial additional tax revenue for the city, it does not fit the current typical property definitions for the street. We have all heard the old saying In real estate it all boils down to three things... Location, location, location. This builder recognizes this. That is why he is seeking to build where he is, it represents a very lucrative unique project in the city of Troy, within the highly desirable Troy high school limits. I recognize that it would adversely effect my property value in a number of ways.

1. The project (further impacted by the additional project across the street). Will completely change the look and feel of our small street. This portion of the street is currently composed of lots approximately 1 acre in size and the plans I have seen for the Eckford Woods (EW) reduce that to lots considerably smaller in size (approx 1/4 acre or less)
2. Our quaint dirt road will be required to be paved by the builders.
3. My lot and property will be sandwiched between the existing subdivision on my west, the newly proposed subdivision on the east and looking out my front door the yet to be proposed subdivision. Even the representative for Eckford Woods indicated that my property will be an island in a sea of new construction/new housing when completed.
4. Traffic will increase dramatically on our street due to the additional housing, and due to the removal of the dirt portion of the road, cut through traffic between Rochester rd, and Livernois road will increase as well.
5. I was approached by the builders agent regarding purchasing my property and to see if we would be interested in selling thus in effect flowing from the existing subdivision on the west side into a common style area through the end of (EW) but they are only willing to pay for the value of the land and do not recognize that to accept this for my 3200 sf home with its 6 car garage and 2 acres is well below market value. Indicating the only thing they are interested in was the land . (had I owned a small house, this would not have been a concern as the land value would have far exceeded the house value). And in fact the offer I received from them was originally almost 20% below the offer I received when Plulti builders were intending on building on the property 3 years ago (I do believe that all of us would agree that values in Troy have gone up dramatically within the last 3 years). I do believe that one thing all of us in the room will agree upon is the fact that property values have gone up dramatically within the last 3 years).

We have all seen it before, driven down a street and see a home surrounded by either a sub division , buildings, or some other type of improvement and thought that the owners were stupid for not selling when that construction

around them was being done. In my own mind I've thought that the owners must have been attempting to get astronomical amounts for their property to be included. I can assure you that in this instance, this is not the case. I derived my value by common real estate practices of looking to similar sized homes, took the average sale price then discounted that by the fact that I would not be required to pay real estate commissions. I did not account for the size of my garage, nor the additional out builder or many other factors when proposing my value.

As proof of this, I offer up 5 property addresses on Larchwood on the west side of John R road. 1910, 1920, 1930, 1950, and 1970 Larchwood. Each of these residential homes (that were originally on a residential street) are now surrounded by commercial properties. Each of these properties are in effect not able to be sold and have in fact been rental since as far back as I can research. Each of these house owners have attempted to sell their homes multiple times. Only to find that they are unsuccessful to receive any offers remotely near prevailing rates. In addition, I myself have argued this with the city council back in the early 90's. The property next to my then first home (31 Cloveridge) was being bought by the owner of the commercial property next to it on Livernois. City council argued with me indicating that a parking lot and brick wall was much better for my property values than the existing home was. I have attempted many times to sell my home (47 Cloveridge). But the prevailing reason I receive as the primary turn off to the house is the parking lot and brick wall that I am now stuck with. If I have received offered on the home they are typically 30% and in some cases up to 50% below market value. All of the offers I have received have been from investment companies with multiple rental properties. If allowed to build this project as currently proposed, this builder will in fact indirectly steal most of the appreciation in my property. The issue with this is I had intended on moving within the next 5 years anyway (I am getting older and no longer need the space this house has). but when I do, exactly who can I hold accountable for the decline in my property's value once the builder has completed this project taken his (and my) profits and moved to the next area? The city will shrug their shoulders and indicate that being locked between these subdivision did not adversely effect my value and (if anything) will attempt to point to some other unknown factors. The builder will be nowhere to be found and I will be left with a property that was once considered "living the dream" by one of the members on this board.

Just so you don't misunderstand, I recognize that Eckford will be developed at some point in time (most likely soon since this builder does own the property) but, I suggest that if they are unwilling to take the bad with the good, that they build properties lot that are comparable to the ones surrounding the land they intend to build on (as I stated prior approx 1 acre in size). This will ensure that they will not adversely effect any other property owners values and would be considered an acceptable compromise to me. (they currently own approx 9 acres so 9-10 lots in lue of the 26 proposed).

Lastely, The builders agent has indicated that this is a done deal with the city, I pray that is not the case. I hope you take my concerns seriously, and not just the additional tax dollars into account when looking at this project as well as other proposed projects in the area.

Thank you for the opportunity to provide this feedback,

Anthony Kapas
Owner / resident 501 Eckford, Troy mi

From: [Kelly Kaye](#)
To: [Planning](#)
Subject: Eckford Oaks Condominiums
Date: Sunday, April 24, 2022 8:49:36 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I currently reside at 4332 Bristol, Dr. And I am emailing to oppose the above-mentioned condo development. It is already too congested when the kids go to and from school and adding 26 condos (approx 52) more cars would make it so much worse. I also read that the development is going to be building on a flood plane? I am not sure if that is true, but if it is it's a bad idea to build so many homes on there.

Thanks,

Kelly

From: [Satyanarayana Kodali](#)
To: [Planning](#)
Subject: Oxford condominiums
Date: Monday, April 25, 2022 12:21:42 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am totally opposed to the development of "Oxford condominiums" in Troy in the middle of single family homes. My wife and I are the residents of Troy since 1978. In the recent past, it appears, that the Troy planning Commission is acting under the influence of commercial builders.

Once again I want to reiterate my opposition to the building of the subject condominiums.

Satyanarayana Kodali

6061 Elmoor dr, Troy, MI 48068 my iPad

From: [Satyanarayana Kodali](#)
To: [Planning](#)
Subject: Oxford condominiums
Date: Monday, April 25, 2022 12:21:41 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am totally opposed to the development of "Oxford condominiums" in Troy in the middle of single family homes. My wife and I are the residents of Troy since 1978. In the recent past, it appears, that the Troy planning Commission is acting under the influence of commercial builders.

Once again I want to reiterate my opposition to the building of the subject condominiums.

Satyanarayana Kodali

6061 Elmoor dr, Troy, MI 48068 my iPad

From: [Robert M](#)
To: [Planning](#)
Subject: Proposed development on Eckford Drive (Eckford Oaks)
Date: Monday, April 25, 2022 11:01:23 AM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello, I'm Robert Mikulan and I live in Troy on Eckford Drive. I am in opposition to the tentative plan of allowing 26 condominiums to be built on Eckford. I am asking that you reject that project.

There are many reasons I oppose this project.

- That area of Eckford is unique. It is all single-family homes amongst the woods, spaced-out with large lots on a dirt road. There is also much wildlife. Also the entire area around it is single family homes, spaced apart with many trees about them. A complex with 26 homes crammed together (on a long street that has about 29 homes total) would negatively change the makeup of the existing neighborhood.
- Leonard Elementary is nearby and there is already too much traffic at drop off and pickup. Adding 26 dwellings will exacerbate this issue. I don't want to see anybody hurt by auto accidents in the neighborhood.
- As I mentioned there is much wildlife in the area. Deer, owls, turtles, fox, you name it. We don't need any more displaced wildlife in the area. Let's let the animals keep some of the little land they have left.
- Big Beaver Creek also runs through the area of the proposed development. I can foresee much negative effects of putting 26 homes on a floodplain like that.

However, I'm not unreasonable. I understand the property was sold, so whoever bought it wants to develop it. I (and I'm assuming my neighbors) would be open to development that would fit in with the existing area. Something along the lines of a half dozen or so homes that would be built to keep most of the woods intact and spaced-apart in a similar fashion to the homes already on that part of Eckford.

In summary, that area of Eckford Drive is an inappropriate area for a development like what is proposed. I urge you to reject that project and recommend the property owners develop it in a way that would maintain the makeup of the area, as I suggested above.

Thank you,
Robert Mikulan

From: [Ashish Modi](#)
To: [Planning](#)
Subject: Proposed cluster development on the North side of Eckford, West of Rochester road
Date: Monday, April 25, 2022 12:02:52 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello City of Troy,

I am Ashish Modi, resident of Troy (Streamview, Troy) since 2015.

We are very concerned with the negative impacts on our quality of life and environment with the recent developments in Troy.

Very recently a senior living home was commissioned near Wattles & Crooks despite great resistance from the neighborhood.

This new development of 26 single family homes on North-side of Eckford (West of Rochester Road) will further negatively impact this zone.

Our block (2 miles radius between Wattles and Long Lake & Crooks and Rochester) is getting very dense which will cause the following impact to our quality of lives and neighborhoods -

- **Environmental damage** - deforestation, pollution (quality of air) due to development and dense neighborhoods, and shelter to preserved animals (deers, raccoons, fox, cats).
- **Competing for the same resources** - Needless to say, residents of nearby communities will be competing for the same resources thereby causing longer delays and negatively impacting our quality of lives. Schools, Retail stores, traffic, parks, tennis courts, libraries, etc
- **Property prices** will be negatively impacted due to crowded neighborhoods.

As a resident of Troy and lawful taxpayer, I express my strong reservation against this new development in our neighborhood.

Kindly consider my request and push these developments out to open city areas towards Square Lake or beyond.

Regards,
Ashish Modi
313-580-8683

From: [Diane Paul](#)
To: [Planning](#)
Subject: Eckford Oaks Condominiums
Date: Monday, April 25, 2022 7:58:29 AM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Planning commission:

We strongly object to the proposed Eckford Oaks Condominiums. This current neighborhood is quiet, with larger lots and a unique character that should be maintained. The idea of squeezing another 26 or so homes into this neighborhood will cause damage in so many ways. As other over-building in Troy has produced problems with flooding, traffic, overcrowding and loss of home-based privacy, the same will happen here.

Please stop this over crowding of our once pleasant city.

Sincerely,

Mark and Diane Paul

From: [Pravin Pingle](#)
To: [Planning](#)
Cc: [sugar maple](#)
Subject: City of Troy : Public Hearing Notice North side of Eckford and West of Rochester Road
Date: Monday, April 25, 2022 12:27:43 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

We have been residents on Eckford Drive since 2017. We selected this quiet and safe area to raise our young family.

Over the years we have enjoyed the peaceful and safe neighborhood.

We have spotted so much wildlife enjoying their sanctuary around the woods surrounding Eckford Drive- large groups of deer, turkeys, cats, foxes, and even coyotes.

The construction of 26 houses in the middle of such a serene and natural area will have a negative impact on the community.

There will be a large increase in traffic through the neighborhood. This traffic will put the safety of our children playing outside, walking to school, and riding their bikes at risk.

The wildlife will be forced to move elsewhere. The quiet street that attracted us and many neighbors to the area will be gone and property values of existing houses may decrease.

We will no longer be able to sit on our deck and enjoy the naturalistic view and sounds of birds chirping as we have for the past 5 years.

Please consider the current residents of Eckford Drive and the surrounding streets when voting on the proposal.

--

Regards,
Pravin Pingle

Secretary
Sugar maple Homeowners Association

429 Eckford Dr
Troy, MI 48085

From: [Heena Shah](#)
To: [Planning](#)
Date: Monday, April 25, 2022 11:59:39 AM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We are not supporting development on Rochester Eckford Oaks Condominium's. The planning department meeting for this is Tuesday April 26th at 7pm.

Love

Heena and Jayant shah
1701 Caliper Troy Mi 48084

From: [Kelly Kaye](#)
To: [Planning](#)
Subject: Eckford Oaks Condo Proposal
Date: Sunday, April 24, 2022 8:42:05 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am emailing my opposition to the condo development near Leonard elementary. This will make an already congested road even more congested when the kids go to and from school. I have also heard that this development will also be in a flood plane. If that is true this is truly not a good idea.

Thank you,

Kelly Shelton

memorandum



Date: April 28, 2022

To: Bill Huotari, PE
From: Sara Merrill, PE, PTOE

Re: Eckford Oaks – Single Family Residential
Anticipated Traffic Impacts

The purpose of this memorandum is to provide an overview of anticipated traffic impacts resulting from Eckford Oaks, a proposed site condominium development consisting of 26 single-family homes, developed under a cluster-option. The development will provide access via a new residential street on the north side of Eckford Drive. Eckford Drive is a two-lane local road, located east of Rochester Road between Wattles Road and Long Lake Road.

The Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, provides trip generation rates for numerous land uses, based on thousands of studies throughout the United States and Canada. This data can then be used to estimate the number of vehicle trips generated by a development. For residential housing, traffic impacts are usually most noticeable during the peak hour of adjacent street traffic – that is, during morning and evening “rush hour”, when traffic on the roads is most congested. In most areas, the morning (AM) peak is a one hour period that occurs between 7 am – 9 am, and the evening (PM) peak is a one hour period usually between 4 pm – 6 pm.

The table below provides the calculated number of trips generated for the proposed Eckford Oaks, based on the ITE Trip Generation Manual, 11th Edition, for Single-Family Detached Housing (ITE Land Use Code #210).

Land Use	Number of Site-Generated Trips								
	AM Peak Hour			PM Peak Hour			Daily		
	In	Out	Total	In	Out	Total	In	Out	Total
Single-Family Detached Residential (26 units)	6	16	22	18	10	28	146	146	292

During the morning (AM) peak hour, the proposed Eckford Oaks development is expected to generate 22 new trips: 6 inbound (entering the site), and 16 outbound (exiting the site). During the evening (PM) peak hour, the proposed site is expected to generate 28 new vehicle trips: 18 inbound (entering the site) trips, and 10 outbound (exiting the site). This pattern coincides with residents typically leaving in the morning for work and returning home in the evening.

Traffic volumes on residential streets are closely correlated with the number of residential units. While traffic on Eckford Drive will increase slightly over current conditions, the traffic volume will remain similar to many other residential streets. The traffic generated by the proposed development would be minimal, adding less than 30 vehicle trips during the peak (“busiest”) hour. This equates to approximately one vehicle every 2-3 minutes during the peak hours. The traffic impact of this site on the adjacent road network is negligible and would be imperceptible to the majority of road users.

Pastor Steven Conway from Troy Seventh Day Adventist Church 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 May 23, 2022, at City Hall, 500 W. Big Beaver Rd. Mayor Baker called the meeting to order at 7:32 PM.

B. ROLL CALL:

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

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Service Commendation for Fire Chief Richard “Chuck” Riesterer

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

Michelle Pallas	Commented on Item O-02d and N-01
Justine Galbraith	Commented on Item N-01

G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT FOR ITEMS ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:**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 #2022-05-070

Moved by Baker

Seconded by Brooks

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (1)(e) – *Grier v. Troy et. al.*, and MCL 15.268 (1)(e) - *Darling v City of Troy and Miller*.

Yes: All-7

No: None

MOTION CARRIED

I-4 Business Community Engagement and Priority Assessment (*Introduced by: Robert J. Bruner, Assistant City Manager*)

The Meeting **RECESSED** at 7:55 PM.

The Meeting **RECONVENED** at 8:01 PM.

J. CONSENT AGENDA:

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

Resolution #2022-05-071-J-1a

Moved by Abraham

Seconded by Chamberlain-Creanga

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 #2022-05-071-J-2

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

- a) City Council Minutes-Draft – May 9, 2022

J-3 Proposed City of Troy Proclamations:

Resolution #2022-05-071-J-3

- a) Certificate of Recognition and Congratulations to Athens High School 2021-2022 Junior Varsity and Varsity Winter Guard Teams

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 4: State of Michigan MiDeal Purchasing Cooperative – EOC and Training Center A/V Upgrades**

Resolution #2022-05-071-J-4a

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract for the Audio and Video Upgrades at the Troy Emergency Operations Center and Fire and Police Training Center to *Smart Homes Inc of Mason, MI*, as detailed in the attached quote per the MiDEAL Cooperative Purchasing Contract #190000001422 for an estimated total cost of \$39,504.24, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; not to exceed budgetary limits.

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

- b) **Standard Purchasing Resolution 3: Exercise Renewal Option – General Consulting Engineering Services**

Resolution #2022-05-071-J-4b

WHEREAS, On June 19, 2017, Troy City Council approved a five (5) year contract, effective through June 30, 2022, with an option to renew for an additional five (5) year period under the same terms and conditions, based upon mutual consent of both parties, to the four (4) highest rated proposers as a result of a best value process, Hubbell, Roth and Clark, Inc.; OHM Advisors; Anderson, Eckstein & Westrick, Inc.; and Fishbeck; to provide General Consulting Engineering Services as required by the City and to assist the Engineering Department as needed, (Resolution #2017-06-105-J-4a); and,

WHEREAS, Hubbell, Roth and Clark, Inc.; OHM Advisors; Anderson, Eckstein & Westrick, Inc.; and Fishbeck; have offered to renew their contract for five (5) additional years under the same terms and conditions as the 2017 contract, except as provided by their revised pricing schedule;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the five-year option to renew the contracts for General Consulting Engineering Services with *Hubbell, Roth and Clark, Inc.; OHM Advisors; Anderson, Eckstein & Westrick, Inc.; and Fishbeck;* under the same terms and conditions as the 2017 contract, effective July 1, 2022 through June 30, 2027, as per their respective revised pricing schedules, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, which includes annual adjustments based on the SOM-Department of Treasury Inflation Rate Multiplier, not to exceed 5%;

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and the City Clerk to execute the agreements once in acceptable form.

c) Standard Purchasing Resolution 2: Low Bid Meeting Specifications – Short/Long Term Disability, Life and AD&D Insurance Coverage

Resolution #2022-05-071-J-4c

WHEREAS, The City of Troy's Benefits Consultant, Arthur J. Gallagher & Co., solicited quotes from reputable, financially stable carriers on the City's behalf; and,

WHEREAS, The City's monthly premium will be \$17,715 and the annual premium will be \$212,576, City Administration recommends approval of the three-year agreement in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council **APPROVES** the Agreement with *The Hartford Life Insurance Company of Hartford, CT*, for Short/Long Term Disability Insurance, Life Insurance and Accidental Death and Dismemberment Insurance, and **AUTHORIZES** payment in an amount not to exceed the annual premium of \$212,576 for three (3) years and **AUTHORIZES** the City Manager to execute any documents necessary for the Agreement with The Hartford Insurance Company; contract to expire May 31, 2025.

J-5 Bid Waiver – Right-of-Way Services - Rochester Road, Barclay to Trinway, Project Number 2022CG0002

Resolution #2022-05-071-J-5

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **APPROVES** the Agreement for Right-of-Way Services with *Greenstar &*

Associates, LLC of Rochester, MI, for a period of three (3) years with a two-year option to extend the contract, and hereby **AUTHORIZES** the Mayor and City Clerk to execute the agreement documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

J-6 Rescind / Re-Award Contract – Hauling/Disposal of Dirt and Debris

Resolution #2022-05-071-J-6

WHEREAS, On April 25, 2022, contracts for one-year requirements of Hauling/Disposal of Dirt and Debris with an option to renew for one (1) additional year was awarded on an item-by-item basis to low bidders meeting specifications (Resolution #2022-04-059-J-4d); and,

WHEREAS, Universal Consolidated Enterprises, Inc. failed to respond and provide service as required by the bid specifications;

THEREFORE BE IT RESOLVED, That Troy City Council hereby **RESCINDS** with prejudice the contract to provide Hauling/Disposal of Dirt and Debris Item 3) Fill Dirt, with an option to renew for one additional year from Universal Consolidated Enterprises, Inc. and hereby **RE-AWARDS** the contract to the next lowest bidder meeting specifications, *Jackie's Transport of Northville, MI*, for an estimated total cost of \$74,480.00 at unit prices contained in the bid tabulation opened March 31, 2022; a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contracts expiring April 30, 2024.

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

J-7 Kiera Grier v City of Troy

Resolution #2022-05-071-J-7

RESOLVED, That Troy City Council hereby **DIRECTS** the City Attorney to negotiate and execute a release and settlement agreement consistent with the recent facilitation in the matter of *Kiera Grier v. City of Troy et. al.* (Oakland County Circuit Court, Case No. 2020-184282-NI).

J-8 Cost Participation Agreement for Road Work on Maple Road, Coolidge Highway to Rochester Road – Project No. 15.105.6

Resolution #2022-05-071-J-8

RESOLVED, That Troy City Council hereby **APPROVES** the Cost Participation Agreement between the City of Troy and the Board of Road Commissioners of the County of Oakland for

the resurfacing of Maple Road, from Coolidge Highway to Rochester Road, at an estimated cost to the City of Troy of \$228,409, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; the Funds for Troy's share of the work are included in the proposed 3-Year Capital Budget for Major Roads, Account # 401.447.479.7989.151056.

J-9 Request for Acceptance of Four Permanent Easements, Center Court Townhome Development, Section 29, Sidwell #88-20-29-226-021, -022 and -023

Resolution #2022-05-071-J-9

RESOLVED, That Troy City Council **ACCEPTS** four permanent easements for emergency ingress and egress, public and franchise utilities, water mains, and sanitary sewers from Center Court Butterfield, LLC, owner of the properties having Sidwell #88-20-29-226-021, -022, and -023.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** the permanent easements with Oakland County Register of Deeds, copies of which shall be **ATTACHED** to the original Minutes of this meeting.

J-10 Request for Acceptance of a Permanent Easement for Water Mains, Bethany Villa Limited Dividend Housing Association Limited Partnership, Sidwell #88-20-26-200-095, Project No. 22.502.5

Resolution #2022-05-071-J-10

RESOLVED, That Troy City Council hereby **ACCEPTS** a permanent easement for water mains from Bethany Villa Limited Dividend Housing Association Limited Partnership, owner of the property having Sidwell #88-20-26-200-095.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** the permanent easement with Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-11 Request to Grant an Underground Utility Easement to DTE Electric Company, Sylvan Glen Park, Sidwell #88-20-10-200-001

Resolution #2022-05-071-J-11

RESOLVED, That Troy City Council hereby **GRANTS** a permanent easement for underground utilities to DTE Electric Company over a portion of Sylvan Glen Park, a City-owned property identified with Sidwell #88-20-10-200-001.

BE IT FURTHER RESOLVED, That Council **DIRECTS** the Mayor and City Clerk to execute the easement document on behalf of the City of Troy.

J-12 Request for Acceptance of Four Permanent Easements, Meadows of Troy, Sidwell #88-20-01-300-016

Resolution #2022-05-071-J-12

RESOLVED, That Troy City Council **ACCEPTS** four permanent easements for franchise and public utilities, emergency ingress and egress, sanitary sewers, and water mains, from Robertson Meadows, LLC, owner of the property having Sidwell #88-20-01-300-016.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** the permanent easements with Oakland County Register of Deeds, copies of which shall be **ATTACHED** to the original Minutes of this meeting.

J-13 Appointment of SOCRRA Representative and Alternate for FY 2022/2023

Resolution #2022-05-071-J-13

RESOLVED, That Troy City Council hereby **DESIGNATES** Kurt Bovensiepe, Public Works Director as SOCRRA Representative and Ashely Tebedo, Administrative Services Manager as Alternate SOCRRA Representative with the term expiring on June 30, 2023.

J-14 Traffic Committee Recommendations and Minutes – May 18, 2022

Resolution #2022-05-071-J-14

4. Request for Revisions to No Parking Signs – Torpey Road, east of Rochester Road

RESOLVED, That the existing No Parking signs on the south side of Torpey Road, east of Rochester Road be **MODIFIED** to NO PARKING 7:45 AM – 8:45 AM and 2:30 PM – 3:30 PM, SCHOOL DAYS ONLY.

5. Request for No Parking Zone – Axtell Road at Bayberry Place Condominiums

RESOLVED, That a No Parking zone be **ESTABLISHED** on the east side of Axtell Road between the southerly entrance to Bayberry Place Condominiums to a point fifty (50) feet to the south; between the southerly entrance to Bayberry Place Condominiums to a point fifty (50) feet to the north; and the northerly entrance to Bayberry Place Condominiums to a point fifty (50) feet to the south.

6. Request for Traffic Control – Brook Hollow Drive at Lamb Road

RESOLVED, That the intersection of Brook Hollow Drive at Lamb Road be **MODIFIED** from NO traffic control to a STOP sign on the Brook Hollow Drive approach to the intersection.

7. Request for Traffic Control – Eleanor Avenue at Rockfield Avenue

RESOLVED, That the intersection of Eleanor Avenue at Rockfield Avenue be **MODIFIED** from NO traffic control to a STOP sign on the Rockfield Avenue approach to the intersection.

8. Request for Traffic Control – Carter Avenue at Virgilia Avenue

RESOLVED, That the intersection of Carter Avenue at Virgilia Avenue be **MODIFIED** from Stop control on the Virgilia Avenue approaches to ALL-WAY STOP control at the intersection of Carter Avenue at Virgilia Avenue.

9. Request for Traffic Control – Oakcrest Drive at Highland Drive

RESOLVED, That the intersection of Oakcrest Drive at Highland Drive be **MODIFIED** from NO traffic control to a STOP sign on the Highland Drive approach to the intersection.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

- a) June 13, 2022 – Announcement of Public Hearing – Preliminary Site Plan Review (SP JPLN2021-0023) – Proposed Eckford Oaks One Family Residential Cluster, North Side of Eckford, West of Rochester (PIN 88-20-15-251-026 and 88-20-15-251-017), Section 15, Currently Zoned R-1B (One Family Residential) District
- b) June 13, 2022 – Announcement of Public Hearing – Preliminary Site Plan Review (SP JPLN2021-0028) – Proposed Golden Villas One Family Residential Cluster, South Side of Square Lake, West of Dequindre (PIN 88-20-12-200-021 and 88-20-12-200-035), Section 12, Currently Zoned R-1C (One Family Residential) District

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

L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

Nora Salyer	Commented about the lack of wheelchair accessible entrances and well-maintained curb cuts at businesses in Troy.
Tony Kapas	Commented on K-1a, in opposition of the development
Aaron Dylewski	Commented about the need for infrastructure improvements throughout Troy for biking

M. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

City Manager Miller	Responded that the ADA standards have been built into the Michigan Building Code, and the designs of roads. He said it's a slow process to bring everything up to current codes, but it is constantly being worked on with every new project.
City Attorney Bluhm	Responded that it is a priority to comply with ADA standards

Mayor Baker	Responded that the City doesn't have the power to force businesses to update to ADA standards, but the City works every day to bring public areas like intersections up to ADA standards
Council Member Abraham	Thanked Ms. Salyer for her comments, and encouraged her to report dangerous conditions to our City departments when she sees them
Council Member Hodorek	Thanked Ms. Salyer for her comments, and encouraged her to visit Council Member Hodorek's neighborhood to see the updating of City streets to comply with ADA standards
Council Member Chamberlain-Creanga	Thanked Ms. Salyer for her comments. Responded to Mr. Dylewski's comment that could there be public-private partnerships to help improve infrastructure for bikes.
City Manager Miller	Commented that bike racks are required at commercial business properties.
Mayor Baker	Responded that the Eckford development will be on the agenda at the next Council meeting of June 13, 2022.
Council Member Hodorek	Commented that the discussions of green space have been ongoing with Council, with the Green Space Subcommittee, and with developers.

N. COUNCIL REFERRALS:

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

Vote on Resolution to Waive the Rules of Procedure for the City Council, Rule #8 Proclamations and Congratulatory Certificates

Resolution #2022-05-072

Moved by Baker

Seconded by Brooks

RESOLVED, That Troy City Council hereby **WAIVES** the Rules of Procedure for the City Council Rule #7 *Proclamations and Congratulatory Certificates* to approve and present a Resolution to Proclaim June 2022 as Gun Violence Awareness Month in the City of Troy on May 23, 2022.

Yes: All-7

No: None

MOTION CARRIED

N-1 Council Referrals from Mayor Baker – Resolution to Proclaim June 2022 as Gun Violence Awareness Month in the City of Troy

Moved by Baker

Seconded by Hamilton

WHEREAS, Public safety and protecting the residents, businesses and visitors of the City of Troy remains the number one strategic priority of the Mayor and Troy City Council; and,

WHEREAS, Ensuring public safety while protecting free speech and other basic Constitutional rights is among the Mayor and Troy City Council's primary responsibilities; and,

WHEREAS, Gun violence, particularly within our nation's schools and in places of worship, is unacceptable and of constant and growing concern; and,

WHEREAS, Local elected officials and local law enforcement officers know their communities best, are most familiar with local criminal activity and how to address it, and are uniquely positioned to understand how to keep their citizens safe; and,

WHEREAS, We continue to support all law enforcement officials in their efforts to halt all acts of violence, including gun violence; and,

WHEREAS, As a community, we renew our commitment to reduce gun violence and encourage responsible gun ownership to help keep our residents and community safe; and,

WHEREAS, It is important to speak out against all acts of hate and intolerance, respect others' points of view, and value and honor human life; and,

WHEREAS, As a community, we must continue to be vigilant about intolerance and violent behavior and encourage others to follow the mantra, "If you see something, say something."

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Troy City Council **DECLARE** June 2022 to be Gun Violence Awareness Month in the City of Troy and **ENCOURAGE** all citizens to support our community's efforts to prevent the tragic effects of gun violence and to honor and value human lives.

BE IT FURTHER RESOLVED, That we **ENCOURAGE** responsible gun ownership and **PLEDGE** to do all we can to reduce gun violence, encourage responsible gun ownership, and to help keep our residents and community safe.

Vote on Resolution to AMEND Item N-01 Council Referrals from Mayor Baker – Resolution to Proclaim June 2022 as Gun Violence Awareness Month in the City of Troy

Resolution #2022-05-073

Moved by Hodorek

Seconded by Baker

RESOLVED, that Item N-01 be **AMENDED** by adding, "BE IT FURTHER RESOLVED, That the Mayor and Troy City Council **ENCOURAGE** participation and wearing orange on June 3, 2022, for Gun Violence Awareness Day, and to remember and acknowledge victims and survivors of gun violence who continue to bear the burden of this challenge in our society each and every day." as the second RESOLVED.

Yes: All-7
No: None

MOTION CARRIED**Vote on Resolution Item N-01 Council Referrals from Mayor Baker – Resolution to Proclaim June 2022 as Gun Violence Awareness Month in the City of Troy As Amended**

Resolution #2022-05-074

Moved by Baker

Seconded by Hamilton

WHEREAS, Public safety and protecting the residents, businesses and visitors of the City of Troy remains the number one strategic priority of the Mayor and Troy City Council; and,

WHEREAS, Ensuring public safety while protecting free speech and other basic Constitutional rights is among the Mayor and Troy City Council's primary responsibilities; and,

WHEREAS, Gun violence, particularly within our nation's schools and in places of worship, is unacceptable and of constant and growing concern; and,

WHEREAS, Local elected officials and local law enforcement officers know their communities best, are most familiar with local criminal activity and how to address it, and are uniquely positioned to understand how to keep their citizens safe; and,

WHEREAS, We continue to support all law enforcement officials in their efforts to halt all acts of violence, including gun violence; and,

WHEREAS, As a community, we renew our commitment to reduce gun violence and encourage responsible gun ownership to help keep our residents and community safe; and,

WHEREAS, It is important to speak out against all acts of hate and intolerance, respect others' points of view, and value and honor human life; and,

WHEREAS, As a community, we must continue to be vigilant about intolerance and violent behavior and encourage others to follow the mantra, "If you see something, say something."

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Troy City Council **DECLARE** June 2022 to be Gun Violence Awareness Month in the City of Troy and **ENCOURAGE** all citizens to support our community's efforts to prevent the tragic effects of gun violence and to honor and value human lives.

BE IT FURTHER RESOLVED, That the Mayor and Troy City Council **ENCOURAGE** participation and wearing orange on June 3, 2022, for Gun Violence Awareness Day, and to remember and acknowledge victims and survivors of gun violence who continue to bear the burden of this challenge in our society each and every day.

BE IT FURTHER RESOLVED, That we **ENCOURAGE** responsible gun ownership and **PLEDGE** to do all we can to reduce gun violence, encourage responsible gun ownership, and to help keep our residents and community safe.

Yes: All-7

No: None

MOTION CARRIED

O. REPORTS:

O-1 Minutes – Boards and Committees: None Submitted

O-2 Department Reports:

- a) Interim Financial Report 3rd Quarter For The Three Months Ended March 31, 2022
 - b) 2021 Troy Fire Department Annual Report
 - c) Assessment Roll and Board of Review Report
 - d) Proclamations and Congratulatory Certificates
- Noted and Filed

O-3 Letters of Appreciation:

- a) To DPW Staff from Pat Szmit Regarding Service During a Water Meter Exchange
- Noted and Filed

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

P. COUNCIL COMMENTS:

P-1 Council Comments

Council Member Hamilton commented on the Mayor's State of the City Address.

Council Member Chamberlain-Creanga commented on the Mayor's State of the City Address and the highlight on placemaking and the arts.

Council Member Chamberlain-Creanga commented on Asian American Pacific Islander Heritage Month and their contributions to the community.

Council Member Hodorek commented on the many great job opportunities available in the City of Troy at www.troymi.gov/jobopenings. She commented on the hiring challenges and thanked the Human Resources team and their effort and hard work.

Mayor Baker thanked everyone for their support with the State of the City Address.

Mayor Baker invited everyone to attend the dedication of the Jeanne M. Stine Community Park on Thursday, May 26, 2022 at 4:00 PM on Town Center Drive.

Q. PUBLIC COMMENT FOR ITEMS ON OR NOT ON THE AGENDA FROM MEMBERS OF THE PUBLIC OUTSIDE OF TROY (NOT RESIDENTS OF TROY AND NOT FROM TROY BUSINESSES):

The Meeting **RECESSED** at 9:50 PM.

The Meeting **RECONVENED** at 10:00 PM.

R. CLOSED SESSION

R-1 Closed Session

S. ADJOURNMENT:

The Meeting **ADJOURNED** at 11:35 PM.

Mayor Ethan Baker

M. Aileen Dickson, MMC, MiPMC II
City Clerk

2022 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

November 19, 2022..... City of Troy Advance

2022 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

June 13, 2022 Regular Meeting
June 27, 2022 Regular Meeting
July 11, 2022..... Regular Meeting
July 25, 2022..... Regular Meeting
August 15, 2022 Regular Meeting
August 22, 2022 Regular Meeting
September 12, 2022..... Regular Meeting
September 19, 2022..... Regular Meeting
October 3, 2022..... Regular Meeting
October 24, 2022..... Regular Meeting
November 14, 2022..... Regular Meeting
November 21, 2022..... Regular Meeting
December 5, 2022..... Regular Meeting
December 12, 2022..... Regular Meeting

A. CALL TO ORDER:

A Special Meeting of the Troy City Council was held on June 1, 2022, at City Hall, 500 W. Big Beaver Rd. Mayor Baker called the meeting to order at 6:00 PM.

B. ROLL CALL:

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

C. PUBLIC COMMENT:**D. BUSINESS STATED IN THE SPECIAL MEETING NOTICE:****D-1 Resolution to Adjourn into Closed Session Pursuant to MCL 15.268 (1)(e) – Darling v City of Troy and Miller**

Resolution #2022-06-075
Moved by Baker
Seconded by Hamilton

RESOLVED, That Troy City Council hereby **ADJOURNS** into Closed Session pursuant to MCL 15.268 (1)(e) – *Darling v City of Troy and Miller*.

Yes: All-7
No: None

MOTION CARRIED

The Meeting **RECESSED** at 6:02 PM.
The Meeting **RECONVENED** at 6:17 PM.

D-2 Proposed Resolution For Consideration After Open Session Resumes

Resolution #2022-06-076
Moved by Baker
Seconded by Erickson Gault

RESOLVED, That Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Manager to execute the release and settlement agreement on behalf of the City of Troy in the matter of *Thomas Darling v. City of Troy et. al.* (Oakland County Circuit Court, Case No. 2019-177244-CD).

Yes: All-7

No: None

MOTION CARRIED

E. OTHER BUSINESS:

F. ADJOURNMENT:

The Meeting **ADJOURNED** at 6:18 PM.

Mayor Ethan Baker

Cheryl A. Stewart, CMC, MiPMC II
Deputy City Clerk

2022 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

November 19, 2022 City of Troy Advance

2022 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

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November 14, 2022 Regular Meeting
November 21, 2022 Regular Meeting
December 5, 2022 Regular Meeting
December 12, 2022 Regular Meeting



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Date: June 13, 2022

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Robert C. Maleszyk, Chief Financial Officer
Dee Ann Irby, Controller
Jeanette Menig, Human Resources Director
Emily Frontera, Purchasing Manager

Subject: Award Standard Purchasing Resolution 3 – Exercise Renewal Option - Workers' Compensation Renewal

History

- The State of Michigan requires the City of Troy to provide workers' disability compensation under Public Act 317 of 1969.
- The Michigan Municipal League (MML) Workers' Compensation Fund has been providing Workers' Compensation coverage to the City of Troy since 1986.
- The MML provides coverage to more than 900 public entities throughout Michigan.
- The MML Workers' Compensation Fund's Pay Lag was an average of 12 days for calendar year 2021 compared to the 25-day average for all of Michigan's 27 Group workers' compensation funds. This is the lowest average number of days of any of the Michigan Group funds. It shows the responsiveness of the MML Workers' Compensation Fund.
- The MML Workers' Compensation Fund is audited annually by the State of Michigan and continues to comply with all State requirements.
- The MML Workers' Compensation Fund 2021 audited Financial report can be found at http://www.mml.org/insurance/fund/pdf/06_30_2021_audit_report.pdf
- The MML Workers' Compensation Fund in conjunction with Meadowbrook as the Third-Party Administrator consistently provides:
 - Legal expertise, defense and related expenses
 - Loss control consultation and expertise
 - Expertise in claims specific to municipalities (including Police and Fire claims)
 - Medical Bill Review that mitigates medical expenses
 - Timely customer service to City management and injured employees
 - Responsive services that assist City staff communications with employees, administration and others
 - Knowledge specific to the City of Troy claims including long-term claims
 - When in the City's best interest, they actively monitor and initiate settlement on the City's behalf.



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Purchasing

City Management recommends waiving the bid process for the following reasons:

- A different carrier would necessitate City management to work with multiple Third-Party Administrators. New claims would be determined by the new insurance company and existing claims would still be handled by the MML.
- The City has over 30 years of claims history with the MML Workers' Compensation Fund; The Experience Modifier is calculated based on 3.5 years of claims and payroll history by classification code.
- The City's Experience Modifier at 1.07, which is a decrease from last's year's Modifier of 1.30. This change is due to a decrease in the City's total claims incurred for 2018, 2019, 2020, and half of 2021.
- The City of Troy continues to benefit from the expertise of the MML in the unique provisions of Workers' Compensation that specifically apply to Police Officers and Firefighters.
- If the City were to enroll with a different carrier, current dividends would be frozen for a minimum of 2-3 years.

Financial

- The City is in receipt of the renewal package from the MML Workers' Compensation Fund which includes a dividend credit attributable to Fund members overall.
- The City will receive a dividend credit of \$284,506; an increase of \$64,753 over last year.
- The renewal premium for FY 2022-2023 is \$445,985 (net of dividend credit). Rates change annually, but the MML Workers' Compensation Fund works to maintain rate stability from year to year. For 2022-2023 average rates are down by approximately 3.0%.
- Premium cost fluctuates predicated upon the City's payroll by classification code. There is a greater change in premium when employees are added or reduced in the higher risk classes such as Street Operations, Fire, Police and Building Operations.
- The relevant indicator is the Experience Modifier which reflects the City's performance with loss control, return to work programs and overall safety training and performance.
- Funds are budgeted and available in the Workers' Compensation Fund in the 2022-2023 Fiscal Year.

Recommendation

City management recommends it is in the City's best interest to waive the bid process and continue the relationship with the Michigan Municipal League Workers' Compensation Fund. It is recommended that City Council approve the renewal of the City's Workers' Compensation Fund for the net cost of \$445,985 as detailed in the attached Michigan Municipal League Workers' Compensation Fund Declaration Page for the Fiscal Year 2022-2023.

Legal Review

This item was submitted to the City Attorney for review pursuant to City Charter Section 3.17.

Michigan Municipal League Workers' Compensation Fund

04/25/2022

Declaration Page

5000410-22

City of Troy
Attn:
500 W. Big Beaver
Troy, MI 48084

Coverage Period 7/1/2022 to 6/30/2023

RENEWAL

Class Code	Class Description	Estimated Annual Payroll	Rate per \$100 of Payroll	Estimated Annual Premium
9103-00	Crossing Guards	28,779	3.45	993
8810-02	Elected Officials	36,400	0.20	73
7704-02	Volunteer/On-Call Firefighters	68,500	6.85	4,692
7382-00	Transit Authority/Dial-A-Ride Drivers	179,036	3.76	6,732
9104-00	Lifeguards	191,344	1.55	2,966
8820-00	Attorneys/Judges	468,560	0.27	1,265
9015-00	Building Operations	679,537	4.07	27,657
8395-00	Garage Operations	883,632	3.01	26,597
7704-01	Firefighters	1,172,546	4.38	51,358
5509-00	Street Operations	1,688,714	6.59	111,286
7520-00	Water Operations	1,763,242	3.27	57,658
9102-00	Parks & Recreation	2,026,008	2.82	57,133
8810-03	Libraries & Museums: Prof/Clerical	2,133,815	0.27	5,761
9410-00	Municipal Employee	2,384,888	0.65	15,502
8810-01	Clerical-Office	8,359,869	0.38	31,768
7720-01	Police Officers	13,224,076	2.53	334,569
	Totals:	\$35,288,946		\$736,010

Coverage Amount

Employers Liability: \$2,000,000
Workers' Compensation: STATUTORY

Premium To Be Billed on Installments: \$445,985

Total Standard Premium	\$736,010
Experience Modifier: 1.07	\$51,521
Modified Premium	= \$787,531
Size of Premium Credit	(\$57,190)
Expense Constant	\$150
Total Estimated Premium	= \$730,491
(Dividend Credit)	(\$284,506)
NET ESTIMATED ANNUAL PREMIUM	= \$445,985



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-04b

CITY COUNCIL AGENDA ITEM

Date: June 13, 2022

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Rob Maleszyk, Chief Financial Officer
Dee Ann Irby, Controller
Frank Nastasi, Chief of Police
Kurt Bovensiep, Public Works Director
Dennis Trantham, Facilities and Grounds Operations Manager
Emily Frontera, Purchasing Manager

Subject: Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Police Department Emergency Operations Center HVAC Upgrades

History

The Troy Police Department houses the Emergency Operations Center (EOC) for the City of Troy. The HVAC units that service this area are standalone units apart from the rest of the facility. One of the units has completely failed and is no longer serviceable. Both units were installed at the same time and need replacement. Replacement was identified in the 2018 as part of the Facilities Condition Assessment and Analysis. These units will be installed with in-house Facilities Staff

Purchasing

- Pricing for the Police Department Emergency Operations Center HVAC Equipment has been secured from *Lennox Industries of Troy, MI* for an estimated cost of \$11,454.12 as per the attached quote.
- The current contract with Lennox Industries was adopted by City Council on July 26, 2021 for Lennox HVAC equipment and parts (Resolution #2021-07-113).

Financial

Funds for the Police Department EOC HVAC Equipment are budgeted and available in Police Department Administration Capital Fund under Project Number 2022C0009 for the 2022 fiscal year. Expenditures will be charged to account number 401.301.11.305.7975.010.

Recommendation

City Management recommends granting the authority to expend capital budgeted funds to *Lennox Industries of Troy, MI* for an estimated cost of \$11,454.12 for the purchase of HVAC Equipment for the Police Department EOC not to exceed budgetary limitations.

From: noreply@lennoxpros.com <noreply@lennoxpros.com>

Sent: Wednesday, May 25, 2022 9:21 AM

To: Joe Dicamillo <Joe.Dicamillo@troymi.gov>

Subject: Cart Details

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.



Here's Joe Dicamillo's Recent Cart

Note from (Joe Dicamillo):

Here is my cart from LennoxPROs.com.

City Of Troy

Cart Name PD EOC
Creator Joe Dicamillo
Last Modified Date May 25, 2022
Last Modified Time 8:20 AM

Product	Qty	Unit Price	Total	Delivery Method
Lennox, Mini-Split Air Conditioner 2 X 2 Ceiling Cassette, 1 Ton, 208-230V, 1 Phase, 60Hz, M22A012S4-2P Cat #: 15V27 Weight: 42.0 lbs	4	\$924.00	\$3,696.00	Standard Shipping 500 W Big Beaver Rd Troy, MI ,48084-5285 ,US Estimated Arrival/Pickup May 26, 2022 Shipping Warehouse: Grove City (RDC)
Lennox M0STAT62Q-1, Cassette Panel, 9K 12K 18K IDU	4	\$229.00	\$916.00	Standard Shipping 500 W Big Beaver Rd Troy, MI ,48084-5285 ,US

Cat #: 13X04
Weight: 9.92 lbs

Estimated Arrival/Pickup
May 26, 2022

Shipping Warehouse:
Grove City (RDC)

Lennox, Mini-Split
Heat Pump Low
Ambient Outdoor
Unit, 2.5 Ton, 208-
230V, 1 Phase,
60Hz, MLA030S4M-
1P

2

\$2,692.00

\$5,384.00

Standard Shipping

500 W Big Beaver Rd
Troy, MI ,48084-5285 ,US

Estimated Arrival/Pickup
May 26, 2022

Shipping Warehouse:
Grove City (RDC)

Cat #: 14X80
Weight: 168.0 lbs

1/4"L x 1/2"S x 1/2"
Wall, Mini-Split
Insulated Line Set,
50' Length

4

\$178.00

\$712.00

Standard Shipping

500 W Big Beaver Rd
Troy, MI ,48084-5285 ,US

Estimated Arrival/Pickup
May 26, 2022

Shipping Warehouse:
Grove City (RDC)

Cat #: Y8174
Weight: 10.956 lbs

Diversitech EL1838-
3, 18 x 38 x 3", E-
Lite Plastic
Equipment Pad

2

\$38.38

\$76.76

Standard Shipping

500 W Big Beaver Rd
Troy, MI ,48084-5285 ,US

Estimated Arrival/Pickup
May 26, 2022

Shipping Warehouse:
Grove City (RDC)

Cat #: Y5014
Weight: 9.0 lbs

<p>Bramec 5137 Clear Vinyl Tubing 3/8" I.D. X 100' Roll</p> <p>Cat #: 46N99 Weight: 4.8 lbs</p>	2	\$21.23	\$42.46	<p>Standard Shipping 500 W Big Beaver Rd Troy, MI ,48084-5285 ,US</p> <p>Estimated Arrival/Pickup Please call 1-877-570-0123 for Availability</p> <p>Shipping Warehouse: Grove City (RDC)</p>
<p>Little Giant 554401 VCMA-15UL, 1/50 HP Condensate Pump, 115 Volt</p> <p>Cat #: 50E38 Weight: 4.45 lbs</p>	2	\$54.67	\$109.34	<p>Standard Shipping 500 W Big Beaver Rd Troy, MI ,48084-5285 ,US</p> <p>Estimated Arrival/Pickup May 26, 2022</p> <p>Shipping Warehouse: Grove City (RDC)</p>
<p>DiversiTech DDS-60 Fusible Pullout Disconnect Switch, 60A</p> <p>Cat #: Y9685 Weight: 3.34 lbs</p>	2	\$24.50	\$49.00	<p>Standard Shipping 500 W Big Beaver Rd Troy, MI ,48084-5285 ,US</p> <p>Estimated Arrival/Pickup May 26, 2022</p> <p>Shipping Warehouse: Grove City (RDC)</p>
<p>Bramec 18837 Metallic Whip, 3/4" x 6', 8 GA THHN Wire, 1-Straight/1-90 Degree Connection</p> <p>Cat #: 27P44 Weight: 3.0 lbs</p>	2	\$33.78	\$67.56	<p>Standard Shipping 500 W Big Beaver Rd Troy, MI ,48084-5285 ,US</p> <p>Estimated Arrival/Pickup May 26, 2022</p> <p>Shipping Warehouse:</p>

Grove City (RDC)

Honeywell Genesis 1 \$204.00
10700108, 14/4
AWG Mini-Split Tray
Cable, Stranded,
600 Volts

Cat #: Y2067
Weight: 20.0 lbs

\$204.00

Standard Shipping

500 W Big Beaver Rd
Troy, MI ,48084-5285 ,US

Estimated Arrival/Pickup

May 26, 2022

Shipping Warehouse:

Grove City (RDC)

Order Summary

Subtotal \$11,257.12

Weight 656.684 lbs

Estimated Shipping:

Standard Shipping \$197.00

Estimated Taxes \$0.00

Estimated Total \$11,454.12

Please Note: The save feature is for your convenience & may not reflect the most up to date Pricing & Availability. Pricing & Availability is subject to change and will be updated when the saved cart becomes active.

Have questions? We're here to help!

If you need to change, cancel or track your order, please call **1.877.570.0123**.

To request a return, [click here](#).

For warranty information and to submit a claim, [click here](#).

For additional LennoxPROs.com questions, please call us at **1.877.570.0123**.

We appreciate your business!

Purchaser agrees not to export or re-export Lennox products, except in compliance with all applicable U.S. export control laws and related federal agency regulations.

The [LennoxPROs.com](https://www.LennoxPROs.com) Team

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J-04c

CITY COUNCIL AGENDA ITEM

Date: June 3, 2022

To: Mark F. Miller, City Manager

From: Robert Bruner, Assistant City Manager
Robert C. Maleszyk, Chief Financial Officer
Dee Ann Irby, Controller
Kurt Bovensiep, Public Works Director
William J. Huotari, City Engineer

Subject: Standard Purchasing Resolution #1: Award to Low Bidder
Contract 22-04 – Section 22 Pavement Rehabilitation

History

The following streets are proposed to receive an asphalt overlay: Hartland, Harris, Vanderpool, Trombley, Colebrook, Louis, Troy, Frankton, Helena, Talbot, Kilmer, and Ellenboro. This project includes milling (grinding off) areas of the existing pavement, then placing new asphalt pavement. Also included is replacement of failed pavement areas and manhole repairs. Work is anticipated to start in July 2022 and all pavement construction is to be substantially completed by October 2022. All construction, including restoration, is to be completed by November 2022.

Purchasing

Bids were received and publicly read on June 1, 2022. The low bid of \$1,578,149.95 was submitted by Asphalt Specialists, Inc., 1780 E Highwood Road, Pontiac, MI 48340 as shown on the attached tabulation summary.

Work was competitively bid and publicly opened with five (5) bidders responding. The award is contingent upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements.

Financial

Funding for this work is available in the 2022-23 Capital Projects Fund, Account # 401.447.499.7989.400.

Recommendation

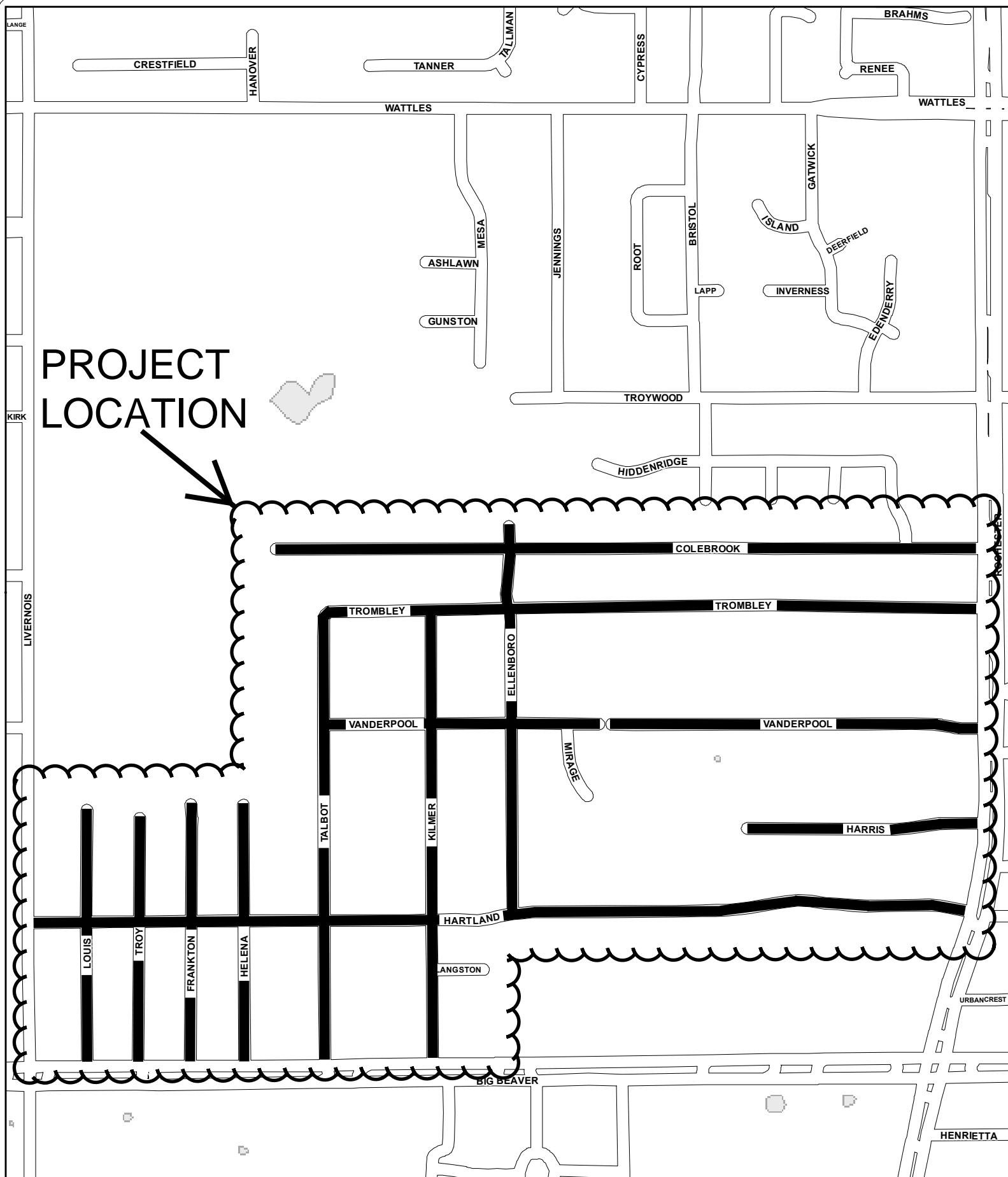
It is recommended that City Council award the Section 22 Pavement Rehabilitation Contract to Asphalt Specialists, Inc., 1780 E Highwood Road, Pontiac, MI 48340, for their low bid of \$1,578,149.95.

In addition, we are requesting authorization to approve additional work, if needed, not to exceed 25% of the original project cost due to unknown quantities of repair work that may be needed after milling the asphalt surface. A copy of the bid tabulation shall be attached to the original Minutes of this meeting.

BID TABULATION
CONTRACT 22-04
SECTION 22 PAVEMENT REHABILITATION
City of Troy
Oakland County, Michigan

Bids Due: JUNE 1, 2022

Contractor	Total Bid Amount
1 Asphalt Specialists, Inc.	\$ 1,578,149.95
2 Ajax Paving Industries, Inc.	\$ 1,638,299.75
3 Cadillac Asphalt, L.L.C	\$ 1,677,000.00
<hr/>	
4 Pro-Line Asphalt Paving Corp.	\$ 1,741,146.00
5 Best Asphalt Inc	\$ 2,282,041.25





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CITY COUNCIL AGENDA ITEM

Date: June 13, 2022

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Rob Maleszyk, Chief Financial Officer
Dee Ann Irby, Controller
William J. Huotari, City Engineer
Emily Frontera, Purchasing Manager
Larysa Figol, Sr. Right-of-Way Representative

Subject: Bid Waiver: eTitle Agency – Title Reporting and Closing Services

History

Troy City Council previously approved Contract No.21-5419 with MDOT for Right-of-Way acquisition work to widen Rochester Road from five lanes to a six-lane boulevard from Barclay Drive to Trinway Road – Project 2022CG0002 (Resolution #2021-12-192-J-5).

Prior to any acquisition work, MDOT and Federal Regulations governing federally funded projects requires the City to establish ownership of a property and anyone who may have a claim to that property. Title work, or a property profile, not only identifies ownership, but type of ownership, easements, and any liens or claims of interest in, under or over the property.

The City Engineering Department has used the services of *eTitle Agency (eTitle)*, headquartered in Troy on Big Beaver Road, for individual title reports, commitments and closing services. Staff has an established professional relationship with *eTitle*, is familiar with their team of examiners and is satisfied with their product.

The Rochester Road project has 72 parcels in the project area. *eTitle* charges \$350 for a 40-year search with easements and restrictions for a residential property with a property profile provided. A \$450 fee is charged for a 40-year search with easements and restrictions for a commercial property with a property profile. Once received and after a review by staff, it may be necessary to delve back beyond the 40 years for additional recorded documentation incurring an additional \$50 fee. Closing fees can be a combination of fund wiring fees, document shipping charges, recording processing fees, document preparation, and/or escrow fees. *eTitle* will hold their property profile fees until May 1, 2023 and closing cost fees until May 1, 2024.

As the acquisition process proceeds, staff will bring agreements and requests for permits, easements and fee acquisitions to City Council for approval. Agenda items will ask City Council to approve market value acquisition amounts or negotiated purchase agreements and ask for a separate approval to expend closing costs and any other costs permissible by MDOT and the Uniform Relocation Assistance and Real Property Act (1970). Closings will be arranged through *eTitle*.



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CITY COUNCIL AGENDA ITEM

Purchasing

- *eTitle of Troy, MI* has been a trusted source for research and information reporting, assisting the Engineering Department with parcel acquisitions and sales for well over a decade.
- *eTitle* is headquartered in Troy and has an established relationship with City staff.
- *eTitle* has provided title services for numerous individual City real estate acquisition and sales transactions.
- A market survey was performed by staff and found the fees to be comparable with other title agencies.
- It is in the best interest of the City to waive the bid process and to utilize the services of *eTitle Agency of Troy, MI* for title reports, commitments and closing services

Financial

The Rochester Road, Barclay to Trinway, Project Number 2022CG0002, is a federally funded major road improvement project. 80% of *eTitle's* costs for title reports, commitments and closing services will be reimbursed to Troy from these federal funds. Expenditures will be charged to Account number 401.447.479.7989.022065.

Recommendation

City Management, in the best interest of the City, recommends waiving the formal bidding procedure and awarding a contract to *eTitle Agency of Troy, MI* to provide title reports, commitments and closing services for the Rochester Road – Barclay to Trinway Project Number 2022CG0002, for an amount not to exceed \$150,000. City management further requests authorization to use the services provided by *eTitle Agency* for any necessary future title work and services.

Legal Review

This item was submitted to the City Attorney for review pursuant to City Charter Section 3.17.



eTITLE AGENCY
1650 West Big Beaver Road
Troy, Michigan 48084
P 248 502 3100 F 248 502 3101
etitleagency.com

June 2, 2022

Larysa Figol, SR/WA
Senior Right-of-Way Representative
City of Troy
500 West Big Beaver
Troy, MI 48084

Re: Pricing Proposal for City of Troy Easement and Restrictions Title Search and Closing Project

Larysa,

Thank you for your interest in eTitle Agency's title search and closing services. Below is the information that you have requested.

Title Search:

\$350 for the 40-year search with the Easements and Restrictions for a residential property with property profile provided.

\$450 for the 40-year search with the Easements and Restrictions for a commercial property with property profile provided.

An additional \$50 charge will be assessed if the search exceeds 40 years back.

The property profile search pricing proposal is valid until June 1, 2023.

Residential Closing Fees:

Refinance	\$350	Borrower
Mortgage (purchase) Both Sides	\$550	Buyer and \$300 Seller
Mortgage (purchase) Split	\$550	Buyer or \$300 Seller
2 nd Mortgage/HELOC	\$175	Borrower
Cash (purchase)	\$350	Buyer and \$300 Seller

Other Fees:

Wire Fee (each)	\$27	Requester
International Wire (each)	\$50	Requester
FedEx/UPS Overnight	\$25	Requester
Recording Processing	\$10	



Deed Prep	\$150
Escrow Fee – LC Deed Hold	\$250

It is customary for the Seller to pay for the Owner's Policy of Title Insurance unless Purchase Agreement states otherwise. This cost is based on the sale price of the property.

Buyer is responsible for paying for a Lender's Policy of Title Insurance unless Purchase Agreement states otherwise. This cost is based on the loan amount.

Buyer is responsible for paying actual cost to record deed and mortgage. Electronic filing fee, if applicable, is included in the recording processing fee.

Commercial Closing Fees can be quoted on a property-by-property basis.

The closing fees in this proposal are valid until June 1, 2024.

Please feel free to contact me if you have any additional questions, Larysa. Thank you for this opportunity to present this quote to you.

Sincerely,

Rox Roselle
VP, Client Services
eTitle Agency
1650 W. Big Beaver Road
Troy, MI 48084
248-502-1555 Direct
248-840-6134 Mobile

Cc: Brian Henry; Matt Evangelista; Lori Phelps



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J-06

CITY COUNCIL AGENDA ITEM

Date: June 3, 2022

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Jeanette Menig, Human Resources Director

Subject: Classified and Exempt Classification and Pay Plan Updates

History

The majority of the City's full-time employees are represented by one of six collective bargaining units; the remainder, approximately 125 of the City's full-time employees, are non-represented. These full-time non-union employees are subject to the personnel policies and procedures provided by Chapter 11 of the City Code.

Chapter 11 of the City Code establishes a civil service system that divides all officers and positions of the City into the classified service and the exempt service. "Classified" positions are full-time non-union positions subject to minimum wage and overtime pay provided the Fair Labor Standards Act (FLSA). "Exempt" positions are full-time non-union positions exempt from minimum wage and overtime pay provided the FLSA.

Additionally, Chapter 11 of the City Code provides that the City Manager or designee shall prepare a pay plan which may be amended from time to time as required. Last year we updated the classification and pay plans in accordance with the comprehensive classification and compensation study completed by our consultant, GovHR. However, pay ranges and classification plans must continue to be evaluated and updated as necessary to retain internal equity and external competitiveness of the plans.

The Personnel Board is also established by Chapter 11; the board advises the City Manager on matters of personnel and represent the public interest regarding Classified personnel. The Personnel Board reviewed and approved the new plan for Classified positions on May 26, 2022 and recommended that the City Council adopt the plan. The plan and the classification plan for Exempt positions and the associated pay plan is now submitted for adoption by resolution of the City Council.

The updated classification plans include positions which were added to staff the transition to in-house building inspection services. Also, some titles have been changed to clarify responsibilities (i.e. Exempt Librarian I became II and Librarian II became III to distinguish better from the Classified Librarian I). Additional positions that were added, removed or modified throughout the year are also reflected on the new plans.

The revised pay plan reflects an increase of 1% to the grade minimums and 5% to the maximums, widening the ranges slightly.

Financial

There are limited direct costs associated with updates to the Pay Plan. Currently seven employees' salaries are below the proposed new minimum and will need to be adjusted to the new minimum of their assigned range. Total cost for these adjustments is \$3066.

Recommendation

City Management recommends approval of the Classified and Exempt Classification Plans and Classified and Exempt Pay Plan.



Classification Plan - Classified Positions

Effective July 1, 2022

Pay Grade 1

Administrative Aide
Appraiser Technician
Building Maintenance Technician
Inventory Control Assistant
Library Aide
Marketing Associate
~~Transportation Scheduler~~

Pay Grade 2

Administrative Assistant
Commercial Project Collaborator
Legal Secretary
Senior Permit Technician

Pay Grade 3

Accountant I
Building Maintenance Specialist I
Building Maintenance Specialist II
Cross Connection Inspector
Legal Assistant I
Librarian I
PC Specialist
Support Specialist

Pay Grade 4

Housing and Zoning Inspector I
Housing and Zoning Inspector II
Legal Assistant II
Office Manager
Staffing and Support Specialist

Pay Grade 5

Accountant II
Appraiser
Construction Supervisor
Field Supervisor
GIS Analyst
Inspector (Electrical, Mechanical, Plumbing)

Pay Grade 6

Division Supervisor

Pay Grade 7

Inspector Supervisor



Classification Plan - Exempt Positions

Effective July 1, 2022

Pay Grade 3

Assistant to the City Manager
Associate Buyer
~~Librarian I~~ ~~supervisory Librarian II~~
Transportation Coordinator

Pay Grade 4

Buyer
Marketing Coordinator
Planner
Project Manager

Pay Grade 5

Budget Analyst
Commercial Plans Examiner
~~Emergency Management Specialist~~
Human Resources Specialist
Police IT Security Specialist
~~Public Works Coordinator~~
Recreation Supervisor
~~Crime Data Analyst~~

Pay Grade 6

Application Specialist
Circulation Supervisor
Civil Engineer
Deputy Building Inspector
Deputy City Clerk
~~Deputy City Treasurer~~
Land Surveyor
Lead PC Specialist
Technical Services Supervisor

Pay Grade 7

Administrative Services Manager
Assistant City Attorney I
Chief Building Inspector
Community Affairs Director
Community Engagement Manager
Economic Development ~~Specialist~~ Manager
~~Librarian II~~ Librarian III
Police Records Supervisor
Software Database Engineer
Zoning & Compliance Specialist

Pay Grade 8

Facilities & Grounds Operations Manager
Financial Compliance Manager
Fleet Operations Manager
GIS Administrator
Network Administrator
Police Information Technology Manager
Senior Accountant
Senior Civil Engineer
Senior Right of Way Representative
Streets & Drains Operations Manager
Water & Sewer Operations Manager

Pay Grade 9

Assistant City Attorney II
Assistant Library Director
Assistant Recreation Director
City Treasurer
Deputy City Assessor
Deputy City Engineer
Purchasing Manager

Pay Grade 10

Building Official (moved from 9)
City Clerk
Controller
Human Resources Director
Recreation Director

Pay Grade 11

City Assessor
City Engineer
Community Development Director
Library Director
Public Works Director

Pay Grade 12

Assistant City Manager
Chief Financial Officer
Fire Chief
Information Technology Director
Police Chief



Pay Plan - Classified and Exempt Positions

Pay Plan - Effective July 1, 2022

<u>Grade</u>	<u>Minimum</u>	<u>Maximum</u>
1	\$43,507	\$61,060
2	\$47,858	\$67,165
3	\$52,642	\$73,882
4	\$57,906	\$81,271
5	\$59,821	\$83,957
6	\$64,308	\$90,253
7	\$69,130	\$97,023
8	\$74,316	\$104,300
9	\$84,295	\$118,304
10	\$92,723	\$130,134
11	\$101,995	\$143,147
12	\$112,195	\$157,462



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J-07

CITY COUNCIL AGENDA ITEM

Date: June 13, 2022

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Robert C. Maleszyk, Chief Financial Office
Dee Ann Irby, Controller
Kurt Bovensiepe, Public Works Director

Subject: Fiscal Year 2023 Proposed Water Connection Fees

History

Chapter 20- Water and Sewer Rates Section 4- Water Connection Fee, of the Troy City Code states;

A Water Connection Fee will be charged to each premise where the City provides labor, equipment or materials to make a connection to the water main and/or to furnish or install a water meter. Such fees shall not be less than the cost of the materials, installation and overhead attributable to the particular service.

The City Council will establish, by resolution, such fees in accordance with the size of service and/or meter to be furnished. The Water Connection Fee shall be paid or the applicant shall make an agreement to pay the Fee prior to issuance of a connection permit by the City.

The water connection fee was last updated in 2015 to reflect the cost of labor and materials related to the installation and maintenance of water connection services (**RESOLUTION # 2015-09-129**). The resolution included a flat fee basis for services opposed to a time and material type charge. The flat fee basis has proved to be more efficient to the water billing operation and allowed city staff to announce the exact fee before services were performed.

Both labor and material costs have increased, which is causing the Water and Sewer Division to adjust fees to ensure that Chapter 20, Section 4 is satisfied by establishing fees relevant to the current cost of materials and labor.

- The current flat rate charges for service related to water turn off/on, meter install/reinstall, meter removal, Meter Interface Unit (MUI) relocate, repair, replacement, meter testing, and meter re-seal sufficiently covers the labor associated with these tasks and is not proposed to change.
- The Water Tap/Connect Fees is proposed to increase to reflect the increase in material costs associated with these tasks. Materials include copper products, brass products, and cast-iron products.



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CITY COUNCIL AGENDA ITEM

- Construction water is charged when a home or building is under construction and water is used without metering the usage. The time for construction has increased since the last evaluation of the fee in 2015. On average, water is used without a meter for 6 months. For this reason, the Construction Water Fee is increase from \$35 to \$210 to ensure the cost of the water being used is accurately charged to the developer or builder.

Recommendation

City Management recommends City Council adopt the listed changes to the Water Connection Fees to ensure fees are not less than the current cost of labor and materials associated with the installation and maintenance of water connection services.



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CITY COUNCIL AGENDA ITEM

2023 Water Connection Fees

Service Charges	Current
Water Turn off/on - all inclusive Regular working hours After working hours	\$50.00 Flat Rate \$200.00 +parts/materials
Meter Install/reinstall **	\$50.00
Meter Pull **	\$50.00
Meter Interface Unit relocate, fix, rewire	
Meter Interface Unit Replacement	\$50.00 + MIU Cost
Damaged/Frozen Meter	\$50.00 + Meter Cost
Meter Testing - High Consumption	\$50.00
Meter Re-seal	\$50.00

NOTE: Replaced meters and any property belonging to the City of Troy in need of repair/replacement is not included in the flat rate service charge. Replaced/repared materials will be an additional cost. All interior valves, including the valves on either side of the meter is the customers responsibility and not maintained by the City.

** Includes sprinkler meters and residential winterizations

Water Tap/Connect Fees	Current	Proposed	Increase	Percent Change
3/4" Service (5/8" MTR) Existing Svc Only	\$293.25	\$324.00	\$30.75	10%
1" Service (3/4" MTR)	\$2,094.52	\$2,525.00	\$430.48	21%
1-1/2" Service (1" MTR)	\$2,444.96	\$2,940.00	\$495.04	20%
2" Service (1-1/2" MTR)	\$3,075.89	\$3,914.00	\$838.11	27%
3" Service (2" MTR) *	\$1,763.42	\$2,229.00	\$465.58	26%
4" Service (3" MTR) *	\$2,600.86	\$3,252.00	\$651.14	25%
6" Service (4" MTR) *	\$3,461.06	\$4,279.00	\$817.94	24%
8" Service (6 MTR) *	\$5,196.63	\$6,914.00	\$1,717.37	33%

*CONTRACTOR PERFORMS TAP

Water Service/ Connection Size	Labor, Equip, Materials (less Meter)	Meter Install Charge	Construction Water	Inspection Fee	Sub Total
3/4"	Existing SVC Only	\$50.00	\$210.00	\$35.00	\$295.00
1"	\$1,948.00	\$50.00	\$210.00	\$35.00	\$2,243.00
1-1/2"	\$2,604.00	\$50.00	\$210.00	\$35.00	\$2,899.00
2"	\$3,122.00	\$50.00	\$210.00	\$35.00	\$3,417.00
3"	*	\$50.00	\$210.00	\$35.00	\$295.00
4"	*	\$50.00	\$210.00	\$35.00	\$295.00
6"	*	\$50.00	\$210.00	\$35.00	\$295.00
8"	*	\$50.00	\$210.00	\$35.00	\$295.00



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CITY COUNCIL AGENDA ITEM

* CONTRACTOR PERFORMS TAP

Meter Size	Meter & MIU Cost	Total	Meter Cost
5/8"	\$204.00	\$499.00	\$112.00
3/4"	\$264.00	\$2,507.00	\$143.00
1"	\$337.00	\$2,899.00	\$200.00
1-1/2"	\$672.00	\$3,417.00	\$445.00
2"C	\$2,109.00	\$295.00	\$1,750.00
3"C	\$3,132.00	\$295.00	\$2,425.00
4"C	\$4,159.00	\$295.00	\$3,250.00
6"C	\$6,794.00	\$295.00	\$5,450.00

C = Compound Meter



CITY COUNCIL AGENDA ITEM

Date: May 26, 2022

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Cindy Stewart, Community Affairs Director

Subject: Uniform Video Service Local Franchise Agreement with Comcast

History

In accordance with the Michigan Public Service Commission in its provision of the Uniform Video Service Local Franchise Agreement, and with provisions set forth in Section 3(7) of Public Act 480 of 2006, the cable companies submit Renewal Uniform Video Service Local Franchise Agreements along with the necessary Attachment I's. Comcast of Florida/Michigan/New Mexico/Pennsylvania/Washington, LLC has submitted the required documentation, requesting a renewal of the ten year cable franchise.

Recommendation

The ICCA's (Intergovernmental Cable Communications Authority) Counsel, upon review of the "Uniform Video Service Local Franchise Agreement" and "Attachment 1-Uniform Video Service Local Franchise Agreement," and upon review of Section 3 of MCL 484.3301, determined the submittal to be complete pursuant to the mandates of the statute. The franchise agreement also meets the statutory and regulatory criteria. Under the law, the City must take action on the proposed franchise agreement at the Troy City Council Meeting of June 13, 2022. However, the City's powers are limited to a determination as to the completeness of the application, and if the proposed franchise agreement complies with the law.

Counsel for the ICCA has determined that there is no legal basis to object to the agreement. Therefore, it is recommended that Troy City Council approve the Franchise Agreement.

Legal Review

This item was submitted to the City Attorney for review pursuant to City Charter Section 3.17.

UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT

THIS UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT ("Agreement") is made, pursuant to 2006 PA 480, MCL 484.3301 *et seq.* (the "Act") by and between the City of Troy, a Michigan municipal corporation (the "Franchising Entity"), and Comcast of Florida/Michigan/New Mexico/ Pennsylvania/ Washington, LLC, a Colorado Corporation doing business as Comcast.

I. Definitions

For purposes of this Agreement, the following terms shall have the following meanings as defined in the Act:

- A. "Cable Operator" means that terms as defined in 47 USC 522(5).
- B. "Cable Service" means that terms as defined in 47 USC 522(6).
- C. "Cable System" means that term as defined in 47 USC 522(7).
- D. "Commission" means the Michigan Public Service Commission.
- E. "Franchising Entity" means the local unit of government in which a provider offers video services through a franchise.
- F. "FCC" means the Federal Communications Commission.
- G. "Gross Revenue" means that term as described in Section 6(4) of the Act and in Section VI(D) of the Agreement.
- H. "Household" means a house, an apartment, a mobile home, or any other structure or part of a structure intended for residential occupancy as separate living quarters.
- I. "Incumbent video provider" means a cable operator serving cable subscribers or a telecommunication provider providing video services through the provider's existing telephone exchange boundaries in a particular franchise area within a local unit of government on the effective date of this act.
- J. "IPTV" means internet protocol television.
- K. "Local unit of government" means a city, village, or township.
- L. "Low-income household" means a household with an average annual household income of less than \$35,000.00 as determined by the most recent decennial census.
- M. "METRO Act" means the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, 2002 PA 48, MCL 484.3101 *et seq.*
- N. "Open video system" or "OVS" means that term as defined in 47 USC 573.
- O. "Person" means an individual, corporation, association, partnership, governmental entity, or any other legal entity.
- P. "Public rights-of-way" means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easements dedicated for compatible uses.
- Q. "Term" means the period of time provided for in Section V of this Agreement.
- R. "Uniform video service local franchise agreement" or "franchise agreement" means the franchise agreement required under the Act to be the operating agreement between each franchising entity and video provider in this state.
- S. "Video programming" means that term as defined in 47 USC 522(20).
- T. "Video service" means video programming, cable services, IPTV, or OVS provided through facilities located at least in part in the public rights-of-way without regard to delivery technology, including internet protocol technology. This definition does not include any video programming provided by a commercial mobile service provider defined in 47 USC 332(d) or provided solely as part of, and via, a service that enables users to access content, information, electronic mail, or other services offered over the public internet.
- U. "Video service provider" or "Provider" means a person authorized under the Act to provide video service.
- V. "Video service provider fee" means the amount paid by a video service provider or incumbent video provider under Section 6 of the Act and Section VI of this Agreement.

II. Requirements of the Provider

- A. An unfranchised Provider will not provide video services in any local unit of government without first obtaining a uniform video service local franchise agreement as provided under **Section 3 of the Act** (except as otherwise provided by the Act).
- B. The Provider shall file in a timely manner with the Federal Communications Commission all forms required by that agency in advance of offering video service in Michigan.
- C. The Provider agrees to comply with all valid and enforceable federal and state statutes and regulations.
- D. The Provider agrees to comply with all valid and enforceable local regulations regarding the use and occupation of public rights-of-way in the delivery of the video service, including the police powers of the Franchising Entity.
- E. The Provider shall comply with all Federal Communications Commission requirements involving the distribution and notification of federal, state, and local emergency messages over the emergency alert system applicable to cable operators.
- F. The Provider shall comply with the public, education, and government programming requirements of Section 4 of the Act.
- G. The Provider shall comply with all customer service rules of the Federal Communications Commission under 47 CFR 76.309 (c) applicable to cable operators and applicable provisions of the Michigan Consumer Protection Act, 1976 PA 331, MCL 445.901 to 445.922.
 - i. Including but not limited to: MCL 445.902; MCL 445.903 (1)(a) through 445.903(1)(cc); MCL 445.903(1)(ff) through (jj); MCL 445.903(2); MCL 445.905; MCL 445.906; MCL 445.907; MCL 445.908; MCL 445.910; MCL 445.911; MCL 445.914; MCL 445.915; MCL 445.916; MCL 445.918.
- H. The Provider agrees to comply with in-home wiring and consumer premises wiring rules of the Federal Communications Commission applicable to cable operators.
- I. The Provider shall comply with the Consumer Privacy Requirements of 47 USC 551 applicable to cable operators.
- J. If the Provider is an incumbent video provider, it shall comply with the terms which provide insurance for right-of-way related activities that are contained in its last cable franchise or consent agreement from the Franchising Entity entered before the effective date of the Act.
- K. The Provider agrees that before offering video services within the boundaries of a local unit of government, the video Provider shall enter into a Franchise Agreement with the local unit of government as required by the Act.
- L. The Provider understands that as the effective date of the Act, no existing Franchise Agreement with a Franchising Entity shall be renewed or extended upon the expiration date of the Agreement.
- M. The Provider provides an exact description of the video service area footprint to be served, pursuant to **Section 2(3)(e) of the Act**. If the Provider is not an incumbent video Provider, the date on which the Provider expects to provide video services in the area identified under **Section 2(3)(e) of the Act** must be noted. The Provider will provide this information in Attachment 1 - Uniform Video Service Local Franchise Agreement.
- N. The Provider is required to pay the Provider fees pursuant to **Section 6 of the Act**.

III. Provider Providing Access

- A. The Provider shall not deny access to service to any group of potential residential subscribers because of the race or income of the residents in the local area in which the group resides.
- B. It is a defense to an alleged violation of Paragraph A if the Provider has met either of the following conditions:
 - i. Within 3 years of the date it began providing video service under the Act and the Agreement; at least 25% of households with access to the Provider's video service are low-income households.
 - ii. Within 5 years of the date it began providing video service under the Act and Agreement and from that point forward, at least 30% of the households with access to the Provider's video service are low-income households.
- C. [If the Provider is using telecommunication facilities] to provide video services and has more than 1,000,000 telecommunication access lines in Michigan, the Provider shall provide access to its video service to a number of households equal to at least 25% of the households in the provider's telecommunication

service area in Michigan within 3 years of the date it began providing video service under the Act and Agreement and to a number not less than 50% of these households within 6 years. **The video service Provider is not required to meet the 50% requirement in this paragraph until 2 years after at least 30% of the households with access to the Provider's video service subscribe to the service for 6 consecutive months.**

- D. The Provider may apply to the Franchising Entity, and in the case of paragraph C, the Commission, for a waiver of or for an extension of time to meet the requirements of this section if 1 or more of the following apply:
- i. The inability to obtain access to public and private rights-of-way under reasonable terms and conditions.
 - ii. Developments or buildings not being subject to competition because of existing exclusive service arrangements.
 - iii. Developments or buildings being inaccessible using reasonable technical solutions under commercial reasonable terms and conditions.
 - iv. Natural disasters
 - v. Factors beyond the control of the Provider
- E. The Franchising Entity or Commission may grant the waiver or extension only if the Provider has made substantial and continuous effort to meet the requirements of this section. If an extension is granted, the Franchising Entity or Commission shall establish a new compliance deadline. If a waiver is granted, the Franchising Entity or Commission shall specify the requirement or requirements waived.
- F. The Provider shall file an annual report with the Franchising Entity and the Commission regarding the progress that has been made toward compliance with paragraphs B and C.
- G. Except for satellite service, the provider may satisfy the requirements of this paragraph and Section 9 of the Act through the use of alternative technology that offers service, functionality, and content, which is demonstrably similar to that provided through the provider's video service system and may include a technology that does not require the use of any public right-of-way. The technology utilized to comply with the requirements of this section shall include local public, education, and government channels and messages over the emergency alert system as required under Paragraph II(E) of this Agreement.

IV. Responsibility of the Franchising Entity

- A. The Franchising Entity hereby grants authority to the Provider to provide Video Service in the Video Service area footprint, as described in this Agreement and Attachments, as well as the Act.
- B. The Franchising Entity hereby grants authority to the Provider to use and occupy the Public Rights-of-way in the delivery of Video Service, subject to the laws of the state of Michigan and the police powers of the Franchising Entity.
- C. The Franchising Entity shall notify the Provider as to whether the submitted Franchise Agreement is complete as required by the Act within 15 business days after the date that the Franchise Agreement is filed. If the Franchise Agreement is not complete, the Franchising Entity shall state in its notice the reasons the Franchise Agreement is incomplete. The Franchising Entity cannot declare an application to be incomplete because it may dispute whether or not the applicant has properly classified certain material as "confidential."
- D. The Franchising Entity shall have 30 days after the submission date of a complete Franchise Agreement to approve the agreement. If the Franchising Entity does not notify the Provider regarding the completeness of the Franchise Agreement or approve the Franchise Agreement within the time periods required under **Section 3(3) of the Act**, the Franchise Agreement shall be considered complete and the Franchise Agreement approved.
- i. If time has expired for the Franchising Entity to notify the Provider, The Provider shall send (via mail: certified or registered, or by fax) notice to the Franchising Entity and the Commission, using Attachment 3 of this Agreement.
- E. The Franchising Entity shall allow a Provider to install, construct, and maintain a video service or communications network within a public right-of-way and shall provide the provider with open, comparable, nondiscriminatory, and competitively neutral access to the public right-of-way.
- F. The Franchising Entity may not discriminate against a video service provider to provide video service for any of the following:
- i. The authorization or placement of a video service or communications network in public right-of-way.
 - ii. Access to a building owned by a governmental entity.
 - iii. A municipal utility pole attachment.
- G. The Franchising Entity may impose on a Provider a permit fee only to the extent it imposes such a fee on incumbent video providers, and any fee shall not exceed the actual, direct costs incurred by the Franchising Entity for issuing the relevant permit. A fee under this section shall not be levied if the Provider already has paid a permit fee of any kind in connection with the same activity that would otherwise be covered by the

permit fee under this section or is otherwise authorized by law or contract to place the facilities used by the Provider in the public right-of-way or for general revenue purposes.

- H. The Franchising Entity shall not require the provider to obtain any other franchise, assess any other fee or charge, or impose any other franchise requirement than is allowed under the Act and this Agreement. For purposes of this Agreement, a franchise requirement includes but is not limited to, a provision regulating rates charged by video service providers, requiring the video service providers to satisfy any build-out requirements, or a requirement for the deployment of any facilities or equipment.
- I. Notwithstanding any other provision of the Act, the Provider shall not be required to comply with, and the Franchising Entity may not impose or enforce, any mandatory build-out or deployment provisions, schedules, or requirements except as required by **Section 9 of the Act**.
- J. The Franchising Entity is subject to the penalties provided for under Section 14 of the Act.

V. Term

- A. This Franchise Agreement shall be for a period of 10 years from the date it is issued. The date it is issued shall be calculated either by (a) the date the Franchising Entity approved the Agreement, provided it did so within 30 days after the submission of a complete franchise agreement, or (b) the date the Agreement is deemed approved pursuant to **Section 3(3) of the Act**, if the Franchising Entity either fails to notify the Provider regarding the completeness of the Agreement or approve the Agreement within the time periods required under that subsection.
- B. Before the expiration of the initial Franchise Agreement or any subsequent renewals, the Provider may apply for an additional 10-year renewal under **Section 3(7) of the Act**.

VI. Fees

- A. A video service Provider shall calculate and pay an annual video service provider fee to the Franchising Entity. The fee shall be 1 of the following:
 - i. If there is an existing Franchise Agreement, an amount equal to the percentage of gross revenue paid to the Franchising Entity by the incumbent video Provider with the largest number of subscribers in the Franchising Entity.
 - ii. At the expiration of an existing Franchise Agreement or if there is no existing Franchise Agreement, an amount equal to the percentage of gross revenue as established by the Franchising Entity of 5 % (percentage amount to be inserted by Franchising Entity which shall not exceed 5%) and shall be applicable to all providers
- B. The fee shall be due on a quarterly basis and paid within 45 days after the close of the quarter. Each payment shall include a statement explaining the basis for the calculation of the fee.
- C. The Franchising Entity shall not demand any additional fees or charges from a provider and shall not demand the use of any other calculation method other than allowed under the Act.
- D. For purposes of this Section, "gross revenues" means all consideration of any kind or nature, including, without limitation, cash, credits, property, and in-kind contributions received by the provider from subscribers for the provision of video service by the video service provider within the jurisdiction of the franchising entity.
 - 1. **Gross revenues shall include all of the following:**
 - i. All charges and fees paid by subscribers for the provision of video service, including equipment rental, late fees, insufficient funds fees, fees attributable to video service when sold individually or as part of a package or bundle, or functionally integrated, with services other than video service.
 - ii. Any franchise fee imposed on the Provider that is passed on to subscribers.
 - iii. Compensation received by the Provider for promotion or exhibition of any products or services over the video service.
 - iv. Revenue received by the Provider as compensation for carriage of video programming on that Provider's video service.
 - v. All revenue derived from compensation arrangements for advertising to the local franchise area.
 - vi. Any advertising commissions paid to an affiliated third party for video service advertising.
 - 2. **Gross revenues do not include any of the following:**
 - i. Any revenue not actually received, even if billed, such as bad debt net of any recoveries of bad debt.
 - ii. Refunds, rebates, credits, or discounts to subscribers or a municipality to the extent not already offset by subdivision (D)(i) and to the extent the refund, rebate, credit, or discount is attributable to the video service.
 - iii. Any revenues received by the Provider or its affiliates from the provision of services or capabilities other than video service, including telecommunications services, information services, and services,

- capabilities, and applications that may be sold as part of a package or bundle, or functionality integrated, with video service.
 - iv. Any revenues received by the Provider or its affiliates for the provision of directory or internet advertising, including yellow pages, white pages, banner advertisement, and electronic publishing.
 - v. Any amounts attributable to the provision of video service to customers at no charge, including the provision of such service to public institutions without charge.
 - vi. Any tax, fee, or assessment of general applicability imposed on the customer or the transaction by a federal, state, or local government or any other governmental entity, collected by the Provider, and required to be remitted to the taxing entity, including sales and use taxes.
 - vii. Any forgone revenue from the provision of video service at no charge to any person, except that any forgone revenue exchanged for trades, barter, services, or other items of value shall be included in gross revenue.
 - viii. Sales of capital assets or surplus equipment.
 - ix. Reimbursement by programmers of marketing costs actually incurred by the Provider for the introduction of new programming.
 - x. The sale of video service for resale to the extent the purchaser certifies in writing that it will resell the service and pay a franchise fee with respect to the service.
- E. In the case of a video service that is bundled or integrated functionally with other services, capabilities, or applications, the portion of the video Provider's revenue attributable to the other services, capabilities, or applications shall be included in gross revenue unless the Provider can reasonably identify the division or exclusion of the revenue from its books and records that are kept in the regular course of business.
- F. Revenue of an affiliate shall be included in the calculation of gross revenues to the extent the treatment of the revenue as revenue of the affiliate has the effect of evading the payment of franchise fees which would otherwise be paid for video service.
- G. The Provider is entitled to a credit applied toward the fees due under **Section 6(1) of the Act** for all funds allocated to the Franchising Entity from annual maintenance fees paid by the provider for use of public rights-of-way, minus any property tax credit allowed under **Section 8 of the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act (METRO Act)**, 2002 PA 48, MCL 484.3108. The credits shall be applied on a monthly pro rata basis beginning in the first month of each calendar year in which the Franchising Entity receives its allocation of funds. The credit allowed under this subsection shall be calculated by multiplying the number of linear feet occupied by the Provider in the public rights-of-way of the Franchising Entity by the lesser of 5 cents or the amount assessed under the **METRO Act**. The Provider is not eligible for a credit under this section unless the provider has taken all property tax credits allowed under the **METRO Act**.
- H. All determinations and computations made under this section shall be pursuant to generally accepted accounting principles.
- I. Any claims by a Franchising Entity that fees have not been paid as required under **Section 6 of the Act**, and any claims for refunds or other corrections to the remittance of the Provider shall be made within 3 years from the date the compensation is remitted.
- J. The Provider may identify and collect as a separate line item on the regular monthly bill of each subscriber an amount equal to the percentage established under **Section 6(1) of the Act**, applied against the amount of the subscriber's monthly bill.
- K. The Franchising Entity shall not demand any additional fees or charges from a Provider and shall not demand the use of any other calculation method other than allowed under the Act.

VII. Public, Education, and Government (PEG) Channels

- A. The video service Provider shall designate a sufficient amount of capacity on its network to provide for the same number of public, education, and government access channels that are in actual use on the incumbent video provider system on the **effective date of the Act** or as provided under **Section 4(14) of the Act**.
- B. Any public, education, or government channel provided under this section that is not utilized by the Franchising Entity for at least 8 hours per day for 3 consecutive months may no longer be made available to the Franchising Entity and may be programmed at the Provider's discretion. At such a time as the Franchising Entity can certify a schedule for at least 8 hours of daily programming for a period of 3 consecutive months, the Provider shall restore the previously reallocated channel.
- C. The Franchising Entity shall ensure that all transmissions, content, or programming to be retransmitted by a video service Provider is provided in a manner or form that is capable of being accepted and retransmitted by a Provider, without requirement for additional alteration or change in the content by the Provider, over the particular network of the Provider, which is compatible with the technology or protocol utilized by the Provider to deliver services.

- D. The person producing the broadcast is solely responsible for all content provided over designated public, education, or government channels. The video service Provider shall not exercise any editorial control over any programming on any channel designed for public, education, or government use.
- E. The video service Provider is not subject to any civil or criminal liability for any program carried on any channel designated for public, education, or government use.
- F. If a Franchising Entity seeks to utilize capacity pursuant to **Section 4(1) of the Act** or an agreement under **Section 13 of the Act** to provide access to video programming over one or more PEG channels, the Franchising Entity shall give the Provider a written request specifying the number of channels in actual use on the incumbent video provider's system or specified in the agreement entered into under **Section 13 of the Act**. The video service Provider shall have 90 days to begin providing access as requested by the Franchising Entity. The number and designation of PEG access channels shall be set forth in an addendum to this agreement effective 90 days after the request is submitted by the Franchising Entity.
- G. A PEG channel shall only be used for noncommercial purposes.

VIII. PEG Fees

- A. The video service Provider shall also pay to the Franchising Entity as support for the cost of PEG access facilities and services an annual fee equal to one of the following options:
 - 1. If there is an existing Franchise on the effective date of the Act, the fee (enter the fee amount 1%) paid to the Franchising Entity by the incumbent video Provider with the largest number of cable service subscribers in the Franchising Entity as determined by the existing Franchise Agreement;
 - 2. At the expiration of the existing Franchise Agreement, the amount required under (1) above, which is 1% of gross revenues. (The amount under (1) above is not to exceed 2% of gross revenues);
 - 3. If there is no existing Franchise Agreement, a percentage of gross revenues as established by the Franchising Entity and to be determined by a community need assessment, is -----% of gross revenues. (The percentage that is established by the Franchising Entity is not to exceed 2% of gross revenues.); and
 - 4. An amount agreed to by the Franchising Entity and the video service Provider.
- B. The fee required by this section shall be applicable to all providers, pursuant to Section 6(9) of the Act.
- C. The fee shall be due on a quarterly basis and paid within 45 days after the close of the quarter. Each payment shall include a statement explaining the basis for the calculation of the fee.
- D. All determinations and computations made under this section shall be pursuant to generally accepted accounting principles.
- E. Any claims by a Franchising Entity that fees have not been paid as required under **Section 6 of the Act**, and any claims for refunds or other corrections to the remittance of the Provider shall be made within 3 years from the date the compensation is remitted.
- F. The Provider may identify and collect as a separate line item on the regular monthly bill of each subscriber an amount equal to the percentage established under **Section 6(8) of the Act**, applied against the amount of the subscriber's monthly bill.
- G. The Franchising Entity shall not demand any additional fees or charges from a Provider and shall not demand the use of any other calculation method other than allowed under the Act.

IX. Audits

- A. No more than every 24 months, a Franchising Entity may perform reasonable audits of the video service Provider's calculation of the fees paid under **Section 6 of the Act** to the Franchising Entity during the preceding 24-month period only. All records reasonably necessary for the audits shall be made available by the Provider at the location where the records are kept in the ordinary course of business. The Franchising Entity and the video service Provider shall each be responsible for their respective costs of the audit. Any additional amount due verified by the Franchising Entity shall be paid by the Provider within 30 days of the Franchising Entity's submission of invoice for the sum. If the sum exceeds 5% of the total fees which the audit determines should have been paid for the 24-month period, the Provider shall pay the Franchising Entity's reasonable costs of the audit.
- B. Any claims by a Franchising Entity that fees have not been paid as required under **Section 6 of the Act**, and any claims for refunds or other corrections to the remittance of the provider shall be made within 3 years from the date the compensation is remitted.

X. Termination and Modification

This Franchise Agreement issued by a Franchising Entity may be terminated or the video service area footprint may be modified, except as provided under **Section 9 of the Act**, by the Provider by submitting notice to the Franchising Entity. The Provider will use Attachment 2, when notifying the Franchising Entity.

XI. Transferability

This Franchise Agreement issued by a Franchising Entity or an existing franchise of an incumbent video service Provider is fully transferable to any successor in interest to the Provider to which it is initially granted. A notice of transfer shall be filed with the Franchising Entity within 15 days of the completion of the transfer. The Provider will use Attachment 2, when notifying the Franchising Entity. The successor in interest will assume the rights and responsibilities of the original provider and will also be required to complete their portion of the Transfer Agreement located within Attachment 2.

XII. Change of Information

If any of the information contained in the Franchise Agreement changes, the Provider shall timely notify the Franchising Entity. The Provider will use Attachment 2, when notifying the Franchising Entity.

XIII. Confidentiality

Pursuant to Section 11 of the Act: Except under the terms of a mandatory protective order, trade secrets and commercial or financial information designated as such and submitted under the Act to the Franchising Entity or Commission are exempt from the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246 and **MUST BE KEPT CONFIDENTIAL.**

- A. The Provider may specify which items of information should be deemed "confidential." It is the responsibility of the provider to clearly identify and segregate any confidential information submitted to the franchising entity with the following information:
 "[insert PROVIDER'S NAME]
 [CONFIDENTIAL INFORMATION]"
- B. The Franchising Entity receiving the information so designated as confidential is required (a) to protect such information from public disclosure, (b) exempt such information from any response to a FOIA request, and (c) make the information available only to and for use only by such local officials as are necessary to approve the franchise agreement or perform any other task for which the information is submitted.
- C. Any Franchising Entity which disputes whether certain information submitted to it by a provider is entitled to confidential treatment under the Act may apply to the Commission for resolution of such a dispute. Unless and until the Commission determines that part or all of the information is not entitled to confidential treatment under the Act, the Franchising Entity shall keep the information confidential.

XIV. Complaints/Customer Service

- A. The Provider shall establish a dispute resolution process for its customers. Provider shall maintain a local or toll-free telephone number for customer service contact.
- B. The Provider shall be subjected to the penalties, as described under **Section 14 of the Act**, and the Franchising Entity and Provider may be subjected to the dispute process as described in **Section 10 of the Act**.
- C. Each Provider shall annually notify its customers of the dispute resolution process required under **Section 10 of the Act**. Each Provider shall include the dispute resolution process on its website.
- D. Before a customer may file a complaint with the Commission under **Section 10(5) of the Act**, the customer shall first attempt to resolve the dispute through the dispute resolution process established by the Provider in **Section 10(2) of the Act**.
- E. A complaint between a customer and a Provider shall be handled by the Commission pursuant to the process as described in **Section 10(5) of the Act**.
- F. A complaint between a Provider and a franchising entity or between two or more Providers shall be handled by the Commission pursuant to the process described in **Section 10(6) of the Act**.
- G. In connection with providing video services to the subscribers, a provider shall not do any act prohibited by Section 10(1)(a-f) of the Act. The Commission may enforce compliance to the extent that the activities are not covered by **Section 2(3)(I) in the Act**.

XV. Notices

Any notices to be given under this Franchise Agreement shall be in writing and delivered to a Party personally, by facsimile or by certified, registered, or first-class mail, with postage prepaid and return receipt requested, or by a nationally recognized overnight delivery service, addressed as follows:

If to the Franchising Entity:
(must provide street address)

City of Troy:

City Manager, City of Troy
500 W. Big Beaver Road
Troy, MI 48084

City Attorney
500 W. Big Beaver Road
Attn: Troy, MI 48084

Fax No.:

If to the Provider:
(must provide street address)

1.
41112 Concept Dr.
Plymouth, MI 48170

Attn: VP of Government Affairs

Fax No.: 734-892-2159

2.
2605 Circle 75 Pkwy SE
Atlanta, GA 30339

Attn: Sr. Vice President, Government Relations

3.
One Comcast Center
Philadelphia, PA 19103

Attn: Government Affairs Department

Or such other addresses or facsimile numbers as the Parties may designate by written notice from time to time.

XVI. Miscellaneous

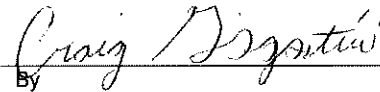
- A. **Governing Law.** This Franchise Agreement shall be governed by, and construed in accordance with, applicable Federal laws and laws of the State of Michigan.
- B. The parties to this Franchise Agreement are subject to all valid and enforceable provisions of the Act.
- C. **Counterparts.** This Agreement may be signed in one or more counterparts, each of which shall be deemed an original and all of which together shall constitute on and the same agreement.
- D. **Power to Enter.** Each Party hereby warrants to the other Party that it has the requisite power and authority to enter into this Franchise Agreement and to perform according to the terms hereof.
- E. The Provider and Franchising Entity are subject to the provisions of 2006 Public Act 480.

IN WITNESS WHEREOF, the Parties, by their duly authorized representatives, have executed this Franchise Agreement.

City of Troy, a Michigan Municipal Corporation

**Comcast of Florida/Michigan/New Mexico/
Pennsylvania/Washington, LLC., a Colorado Corporation doing business as Comcast**

By _____
Print Name _____
Title _____
Address _____
City, State, Zip _____
Phone _____
Fax _____
Email _____



By _____
Craig D'Agostini
Print Name _____
Vice President of Government and Regulatory
Affairs
Title _____
41112 Concept Drive
Address _____
Plymouth, MI 48170
City, State, Zip _____
734 359-2240
Phone _____
734-892-2159
Fax _____
Craig_D'agostini@cable.comcast.com
Email _____

FRANCHISE AGREEMENT *(Franchising Entity to Complete)*

Date submitted:

Date completed and approved:

ATTACHMENT 1

UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT (Pursuant To 2006 Public Act 480) (Form must be typed)

Date: May 2, 2022		
Applicant's Name: Comcast of Florida/Michigan/New Mexico/Pennsylvania/Washington, LLC		
Address 1: 41112 Concept Dr.		
Address 2		Phone: 248-233-4700
City: Plymouth	State: MI	Zip: 48170
Federal I.D. No. (FEIN): 31-1063218		

Company executive officers:

Name(s): Craig D'Agostini
Title(s): Vice President of Government and Regulatory Affairs

Person(s) authorized to represent the company before the Franchising Entity and the Commission:

Name: Ben Miller		
Title: Director, Government & Regulatory Affairs		
Address: 1401 E. Miller Rd., Lansing, MI 48911		
Phone: (517) 930-6771	Fax:	Email: Benjamin_Miller4@comcast.com

Name: Matt Kelley		
Title: Director, Government Affairs		
Address: 720 Taylor St., Ft. Wayne, IN 46802		
Phone: 317-771-2104	Fax:	Email: Matthew_Kelley@cable.comcast.com

Describe the video service area footprint as set forth in Section 2(3e) of the Act. (An exact description of the video service area footprint to be served, as identified by a geographic information system digital boundary meeting or exceeding national map accuracy standards.)

As an incumbent provider, Comcast, is satisfying this requirement by allowing a franchising entity to seek right-of-way related information comparable to that required by a permit under the metropolitan extension telecommunications rights-of-way oversight act, 2002 PA 48, MCL 484.3101 to 484.3120, as set forth in its last cable franchise entered before the effective date of this act.

[**Option A:** for Providers that Options B and C are not applicable, a description based on a geographic information system digital boundary meeting or exceeding national map accuracy standards]

[**Option B:** for Providers with 1,000,000 or more access lines in Michigan using telecommunication facilities to provide Video Service, a description based on entire wire centers or exchanges located in the Franchising Entity]

[**Option C:** for an Incumbent Video Service Provider, it satisfies this requirement by allowing the Franchising Entity to seek right-of-way information comparable to that required by a permit under the METRO Act as set forth in its last cable franchise or consent agreement from the Franchising Entity entered into before the effective date of the Act]

Pursuant to Section 2(3)(d) of the Act, if the Provider is not an incumbent video Provider, provide the date on which the Provider expects to provide video services in the area identified under Section 2(3)(e) (the Video Service Area Footprint).

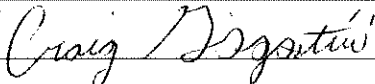
Date:

For All Applications:

**Verification
(Provider)**

I, Craig D'Agostini, of lawful age, and being first duly sworn, now states: As an officer of the Provider, I am authorized to do and hereby make the above commitments. I further affirm that all statements made above are true and correct to the best of my knowledge and belief.

Name and Title (printed): Craig D'Agostini, Vice President of Government & Regulatory Affairs

Signature: 

Date: May 3, 2022

(Franchising Entity)

City of Troy, a Michigan municipal corporation

By

Print Name

Title

Address

City, State, Zip

Phone

Fax

Email

Date

ATTACHMENT 1



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Date: May 24, 2022

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
William J. Huotari, City Engineer
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of Two Permanent Easements from Ravishankar Bommanahally and Shobha Ravishankar Kanasandra Shivalingiah, Sidwell #88-20-16-427-056

History

As part of the development of a vacant parcel, the City of Troy received two permanent easements for storm sewers and surface drainage, and sidewalks from Ravishankar Bommanahally and Shobha Ravishankar Kanasandra Shivalingiah, owners of the property having Sidwell #88-20-16-427-056.

The property is located in the southeast ¼ of Section 16, east of Livernois Road, at the southeast corner of Hart and Virgilia streets.

Financial

The consideration amount on each document is \$1.00.


Recommendation

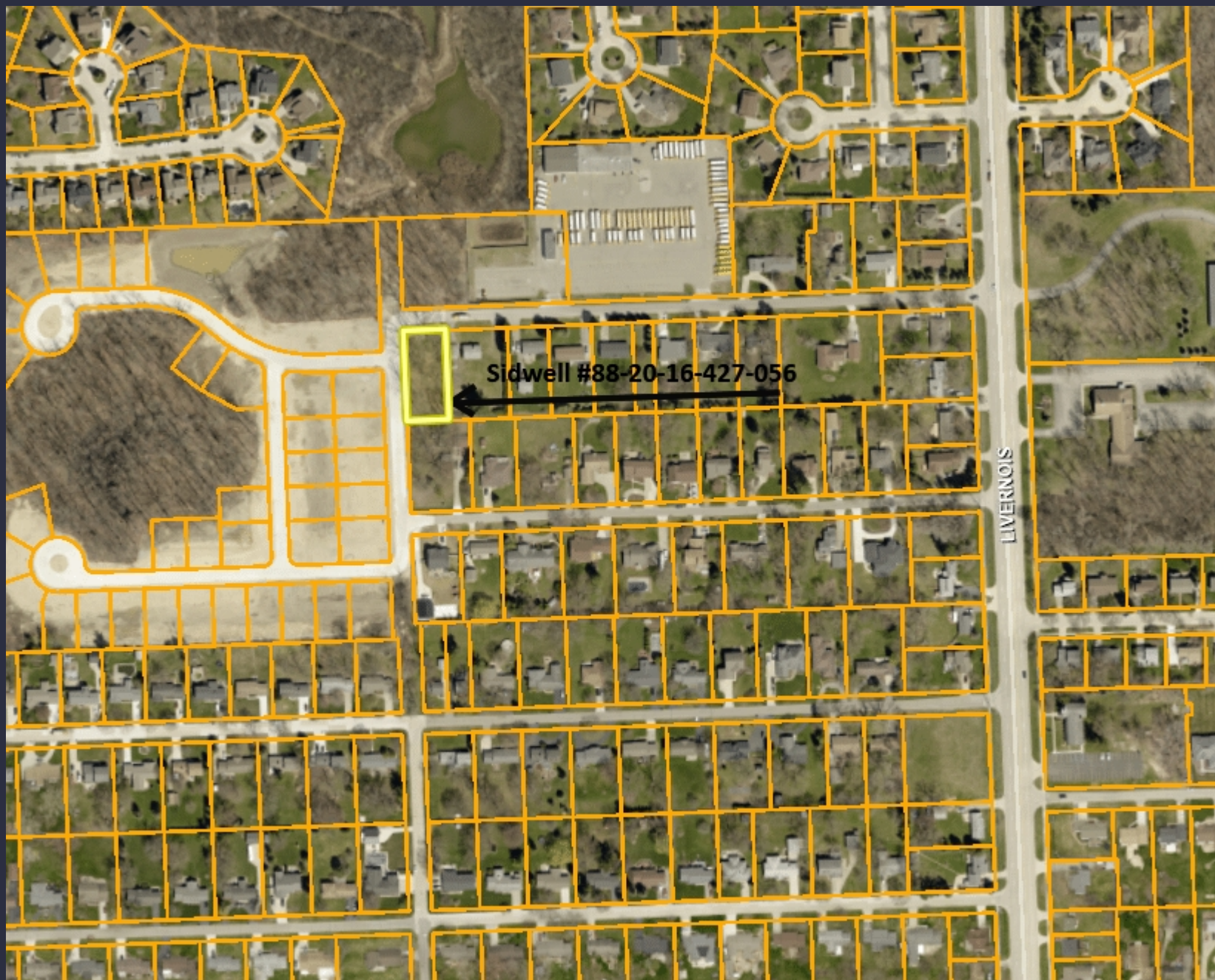
City Management recommends that City Council accept the attached permanent easements consistent with our policy of accepting easements for improvement and development purposes.



GIS Online

Legend:

 Tax Parcel



Notes:

#88-20-16-427-056
Easements
Bommanahally, Ravishankar

Map Scale: 1=424
Created: May 20, 2022



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.

**PERMANENT EASEMENT
FOR STORM SEWERS AND SURFACE DRAINAGE**

Sidwell #88-20-16-427-056 (part of)

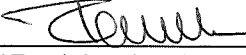
Ravishankar Bommanahally and **Shobha Ravishankar Kanasandra Shivalingiah**, husband and wife, whose address is 264 Harrington Drive, Troy, MI 48098, for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, MI, 48084, grants to the Grantee the right to access, construct, reconstruct, modify, operate, maintain, repair, upgrade, improve, inspect, enlarge or remove and/or replace **storm sewers and surface drainage**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:


The East 10 feet of the West 92.96 feet of Lot 18, McCormick & Lawrence Little Farms
Subdivision, according to the Plat thereof, as recorded in Liber 20 of Plats, Page 30, Oakland
County Records

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signature(s)
this 20 day of May, 2022.

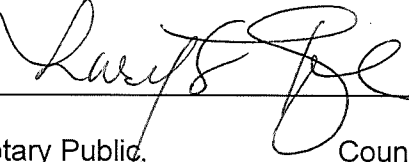

_____(L.S.)
*Ravishankar Bommanahally


_____(L.S.)
*Shobha Ravishankar Kanasandra Shivalingiah

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 20th day of May, 2022, by Ravishankar Bommanahally and Shobha Ravishankar Kanasandra Shivalingiah, husband and wife.

LARYSA FIGOL
Notary Public, State of Michigan
County of Oakland
My Commission Expires 03-02-2024
Acting in the County of Oakland



*
Notary Public, _____ County, Michigan
My Commission Expires _____
Acting in _____ County, Michigan

Prepared by: Larysa Figol, SR/WA
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

PERMANENT EASEMENT
FOR SIDEWALKS

Sidwell #88-20-16-427-056 (part of)

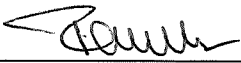
Ravishankar Bommanahally and **Shobha Ravishankar Kanasandra Shivalingiah**, husband and wife, whose address is 264 Harrington Drive, Troy, MI 48098, for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, MI, 48084, grants to the Grantee the right to access, construct, reconstruct, modify, operate, maintain, repair, upgrade, improve, inspect, enlarge or remove and/or replace **sidewalks**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

The North 5 feet and the West 5 feet of the West 92.96 feet of Lot 18, McCormick & Lawrence Little Farms Subdivision, according to the Plat thereof, as recorded in Liber 20 of Plats, Page 30, Oakland County Records

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signature(s)
this 20 day of May, 2022.

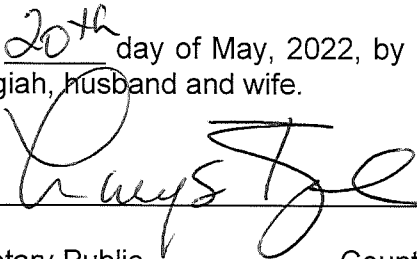

_____(L.S.)
*Ravishankar Bommanahally


_____(L.S.)
*Shobha Ravishankar Kanasandra Shivalingiah

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 20th day of May, 2022, by Ravishankar Bommanahally and Shobha Ravishankar Kanasandra Shivalingiah, husband and wife.

LARYSA FIGOL
Notary Public, State of Michigan
County of Oakland
My Commission Expires 03-02-2024
Acting in the County of Oakland


*
Notary Public, _____ County, Michigan
My Commission Expires _____
Acting in _____ County, Michigan

Prepared by: Larysa Figol, SR/WA
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Date: May 27, 2022

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
William J. Huotari, City Engineer
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of a Permanent Easement from Andrew Xavier and Angela Xavier, Sidwell #88-20-30-205-003

History

To address a drainage issue, the City of Troy received a permanent easement for storm sewers and surface drainage from Andrew and Angela Xavier, owners of the property having Sidwell #88-20-30-205-003.

The property is located in the northeast $\frac{1}{4}$ of Section 30, south of Big Beaver Road and west of Coolidge Highway.

Financial

The consideration amount on this document is \$1.00.


Recommendation

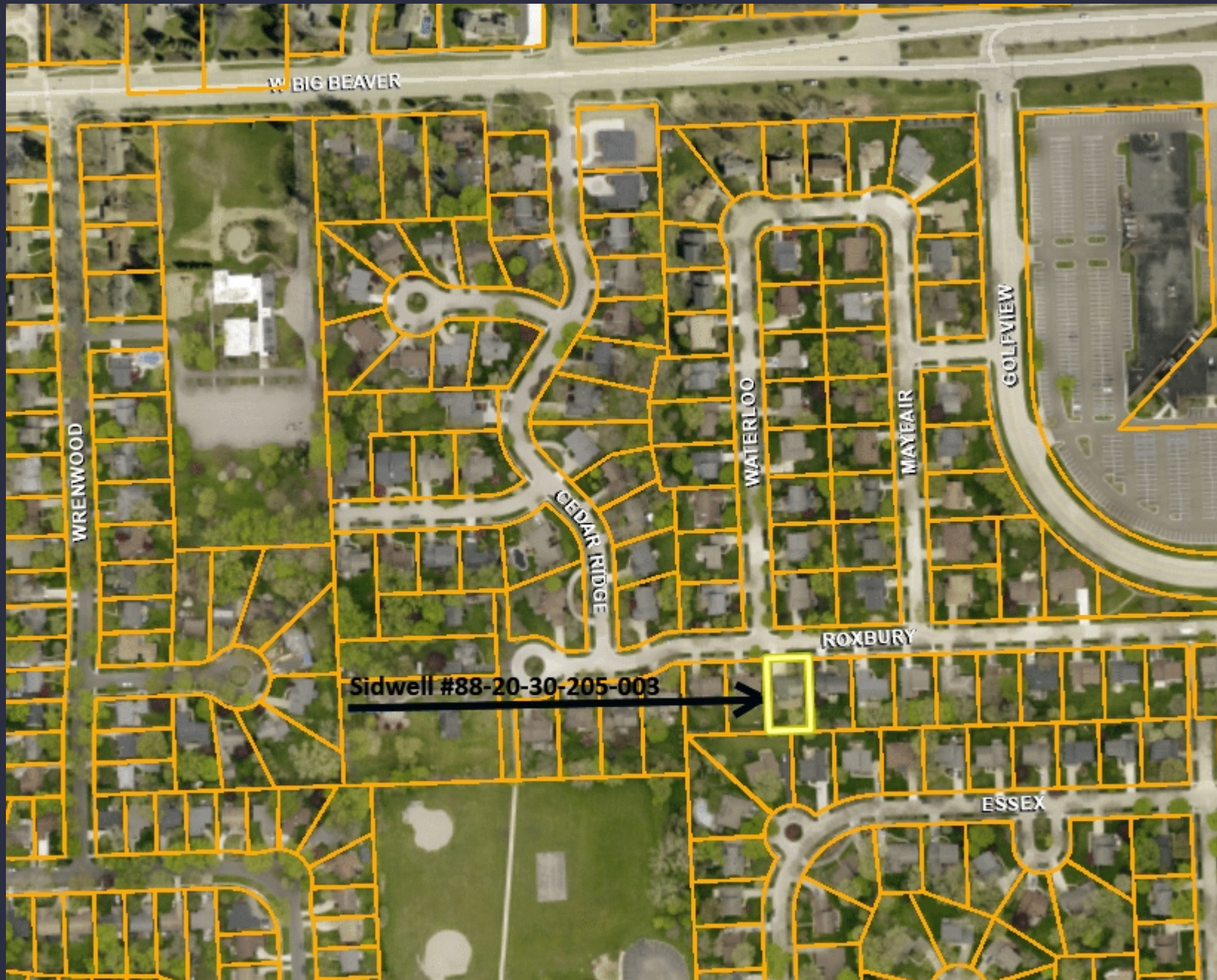
City Management recommends that City Council accept the attached permanent easement consistent with our policy of accepting easements for improvement and development purposes.



GIS Online

Legend:

 Tax Parcel



Notes:

88-20-30-205-003
Xavier, A & A
Storm Sewers & Surface
Drainage

Map Scale: 1=368

Created: May 27, 2022



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.

**PERMANENT EASEMENT
FOR STORM SEWERS AND SURFACE DRAINAGE**

Sidwell #88-20-30-205-003 (part of)


Andrew Xavier and **Angela Xavier**, husband and wife, whose address is 3303 Roxbury Drive, Troy, MI 48084 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, 48084, grants to the Grantee the right to access, construct, reconstruct, modify, operate, maintain, repair, upgrade, improve, inspect, enlarge or remove and/or replace **storm sewers and surface drainage**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART OF

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

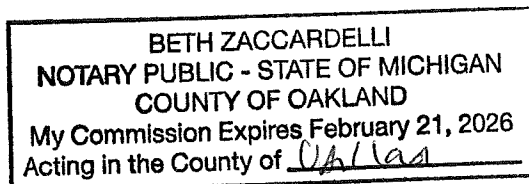
IN WITNESS WHEREOF, the undersigned hereunto affixed their signature(s)
this 27th day of May, 2022.




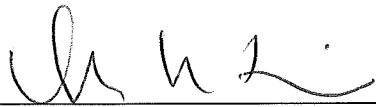
*Andrew Xavier (L.S.)

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 27 day of May, 2022, by Andrew Xavier



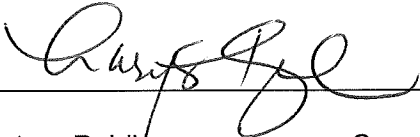

*
Notary Public, Oakland County, Michigan
My Commission Expires February 21, 2026
Acting in Oakland County, Michigan

_____(L.S.)
*Angela Xavier

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 24th day of May, 2022, by Angela Xavier.

LARYSA FIGOL
Notary Public, State of Michigan
County of Oakland
My Commission Expires 03-02-2024
Acting in the County of Oakland

_____
*
Notary Public, _____ County, Michigan
My Commission Expires _____
Acting in _____ County, Michigan

Prepared by: Larisa Figol, SR/WA
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

EXHIBIT "A"

Section 30, Proposed Variable Width
Rear Yard Drainage Easement
Parcel: 88-20-30-205-003
Owner: Andrew & Angela Xavier
Address: 3303 Roxbury

Tax Description of Parcel:

Lot 180 of "Buckingham Woods Subdivision No.2", being part of the Northeast $\frac{1}{4}$ of Section 30, Town 2 North, Range 11 East, City of Troy, as recorded in Liber 140, Pages 39-41, Oakland County, Michigan records.

Proposed Variable width Rear Yard Drainage Easement:

Part of Lot 180 of "Buckingham Woods Subdivision No.2", being part of the Northeast $\frac{1}{4}$ of Section 30, Town 2 North, Range 11 East, City of Troy, as recorded in Liber 140, Pages 39-41, Oakland County, Michigan records.

Being more particularly described as commencing at the southwest corner of said Lot 180; thence North 01 degrees 05 minutes 55 seconds East, along the west line of said Lot 180, 12.00 feet to the Point of Beginning of said easement; thence continuing North 01 degrees 05 minutes 55 seconds East, along said west line, 2.00 feet; thence South 89 degrees 37 minutes 02 seconds East 80.01 feet to the east line of said Lot 180; thence South 01 degrees 05 minutes 55 seconds West, along said east line, 3.00 feet; thence North 88 degrees 54 minutes 05 seconds West 80.00 feet to the Point of Beginning. Containing 200 Square Feet or 0.005 Acres more or less.



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Date: May 27, 2022

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
William J. Huotari, City Engineer
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of a Permanent Easement from Eric Robert Murphy,
Sidwell #88-20-25-352-070

History

As part of the development of a vacant parcel, the City of Troy received a permanent easement for storm sewers and surface drainage from Eric Robert Murphy, owner of the property having Sidwell #88-20-25-352-070.

The property is located in the southwest ¼ of Section 25 on the north side of Maple Road, east of John R.

Financial

The consideration amount on this document is \$1.00.


Recommendation

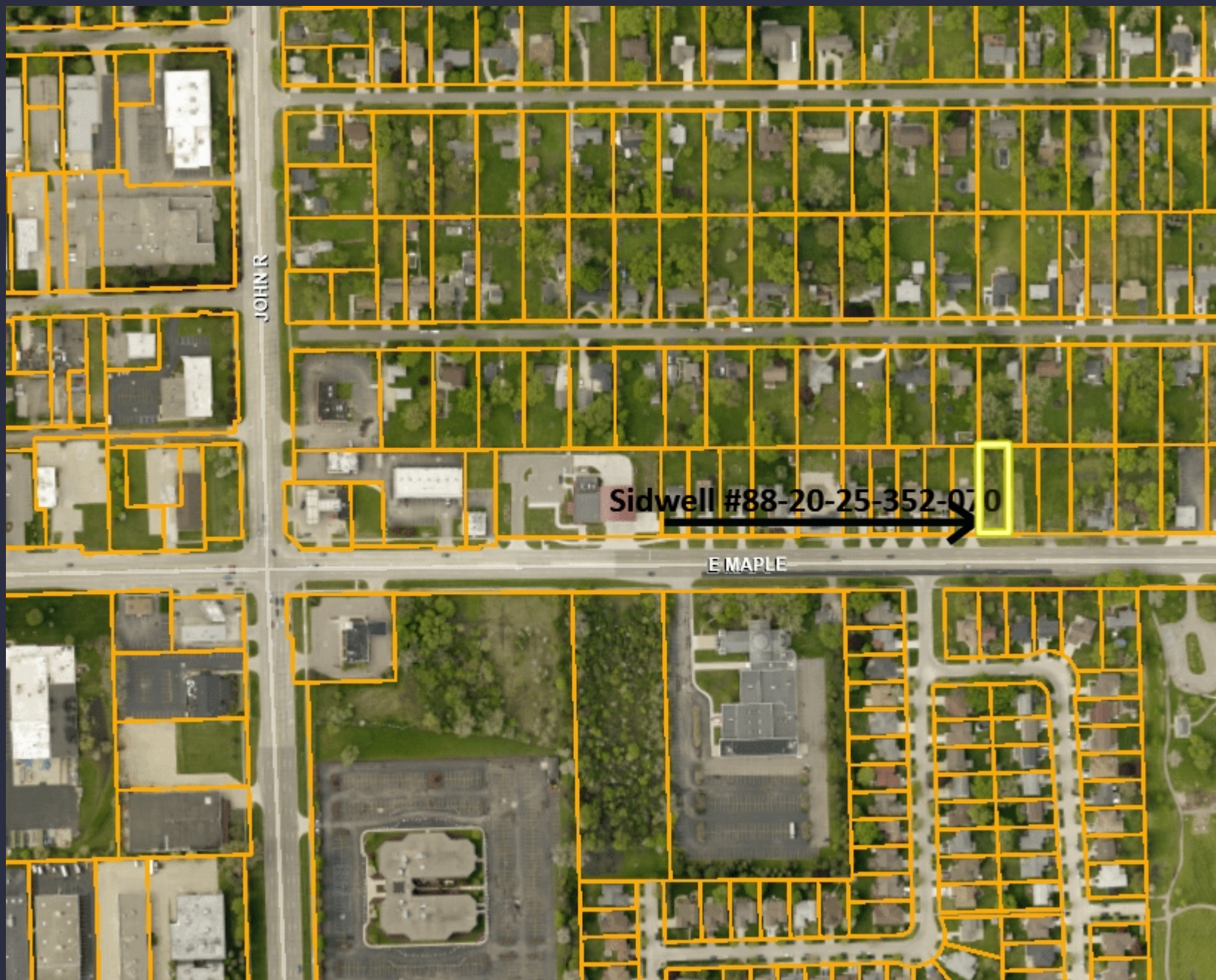
City Management recommends that City Council accept the attached permanent easement consistent with our policy of accepting easements for improvement and development purposes.



GIS Online

Legend:

 Tax Parcel



Notes:

88-20-25-352-070
Murphy, Eric Robert
Storm Sewer & Surface
Drainage

Map Scale: 1=424
Created: May 27, 2022



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.

**PERMANENT EASEMENT
FOR STORM SEWERS AND SURFACE DRAINAGE**

Sidwell #88-20-25-352-070 (part of)

Eric Robert Murphy, Grantor, whose address is 38511 Cheldon Street, Clinton Twp., 48038, for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, MI, 48084, grants to the Grantee the right to access, construct, reconstruct, modify, operate, maintain, repair, upgrade, improve, inspect, enlarge or remove and/or replace **storm sewers and surface drainage**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART OF

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

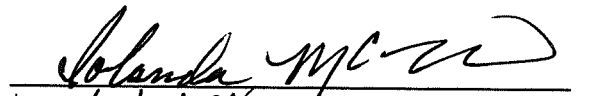
IN WITNESS WHEREOF, the undersigned hereunto affixed _____ signature(s)
this 26 day of May, 2022.



*Eric Robert Murphy (L.S.)

STATE OF MICHIGAN)
COUNTY OF ~~WASHTENAW~~ **OAKLAND**)

The foregoing instrument was acknowledged before me this 26 day of May, 2022, by Eric Robert Murphy.



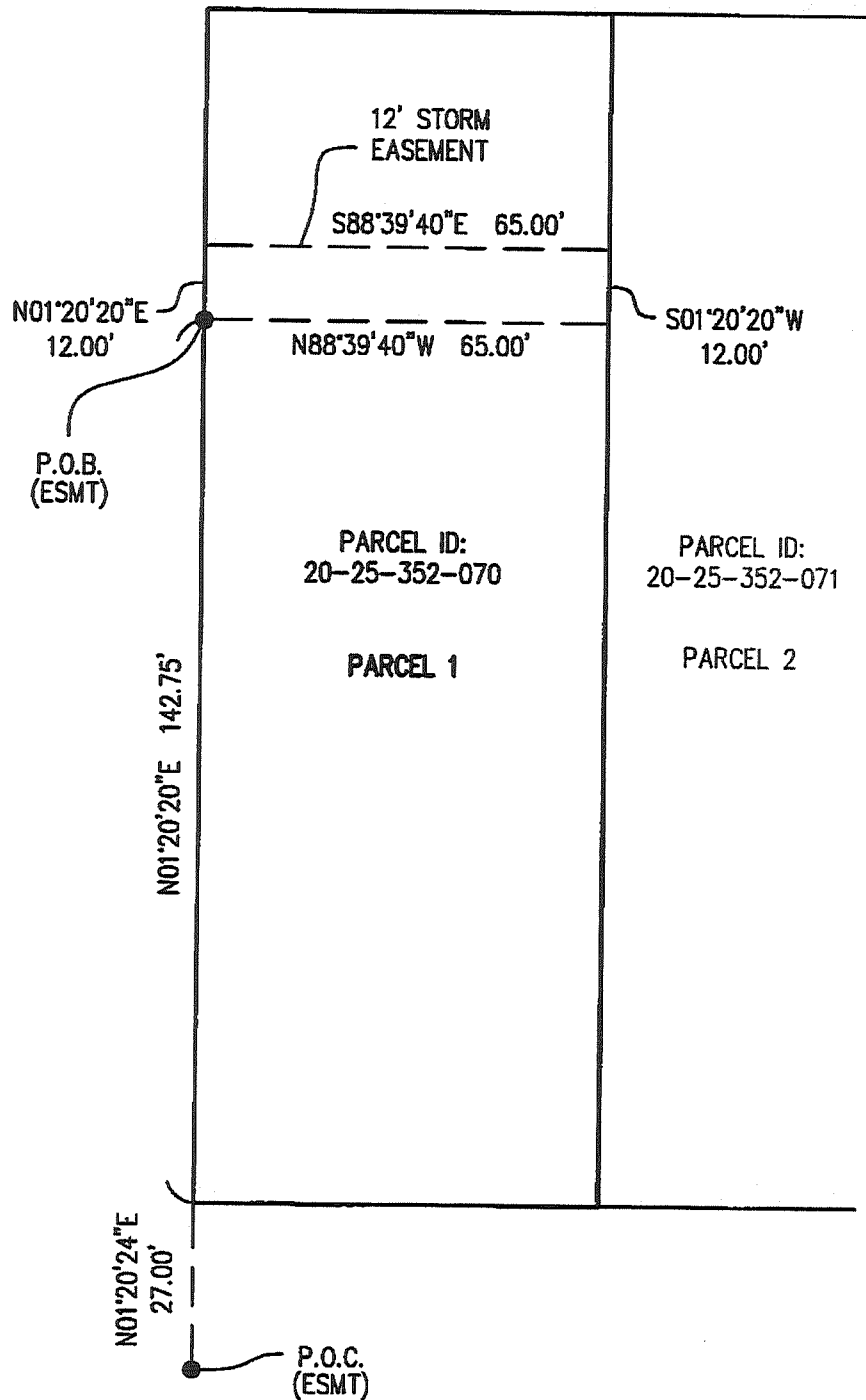
* Isolanda McAnamara
Notary Public, Macomb County, Michigan
My Commission Expires 1-19-2024
Acting in Oakland County, Michigan

Prepared by: Larysa Figol, SR/WA
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

EXHIBIT A

12' STORM SEWER EASEMENT

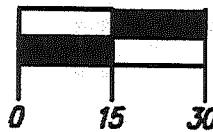


LEGEND

P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT

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SCALE: 1" = 30'



W-22-651
SHEET 1 OF 2

CLIENT: VESTA HOMES
PROJECT: MAPLE ACRES (PARCEL 1), S.W. 1/4 SEC. 25, TROY
DATE: 05/24/2022



5805 24 MILE RD. SUITE B
SHELBY TWP, MI 48316
T (586) 677 - 4081

EXHIBIT A

12' STORM SEWER EASEMENT

PROPERTY DESCRIPTIONS

LEGAL DESCRIPTION (PARCEL 1: 20-25-352-070):

THE WESTERLY 65 FEET OF LOT 24, EXCEPT THE SOUTHERLY 27 FEET TAKEN FOR ROAD PURPOSES, SUPERVISOR'S PLAT OF MAPLE ACRES, AS RECORDED IN LIBER 48, PAGE 57, OAKLAND COUNTY RECORDS.
CONTAINING 12,544.94 SQUARE FEET ---- 0.288 ACRES

LEGAL DESCRIPTION: 12' STORM SEWER EASEMENT (PARCEL 1: 20-25-352-070):

PART OF LOT 24 OF "SUPERVISOR'S PLAT OF MAPLE ACRES", AS RECORDED IN LIBER 48, PAGE 57, OAKLAND COUNTY RECORDS. COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 24; THENCE N01°20'24"E 27.00' AND N01°20'20"E 142.75' TO THE POINT OF BEGINNING; THENCE N01°20'20"E 12.00'; THENCE S88°39'40"E 65.00'; THENCE S01°20'20"W 12.00'; THENCE N88°39'40"W 65.00' TO THE POINT OF BEGINNING.

CONTAINING 780 SQUARE FEET ---- 0.018 ACRES

W-22-651
SHEET 2 OF 2

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CLIENT: VESTA HOMES
PROJECT: MAPLE ACRES (PARCEL 1), S.W. 1/4 SEC. 25, TROY
DATE: 05/24/2022 (REV)



5805 24 MILE RD. SUITE B
SHELBY TWP, MI 48316
T (586) 677 - 4081



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Date: May 27, 2022

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
William J. Huotari, City Engineer
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of a Permanent Easement from Vesta Homes, Inc.,
Sidwell #88-20-25-352-071 & 072

History

As part of the development of two vacant parcels, the City of Troy received a permanent easement for storm sewers and surface drainage from Vesta Homes, Inc., owner of the parcels having Sidwell #88-20-25-352-071 & 072.

The parcels are located in the southwest ¼ of Section 25 on the north side of Maple Road, east of John R.

Financial

The consideration amount on each document is \$1.00.


Recommendation

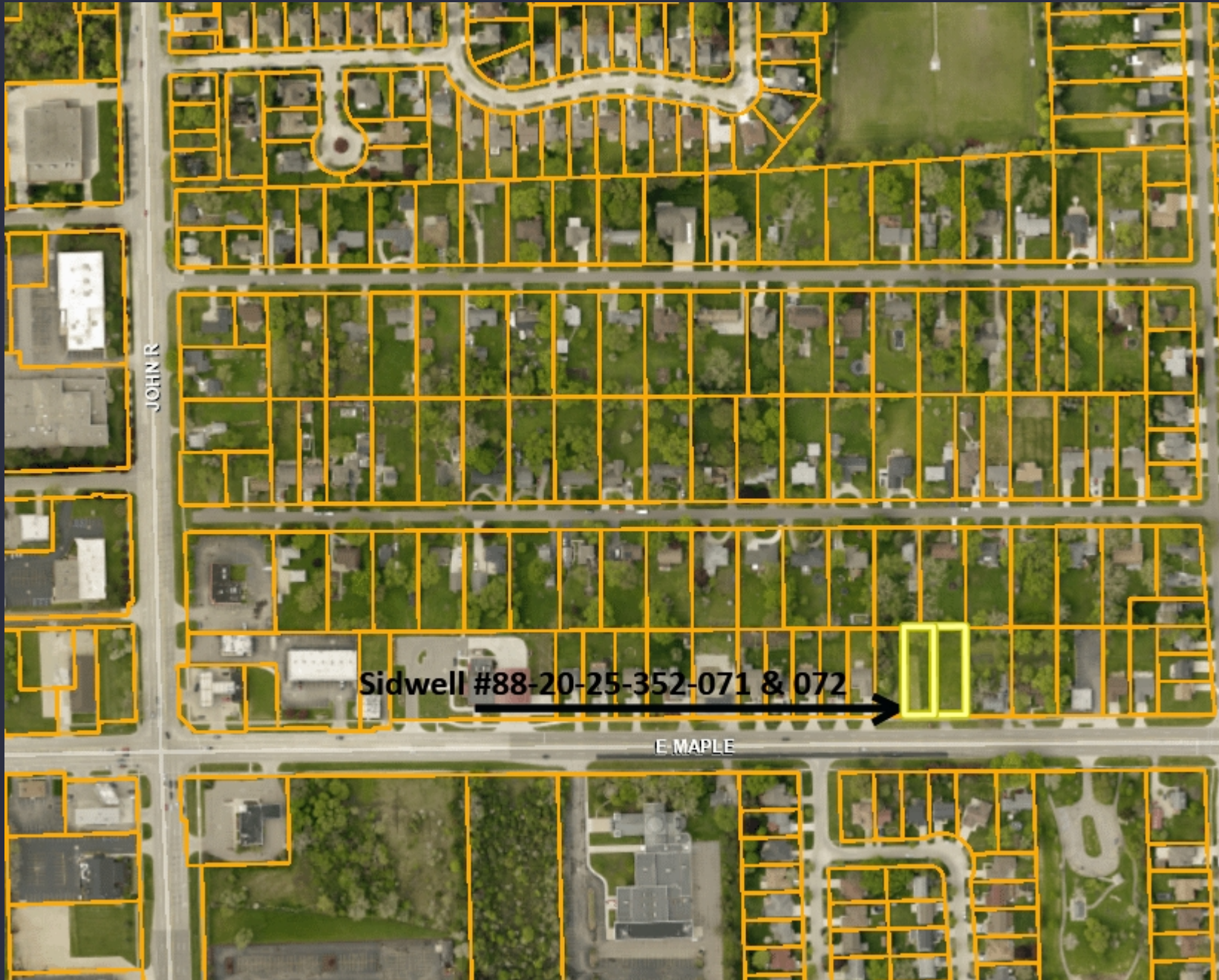
City Management recommends that City Council accept the attached permanent easement consistent with our policy of accepting easements for improvement and development purposes.



GIS Online

Legend:

 Tax Parcel



Notes:

#88-20-352-071 & 072
Vesta Homes, Inc
Storm Sewers & Surface
Drainage

Map Scale: 1=424

Created: May 27, 2022



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.

**PERMANENT EASEMENT
FOR STORM SEWERS AND SURFACE DRAINAGE**

Sidwell #88-20-25-352-071 & 072 (pt of)

VESTA HOMES, INC., a Michigan corporation, Grantor, whose address 31400 Kendall, Fraser, MI 48026 , for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, MI 48084 grants to the Grantee the right to access, construct, reconstruct, modify, operate, maintain, repair, upgrade, improve, inspect, enlarge or remove and/or replace **storm sewers and surface drainage** said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART OF

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.


IN WITNESS WHEREOF, the undersigned hereunto affixed _____ signature(s)
this 26 day of May, 2022.

VESTA HOMES, INC., a Michigan corporation

By  (L.S.)
Michele Mattera
Its: President

STATE OF MICHIGAN)
COUNTY OF ~~Oakland~~)
Macomb

The foregoing instrument was acknowledged before me this 26 day of May, 2022,
by Michele Mattera, President of Vesta Homes, Inc., a Michigan corporation, on behalf of the corporation.

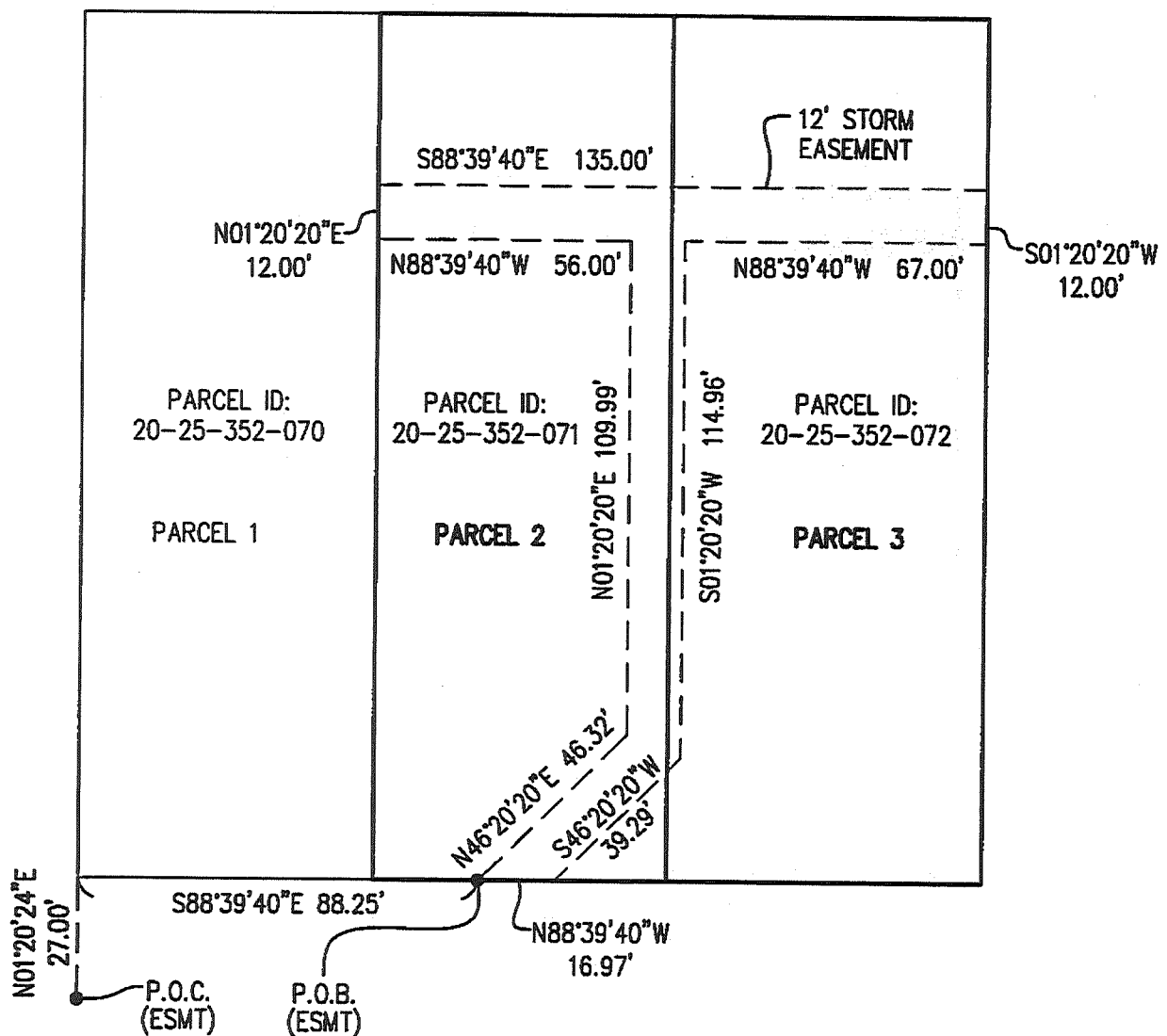

* Iolanda McManus
Notary Public, Macomb County, MI
My Commission Expires 1-19-2024
Acting in Macomb County, MI

Prepared by: Larysa Figol, SR/WA
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

EXHIBIT A

12' STORM SEWER EASEMENT

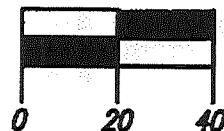


LEGEND

P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT

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SCALE: 1" = 40'



W-22-652
SHEET 1 OF 2

CLIENT: VESTA HOMES
PROJECT: MAPLE ACRES (PARCELS 2 & 3), S.W. 1/4 SEC. 25,
TROY
DATE: 05/24/2022 (mm)



5805 24 MILE RD. SUITE B
SHELBY TWP, MI 48316
T (586) 677 - 4081

EXHIBIT A

12' STORM SEWER EASEMENT

PROPERTY DESCRIPTIONS

LEGAL DESCRIPTION (PARCEL 2: 20-25-352-071):

THE EASTERLY 35 FEET OF LOT 24 AND THE WESTERLY 30 FEET OF LOT 25, EXCEPT THE SOUTHERLY 27 FEET TAKEN FOR ROAD PURPOSES, SUPERVISOR'S PLAT OF MAPLE ACRES, AS RECORDED IN LIBER 48, PAGE 57, OAKLAND COUNTY RECORDS. CONTAINING 12,544.94 SQUARE FEET ---- 0.288 ACRES

LEGAL DESCRIPTION (PARCEL 3: 20-25-352-072):

THE EASTERLY 70 FEET OF LOT 25, EXCEPT THE SOUTHERLY 27 FEET TAKEN FOR ROAD PURPOSES, SUPERVISOR'S PLAT OF MAPLE ACRES, AS RECORDED IN LIBER 48, PAGE 57, OAKLAND COUNTY RECORDS. CONTAINING 13,509.93 SQUARE FEET ---- 0.310 ACRES

LEGAL DESCRIPTION: 12' STORM SEWER EASEMENT

PART OF LOT 24 AND 25 OF "SUPERVISOR'S PLAT OF MAPLE ACRES", AS RECORDED IN LIBER 48, PAGE 57, OAKLAND COUNTY RECORDS. COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 24; THENCE N01°20'24"E 27.00' AND S88°39'40"E 88.25' TO THE POINT OF BEGINNING; THENCE N46°20'20"E 46.32'; THENCE N01°20'20"E 109.99'; THENCE N88°39'40"W 56.00'; THENCE N01°20'20"E 12.00'; THENCE S88°39'40"E 135.00'; THENCE S01°20'20"W 12.00'; THENCE N88°39'40"W 67.00'; THENCE S01°20'20"W 114.96'; THENCE S46°20'20"W 39.29'; THENCE N88°39'40"W 16.97' TO THE POINT OF BEGINNING.

CONTAINING 3,483 SQUARE FEET ---- 0.080 ACRES

W-22-652
SHEET 2 OF 2

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CLIENT: VESTA HOMES
PROJECT: MAPLE ACRES (PARCELS 2 & 3), S.W. 1/4 SEC. 25,
TROY
DATE: 05/24/2022 (REV)



5805 24 MILE RD. SUITE B
SHELBY TWP, MI 48316
T (586) 677 - 4081



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Date: June 6, 2022

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
R. Brent Savidant, Community Development Director
William J. Huotari, City Engineer
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of Two Permanent Easements from 14 Mile & John R Holdings, LLC, Sidwell #88-20-35-400-038

History

As part of the redevelopment of the east portion of Oakland Mall, the City of Troy received two easements for water mains and sanitary sewers from 14 Mile & John R Holdings, LLC, owner of the property having Sidwell #88-20-35-400-038.

The owner has proposed the 14 Mile & John R Condominium Plan, a four-unit condominium to include the old *Sears* store location, current *at Home* retail store and surrounding parking. The Property is located in the southeast ¼ of Section 35, at the northwest corner of 14 Mile and John R roads.

Financial

The consideration amount on each document is \$1.00.


Recommendation

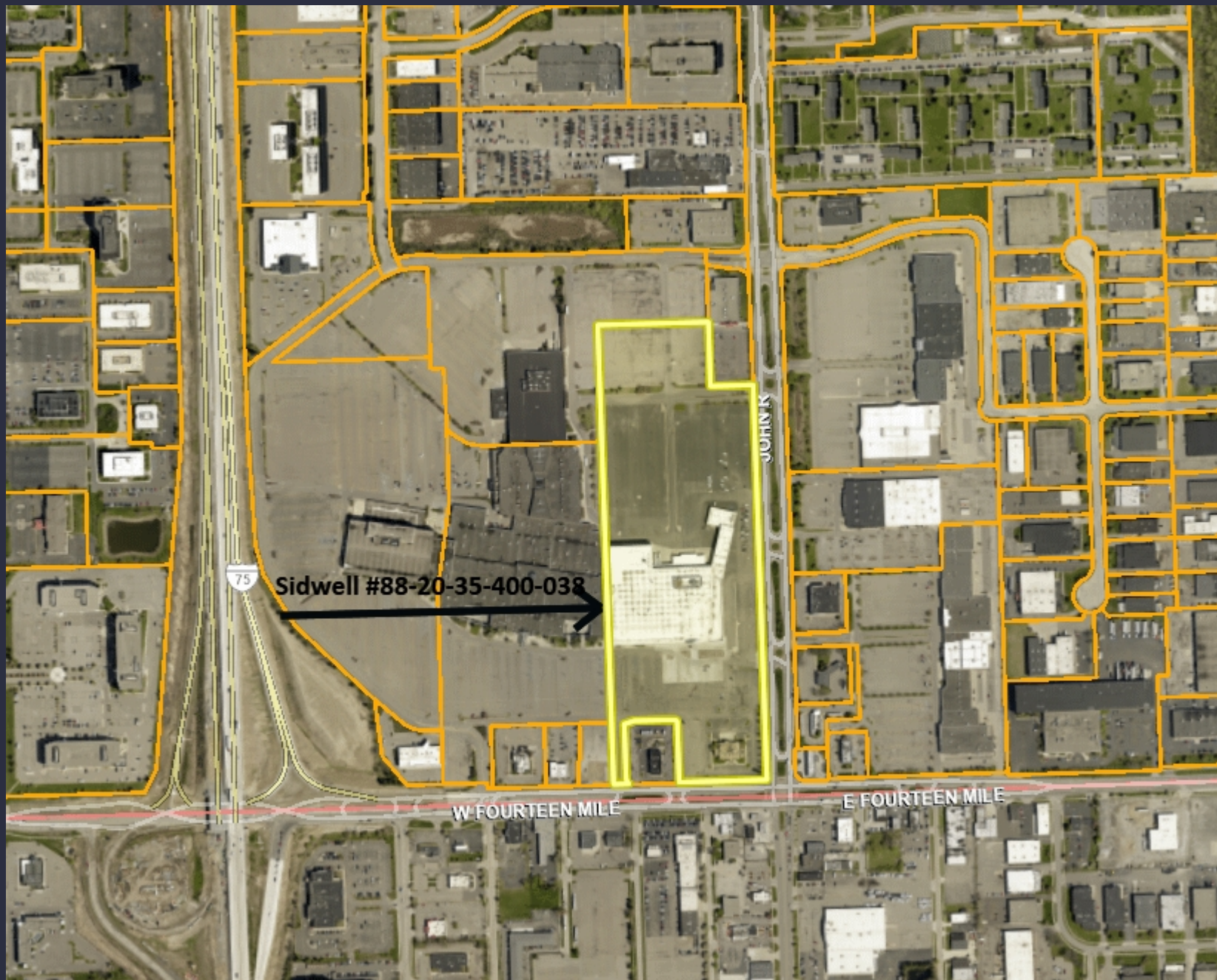
City Management recommends that City Council accept the attached permanent easements consistent with our policy of accepting easements for improvement and redevelopment purposes.



GIS Online

Legend:

 Tax Parcel



Notes:

14 Mile & John R Condominium
#88-20-35-400-038
14 Mile & John R Holdings, LLC

Map Scale: 1=848

Created: June 6, 2022



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.

**PERMANENT EASEMENT
FOR WATER MAINS**

Sidwell #88-20-35-400-038(pt. of)

14 MILE & JOHN R HOLDINGS, LLC, a Michigan limited liability company, ("Grantor"), whose address 31001 Lahser Road, Beverly Hills, MI 48025, for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, MI 48084 grants to the Grantee the right to access, construct, reconstruct, modify, operate, maintain, repair, upgrade, improve, inspect, enlarge or remove and/or replace **water mains** said easement in, over, under, upon and through the land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBITS "A" AND "B" ATTACHED HERETO AND
BY REFERENCE MADE A PART HEREOF

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 1st day of June, 2022.

14 MILE & JOHN R HOLDINGS, LLC
a Michigan limited liability company

By: 

*Mario Kiezi


Its: Manager

[ACKNOWLEDGEMENT ON NEXT PAGE]

STATE OF MICHIGAN)
COUNTY OF Oakland)SS.

The foregoing instrument was acknowledged before me this 1st day of June, 2022, by Mario Kiezi, Manager of 14 Mile & John R Holdings, LLC, a Michigan limited liability company, on behalf of said company.

SCARLET ESHO
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Mar 11, 2026
ACTING IN COUNTY OF Oakland

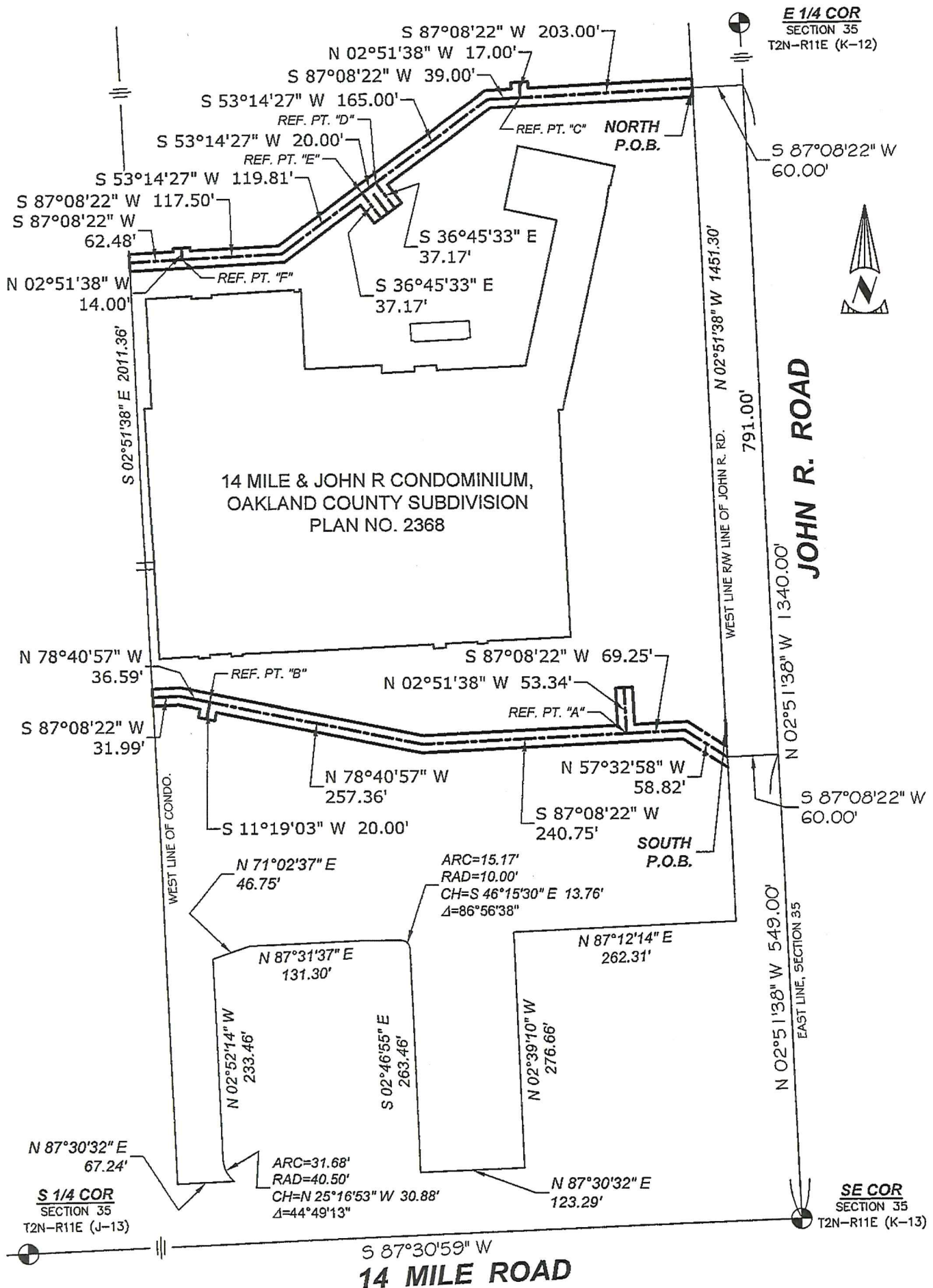

* Scarlet Esho
Notary Public, Macomb County, MI
My Commission Expires 3-11-26
Acting in Oakland County, MI

Prepared by: Larysa Figol, SR/WA
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

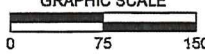
Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

EXHIBIT A

Description
City of Troy, Oakland County, Michigan



FOR: MKlezi Investments	JOB No.: M4820018
SCALE: 1 Inch = 150 feet	DATE: May 2, 2022
SHEET: 1 OF 2	
 www.MannikSmithGroup.com	
237 NORTH MAIN STREET ADRIAN, MI 49221 TEL: 517.263.4515 FAX: 517.263.4535	

GRAPHIC SCALE	
	
Drawn By	Checked By
JK	KP

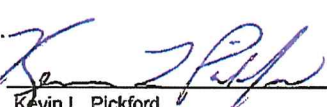

Kevin L. Pickford
Professional Surveyor
No. 4001046682

EXHIBIT B

Description City of Troy, Oakland County, Michigan

NORTH WATER LINE EASEMENT:

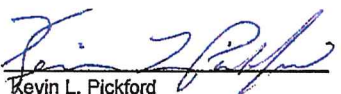
A 20.00 feet wide easement with the centerline being all that part of the 14 Mile & John R Condominium, Oakland County Subdivision Plan No. 2368 as recorded in Liber 57627, Page 374, Oakland County Records, City of Troy, Oakland County, Michigan, described as beginning on the west right of way line of John R Road at a point located 1340.00 feet North 02° 51' 38" West along the east line of Section 35, Town 2 North, Range 11 East of said City of Troy and 60.00 feet South 87° 08' 22" West from the Southeast Corner of said Section 35; thence South 87° 08' 22" West 203.00 feet to a point known hereafter as "Reference Point C"; thence South 87° 08' 22" West 39.00 feet; thence South 53° 14' 27" West 165.00 feet to a point known hereafter as "Reference Point D"; thence South 53° 14' 27" West 20.00 feet to a point known hereafter as "Reference Point E"; thence South 53° 14' 27" West 119.81 feet; thence South 87° 08' 22" West 117.50 feet to a point known hereafter as "Reference Point F"; thence South 87° 08' 22" West 62.48 feet to the west line of said 14 Mile and John R Condominium (northerly and southern lines of said easement to extend to or terminate at said west line) and there ending; thence continuing from said "Reference Point C" North 02° 51' 38" West 17.00 feet and there ending; thence continuing from said "Reference Point D" South 36° 45' 33" East 37.17 feet and there ending; thence continuing from said "Reference Point E" South 36° 45' 33" East 37.17 feet and there ending; thence continuing from said "Reference Point F" North 02° 51' 38" West 14.00 feet and there ending.

SOUTH WATER LINE EASEMENT:

A 20.00 feet wide easement with the centerline being all that part of the 14 Mile & John R Condominium, Oakland County Subdivision Plan No. 2368 as recorded in Liber 57627, Page 374, Oakland County Records, City of Troy, Oakland County, Michigan, described as beginning on the west right of way line of John R Road at a point located 549.00 feet North 02° 51' 38" West along the east line of Section 35, Town 2 North, Range 11 East of said City of Troy and 60.00 feet South 87° 08' 22" West from the Southeast Corner of said Section 35; thence North 57° 32' 58" West 58.82 feet; thence South 87° 08' 22" West 69.25 feet to a point known hereafter as "Reference Point A"; thence South 87° 08' 22" West 240.75 feet; thence North 78° 40' 57" West 257.36 feet to a point known hereafter as "Reference Point B"; thence North 78° 40' 57" West 36.59 feet; thence South 87° 08' 22" West 31.99 feet to the west line of said 14 Mile and John R Condominium (northerly and southern lines of said easement to extend to or terminate at said west line) and there ending; thence continuing from said "Reference Point A" North 02° 51' 38" West 53.34 feet and there ending; thence continuing from said "Reference Point B" South 11° 19' 03" West 20.00 feet and there ending.

FOR: MKlezi Investments	JOB No.: M4820018
	DATE: May 2, 2022
SHEET: 2 OF 2	
 www.MannikSmithGroup.com	237 NORTH MAIN STREET ADRIAN, MI 49221 TEL: 517.263.4515 FAX: 517.263.4535

Drawn By	Checked By
JK	KP


Kevin L. Pickford
Professional Surveyor
No. 4001046682

**PERMANENT EASEMENT
FOR SANITARY SEWERS**

Sidwell #88-20-35-400-038(pt. of)

14 MILE & JOHN R HOLDINGS, LLC, a Michigan limited liability company, ("Grantor"), whose address 31001 Lahser Road, Beverly Hills, MI 48025, for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, MI 48084 grants to the Grantee the right to access, construct, reconstruct, modify, operate, maintain, repair, upgrade, improve, inspect, enlarge or remove and/or replace **sanitary sewers**, said easement in, over, under, upon and through the land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBITS "A" AND "B" ATTACHED HERETO
AND BY REFERENCE MADE A PART HEREOF

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 1st day of June, 2022.

14 MILE & JOHN R HOLDINGS, LLC
a Michigan limited liability company

By: 

*Mario Kiezi

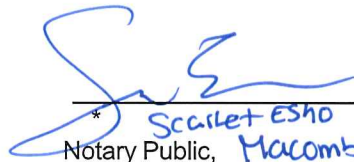
Its: Manager

[ACKNOWLEDGEMENT ON NEXT PAGE]

STATE OF MICHIGAN)
COUNTY OF Oakland)SS.

The foregoing instrument was acknowledged before me this 15th day of June, 2022, by Mario Kiezi, Manager of 14 Mile & John R Holdings, LLC, a Michigan limited liability company, on behalf of said company.

SCARLET ESHO
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Mar 11, 2026
ACTING IN COUNTY OF Oakland

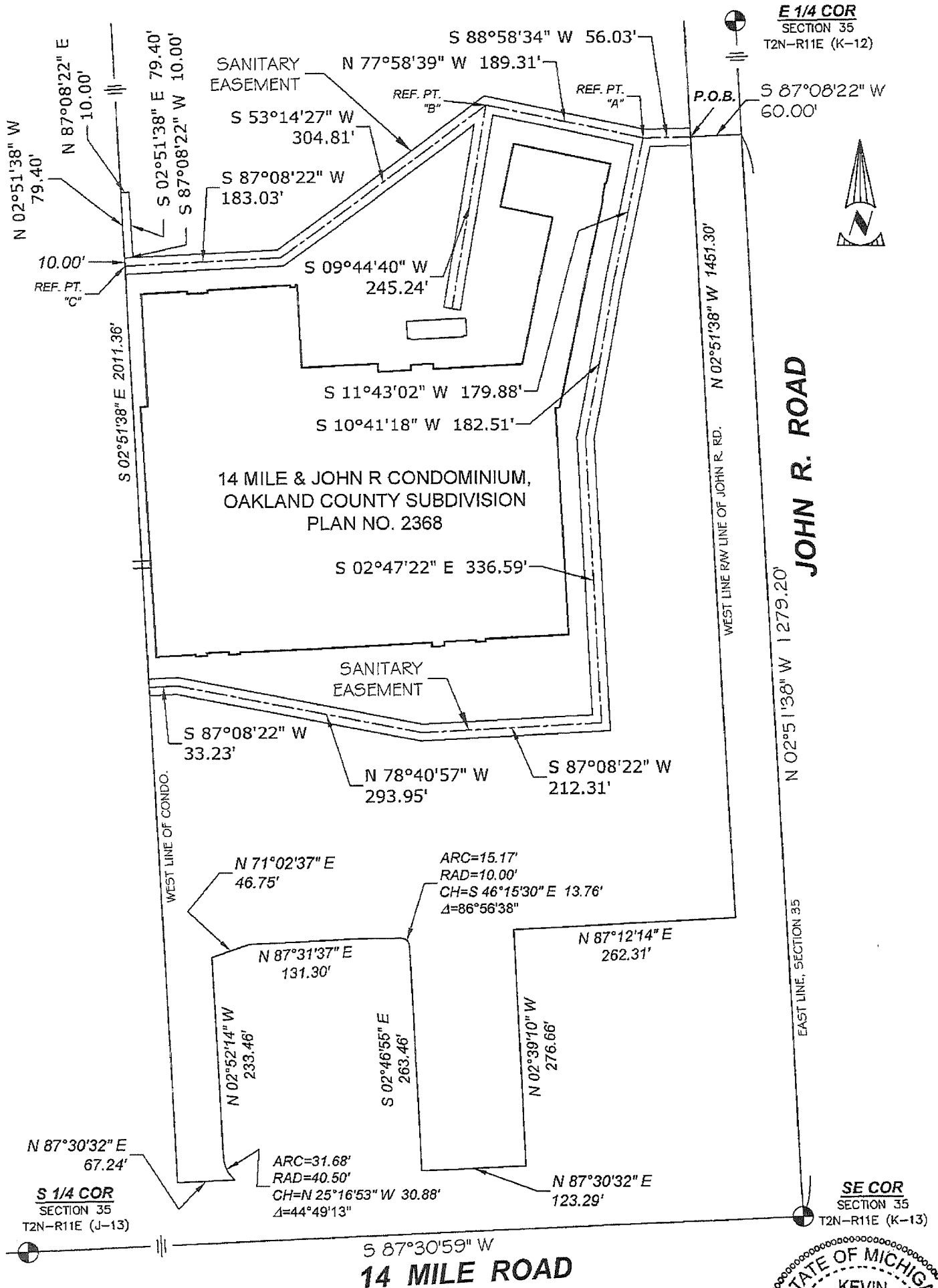

* Scarlet Esho
Notary Public, Macomb County, MI
My Commission Expires 3-11-26
Acting in Oakland County, MI

Prepared by: Larysa Figol, SR/WA
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

EXHIBIT A

Description
City of Troy, Oakland County, Michigan



FOR: MKiezi Investments	JOB No.: M4820018
SCALE: 1 inch = 150 feet	DATE: April 15, 2022
SHEET: 1 OF 2	
Mannik Smith GROUP 237 NORTH MAIN STREET ADRIAN, MI 49221 TEL: 517.263.4515 FAX: 517.263.4535 www.MannikSmithGroup.com	

*REVISED: May 10, 2022



Drawn By	Checked By
JK	KP

Kevin L. Pickford
Professional Surveyor
No. 4001046682




EXHIBIT B

Description
City of Troy, Oakland County, Michigan

SANITARY SEWER LINE EASEMENT:

A 20.00 feet wide easement with the centerline being all that part of the 14 Mile & John R Condominium, Oakland County Subdivision Plan No. 2368 as recorded in Liber 57627, Page 374, Oakland County Records, City of Troy, Oakland County, Michigan, described as beginning on the west right of way line of John R Road at a point located 1279.20 feet North 02° 51' 38" West along the east line of Section 35, Town 2 North, Range 11 East of said City of Troy and 60.00 feet South 87° 08' 22" West from the Southeast Corner of said Section 35; thence South 88° 58' 34" West 56.03 feet to a point known hereafter as "Reference Point A"; thence South 11° 43' 02" West 179.88 feet; thence South 10° 41' 18" West 182.51 feet; thence South 02° 47' 22" East 336.59 feet; thence South 87° 08' 22" West 212.31 feet; thence North 78° 40' 57" West 293.95 feet; thence South 87° 08' 22" West 33.23 feet to the west line of said 14 Mile and John R Condominium (northerly and southern lines of said easement to extend to or terminate at said west line) and there ending; thence continuing from said "Reference Point A" North 77° 58' 39" West 189.31 feet to a point known hereafter as "Reference Point B"; thence South 09° 44' 40" West 245.24 feet and there ending; thence continuing from said "Reference Point B" South 53° 14' 27" West 304.81 feet; thence South 87° 08' 22" West 183.03 feet to said west line of 14 Mile and John R Condominium (northerly and southern lines of said easement to extend to or terminate at said west line) at a point known hereafter as "Reference Point C" and there ending the 20.00 wide portion of this easement; thence along said west line of 14 Mile and John R Condominium from a point 10.00 feet North 02° 51' 38" West of said "Reference Point C" North 02° 51' 38" West 79.40 feet; thence North 87° 08' 22" East 10.00 feet; thence South 02° 51' 38" East 79.40 feet to the north line of said 20.00 feet wide easement; thence South 87° 08' 22" West 10.00 feet to the point on said west line of 14 Mile and John R Condominium located 10.00 feet North 02° 51' 38" West from said "Reference Point C" and there ending.

FOR: MKiezi Investments	JOB No.: M4820018
	DATE: April 15, 2022
SHEET: 2 OF 2	
 www.MannikSmithGroup.com	237 NORTH MAIN STREET ADRIAN, MI 49221 TEL: 517.263.4515 FAX: 517.263.4535

*REVISED: May 10, 2022

Drawn By	Checked By
JK	KP

STATE OF MICHIGAN
★ KEVIN LAVERNE PICKFORD ★
PROFESSIONAL SURVEYOR
No. 4001046682
LICENCED PROFESSIONAL SURVEYOR

Kevin L. Pickford
Professional Surveyor
No. 4001046682



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Date: June 8, 2022

To: Honorable Mayor and Troy City Council Members

From: Mark F. Miller, City Manager
Robert J. Bruner, Assistant City Manager
Lori Grigg Bluhm, City Attorney

Subject: Renewal of PROTEC Membership

PROTEC is the Michigan Coalition to Protect Rights of Way. This entity was formed over 25 years ago by several Michigan cities which were interested in protecting municipal control over public rights of way and the right to receive fair compensation from telecommunications providers that use public property. PROTEC is requesting that we renew our membership in the organization for the 2022-2023 fiscal year. Municipalities on the PROTEC Board include the cities of Dearborn, Livonia, and Southfield, and there are many other municipal members. Troy was one of the original members, and has continued to be supportive of this organization over the past 25 years. The Michigan Municipal League serves as the fiscal agent for the entity.

The attached documentation highlights some PROTEC accomplishments. PROTEC continues to keep its members informed of telecommunications developments at the state and federal level, and has taken an active role in filing pleadings and/or comments with the Federal Communications Commission that urge protection of municipal interest. PROTEC has also provided municipal support for small cell issues, as well as actively monitored developments that impact municipal rights of way.

PROTEC's annual membership is \$10,475.28 (\$0.0125 per resident). This amount is budgeted in the City Attorney's outside consultant budget.

PROTEC

The Michigan Coalition to Protect Public Rights-of-Way

www.protec-mi.org

May 17, 2022

Ms. Lori Grigg Bluhm
City Attorney, Troy
500 W. Big Beaver Rd.
Troy, MI 48084-5254

Dear Municipal Manager, Finance Director and Attorney:

**Please forgive our revelry. In case you missed it last year -
PROTEC CELEBRATED OUR 25th ANNIVERSARY**



THANKS TO YOU!

AND WE ARE STILL CELEBRATING!!

For 26 years, PROTEC has diligently worked on behalf of local community governments across Michigan to address a variety of rights-of-way issues facing our state, as detailed in PROTEC's 2020/2021 **Annual Report**, available online at www.protec-mi.org.

2022 UPDATE

Our emphasis for a decade and renewed with the 2020 pandemic, remains focused on Broadband Development across Michigan utilizing local, federal and state dollars. We are fighting hard to make sure that local communities like yours have an absolute right to access all the same federal and state dollars for Broadband as the monopoly telecommunications industry. Legislation is being proposed and passed that seeks to stop locals from self-determination on the subject of Broadband. Help us fight back by maintaining your membership and support.

PROTEC and its General Counsel are also actively engaged in helping build and develop municipal led Broadband networks across Michigan. If you

need help building your own, ask for our help. We are local government and serve only local community government. So we have no ties to industry, unlike many consultants claiming to offer similar services.

PROTEC AND THE PANDEMIC

Just when we thought previous years, including unprecedented FCC activity in 2018 and 2019, could not be outdone in terms of challenges to local governance of our own public Rights-of-Way and other public places, 2020 exploded onto the scene with the **Pandemic**. In response, PROTEC has dug in and intensified its efforts and assisted in the many issues arising as a result. Our efforts have included:

- **PROTEC TRACKS COVID ERA FEDERAL RESCUE AID:** PROTEC has been tracking, analyzing and summarizing the various federal aid packages passed and being considered by Congress earmarked for Local Communities and BB in particular. We offer group or individualized special assistance to seek and obtain these funds which require navigating the FCC, NTIA and Treasury Regulations still being finalized. (Individualized assistance may require special retention) See our working summary of these Congressional funds on our website here: <https://www.protec-mi.org/resources.php>
- **PROTEC challenged the Wireless Industry's demands for "priority" during the Pandemic and the Wireless Industry retreated.** PROTEC led several Michigan communities as well as MML and MTA and then was followed by other cities from around the Country, in comments filed at the FCC objecting to the wireless industry request that "notwithstanding" the current **PANDEMIC**, communities must "**prioritize**" cellular applications.

A copy of our Comments letter can be found on the PROTEC Website and FCC website here:

<https://www.fcc.gov/ecfs/filing/10417481429278>

- **Industry back pedals:** In response to our filing, former FCC commissioner and current President of the Wireless Association (WIA), Jonathan Adelstein told the press "*I think we need to cut them [local communities] a lot of slack right now at a time when they are dealing with a*

myriad of issues that are unprecedented and of higher urgency”.

- Telecommunications Reports April 27, 2020

- **PROTEC** also assisted on various Rights-of-Way issues that arose under multiple PANDEMIC orders including virtual meeting compliance with **OMA, Miss Dig** related obligations, **Cyber Security** pandemic issues, and clarifying **Homeland Security Guidance** statements on critical operations subject to state and local administration and enforcement.

PROTEC AND THOSE “not very” SMALL CELLS

- **PROTEC fought the Michigan small cell bills singlehandedly. Everyone knows that. Now, PROTEC is also the principal source of informed assistance** to members and supporters across Michigan on Small Cell issues. (We refer to them as ROW Cell Towers)
 - **PROTEC** drafted and updates **small cell ordinance, application, permit and policies** following passage of PA 395. See copies on our website. <https://www.protec-mi.org/resources.php>
- **PROTEC APPEALS FCC:** **PROTEC** and several Michigan communities, as well as MML and MTA, joined hundreds of other local governments and associations from around the country and **appealed** several FCC Orders affecting public rights-of-way including Small Cells expansion, Macro Cell Tower Expansion, Over the Air Reception Device (OTARD) expansion and Cable Franchise Fee reductions.
- **PROTEC WINS!! - in partnership with our allies on Aesthetics concerns regarding Small Cells at the US 9th Cir Ct of Appeals!!**
- **PROTEC is closely watching Appeals of State Small Cell laws in Ohio, Texas and Florida** as we continue to await the opportunity to lead a challenge of the Michigan Small Cell laws. **Our WIN at the US 9th Cir does not directly affect our State statute.** We must address that in our courts or legislature, in order to take full advantage of the 9th Cir win.

- **PROTEC Presents to the Governor's Broadband (BB) Taskforce.** COVID has made it clear that the state of our BB is poor at best. PROTEC has been a big supporter of Municipal BB by assisting virtually every Michigan community that has or is currently building, or considering building their own networks over the last ten years. We are pleased to have been provided the opportunity to address the taskforce on the needs of municipalities to accomplish these projects.
- **PROTEC is researching a possible lawsuit against NETFLIX and other "over the top video providers, for avoiding Video Service (Cable) Franchise and PEG Fees.** Let us know if your community is interested in joining this effort. Legal fees are contingent. No hourly fee.
- **PROTEC** assists federal municipal lobbyists in drafting **Congressional Bills** seeking to undo FCC Orders slashing **Cable Franchise revenues.**
- **PROTEC** is **addressing aging and hazardous gas and liquid pipelines** by filing and monitoring comments at the US Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA). PROTEC is also monitoring the State of Michigan's review of the Enbridge proposal to build a tunnel for its pipelines under the Straits of Mackinac just west of the Mackinac Bridge.

AND THE REST OF WHAT WE DO

- **PROTEC** meets **monthly** and provides timely updates and lends assistance to communities facing immediate rights-of-way issues.
- **PROTEC** is active daily in monitoring, coalition building and promoting positive Rights-of-Way outcomes in the Courts, the FCC and Congress as well as the Michigan Legislature.
- **PROTEC** increased its social media presence on sites such as Facebook, Twitter, LinkedIn to keep members updated on rapidly changing telecommunication matters

These are just a sampling of issues and efforts that PROTEC has taken on. Our mission throughout Michigan is to coordinate actions that protect

local community interests and inform municipal officials of significant developments in public rights-of-way management including on utility poles, in the ground and via the airwaves. PROTEC has taken a proactive approach to the many challenges faced by communities across the state. Now, more than ever, local governments must be diligent in protecting their interests in all rights-of-way issues.

Though we have made great strides in protecting our shared interests, it is crucial to remain committed to these efforts, to protect the gains that have been made, and to continue being a formidable voice in guarding our economic wellbeing.

PROTEC relies completely on its members and contributing communities for its sole support. Your contributions allow PROTEC to participate in judicial, legislative and administrative activities, both on the state and federal levels, to protect local governments' rights concerning the use of public rights-of-way by cable, telecommunications, electric, pipeline and other utility industries.

Even after 25 years, PROTEC has no paid staff. Administrative support for its operations is generously donated by member communities and the Michigan Municipal League. Please consider supporting the work of PROTEC by becoming a member or renewing your community's annual membership. Your dues and contributions will help ensure PROTEC has the resources necessary to continue its strong advocacy on behalf of *all* Michigan municipalities.

Respectfully,



Mayor Maureen Miller Brosnan
City of Livonia



Mayor Kenson J. Siver
City of Southfield

PROTEC

The Michigan Coalition to Protect Public Rights-of-Way

P.O. Box 7409
Ann Arbor, MI 48107-7409
TEL: 248-796-4503
FAX: 248-796-4505

MAY 23 2022 PM03:25

Application for PROTEC Annual Membership: Fiscal year beginning July 1, 2022.

Membership dues are based on population figures as reported in the 2020 Census (\$.125 per resident, capped at \$12,500).

Dues for the community of
Troy

would be
\$10,475.28

MEMBERSHIP INFORMATION:

Please complete membership information and return with your payment.

Contact Person _____

Title _____

City/Village _____

Address _____

Zip Code _____

10 Digit Phone _____

10 Digit Fax _____

Email Address _____

Checks should be made payable to PROTEC and mailed to:
Michigan Municipal League
P.O. Box 7409
Ann Arbor, MI 48107-7409

Board of Directors: City of Dearborn, City of Livonia, City of Southfield

Fiscal Agent: Michigan Municipal League

* A copy of this statement has also been sent to your municipality's Mayor/President/Administrator/Finance Director (as appropriate).



CITY COUNCIL AGENDA ITEM

Date: May 25, 2022

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
M. Aileen Dickson, City Clerk

Subject: Chapter 49 – Mobile Food Vending Units Ordinance and Request to Amend Chapter 60 – Fees and Bonds Required (Introduced by: Aileen Dickson, City Clerk)

History

Since the early 2000's, food trucks have grown in popularity all over the country. In Troy, many restaurants now own food trucks to supplement their brick-and-mortar locations. Troy residents, and employees of Troy businesses, regularly hire food trucks for their events throughout the City. The Clerk's Office receives hundreds of calls each year with questions about food trucks, both from those looking to hire food trucks, and owners of food trucks asking about regulations.

Up to this point, the City Clerk's Office has regulated food trucks under Chapter 74 – Solicitations. This chapter does not specifically mention food trucks, however, the regulations in this chapter are sufficient to assure the health, safety, and welfare of people living and working in Troy.

As interest in food trucks continues to increase, it is apparent that the City of Troy needs an ordinance that specifically addresses and regulates food trucks (known as Mobile Food Vending Units, for clarity).

Chapter 49 – Mobile Food Vending Units provides for licensing of food trucks (and similar mobile food businesses). Also, Chapter 49 contains specific regulations regarding where food trucks are allowed to operate so as to not interfere with brick-and-mortar restaurants. The chapter regulates hours of operation, requires annual inspections by the Fire Department, and enables food trucks to operate in residential areas as long as they aren't obstructing traffic.

Representatives from the City Clerk's Office, City Attorney's Office, Police Department, Planning Department, Building Department, Purchasing Department, and Fire Department all contributed to development of this ordinance.

Chapter 60 – Fees and Bonds Required needs to be amended to include the fees for the Mobile Food Vending Unit license, which are: \$24 application fee, \$100 annual license fee.

Financial

Application and license fees will be included in Chapter 60 – Fees and Bonds Required.



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Recommendation

City Administration recommends that City Council approve Chapter 49 – Mobile Food Vending Units, and approve the amendment to Chapter 60 – Fees and Bonds Required.

Legal Review

This item was submitted to the City Attorney for review pursuant to City Charter Section 3.17.

Chapter 49 – Mobile Food Vending Units

49.1 Definitions

Mobile Food Vending Unit: Any motorized or non-motorized vehicle, trailer, kiosk, or other device designed to be portable and not permanently attached to the ground from which food items are to be vended, sold, served, displayed, or offered for sale from private property or public property, not including public streets or highways.

49.2. Licenses Required.

- A. No person shall engage, or be engaged, in the operation of a Mobile Food Vending Unit without the proper licensing.
- B. Licensing must be renewed annually and must be prominently displayed on the Mobile Food Vending Unit.
- C. Licenses are non-transferable.
- D. Any change in information requested in the application shall be provided to the City Clerk within ten days of any such change.

49.3. Application Submittal and License Year

The license year shall begin January 1st of each year and shall terminate at midnight on December 31st of that year. Original licenses shall be issued for the balance of the license year at the full license fee. License fees are nonrefundable. Once complete applications are submitted, the City Clerk shall issue either a denial letter or an approved license within 21 days. The City Clerk shall approve or deny an application upon receiving feedback from City departments including, but not limited to, the Police Department, Fire Department, Planning Department, Purchasing Department, and Treasurer's Office.

49.4. Application Requirements.

- A. The licensee for a Mobile Food Vending Unit shall, before issuance of the license, obtain and maintain in full force and effect, at its own expense, commercial general liability, insurance that names the City of Troy as an additional insured for primary limits of liability for the purpose of protecting the City from all claims and risks of loss as a result of the licensee's activity, occupation, operation, maintenance, or use of the public street, highway, or any public property in conjunction with the licensed activity. A Certificate of Insurance on an ACORD Form showing present coverage of commercial liability, automobile liability and workers compensation shall be submitted at time of application. The automobile and general liability insurance coverage shall be in an amount not less than \$1,000,000. Worker's Compensation

Chapter 49 – Mobile Food Vending Units

- Insurance, including Employers' Liability Coverage shall be in accordance with all applicable statutes of the State of Michigan. Sole proprietors must execute a certificate of exemption from Worker's Compensation requirements or provide proof of Worker's Compensation Insurance. Failure to maintain the required insurance coverage is grounds for vending license revocation. The licensee shall agree to defend, indemnify, and hold harmless the City of Troy, its officials, officers, employees, and agents against any liability, claims, causes of action, judgments, or expenses, including reasonable attorney fees, resulting directly or indirectly from any act or omission of the licensee, its employees, its subcontractors and anyone for whose acts or omissions they may be liable, arising out of the licensee's use or occupancy of the public street, highway, or any public property.
- B. Applicants must provide a copy of the Foodservice Establishment License issued by the State of Michigan, if required, and pay the fee as set forth in *Chapter 60 – Fees and Bonds Required*.
- C. For use of private property, the applicant must obtain written permission from the property owner, and have it available upon request by the City of Troy. For public property, permission is assumed upon approval of the application.
- D. An applicant for a Mobile Food Vending Unit License must file a completed application form provided by the City Clerk. The completed application form shall include the following information:
- a) The applicant's name, current business address, email address, and telephone number.
 - b) A copy of the current government-issued identification document with photo of the applicant and any designated person proposed to conduct mobile food vending. The names of these individuals will be printed on the license card, and any changes need to be provided to the Clerk's Office within 10-days of the change so a new license card may be issued.
 - c) The name under which the Mobile Food Vending Unit will be doing business.
 - d) A brief description of the food items to be sold.
 - e) A copy of the county health permit, if required.
 - f) A description of all vehicles to be used in the Mobile Food Vending Unit operation, including license plate number(s), and a complete copy of the current vehicle registration(s) and proof of insurance for each proposed Mobile Food Vending Unit.
 - g) Whether the applicant has ever had a license for mobile vending of any kind denied, revoked or suspended, and the date and jurisdiction of the denial, suspension or revocation.
 - h) Whether the applicant has ever been arrested, and if they were convicted, of a violation of any federal, state, or local law involving fraud, theft, violence, indecency, or controlled substances.

Chapter 49 – Mobile Food Vending Units

- i) Indicate if food is to be prepared in the Mobile Food Vending Unit using cooking appliances, and, if so, provide a description of the cooking appliances.

49.5. Restrictions and Requirements

- A. Mobile Food Vending Units cannot operate while stopped or parked on a public roadway or highway. They can operate on private property, with the permission of the property owner, or on public property not including streets and highways.
Exception: Mobile Food Vending Units may operate on residential streets while parked in a legal parking space, and in compliance with the other requirements of the City Code of Ordinances.
- B. Mobile Food Vending Units cannot operate within 300 feet (as the crow flies) of the property line of any brick-and-mortar restaurant.
- C. Mobile Food Vending Units cannot impede access to building entrances or driveways.
- D. Mobile Food Vending Units must remain more than 25 feet away from handicapped parking spaces and access ramps and cannot be placed on any property without the written permission of the property owner.
- E. Mobile Food Vending Units shall be in compliance with all health and welfare requirements of the state or county health departments.
- F. Sufficient trash receptacles must be provided, maintained, and emptied by the Mobile Food Vending Unit operator. Trash within 25 feet of the Mobile Food Vending Unit must be collected by the operator.
- G. Mobile Food Vending Units shall not operate a sound device that produces a loud or raucous noise, use or operate any loudspeaker, public address system, radio, sound amplifier, or similar device to attract public attention.
- H. Mobile Food Vending Units shall not operate in a way that increases traffic congestion or delay, impairs/blocks vehicular or pedestrian travel, poses a hazard to life or property, interferes with an abutting property owner, or obstructs access to emergency vehicles.
- I. Mobile Food Vending Unit operators must have authorization from the property owner(s) to utilize utilities. Licensees shall not connect the Mobile Food Vending Unit to a source of city electricity, water, or sewer, without first obtaining the express permission in writing from the City of Troy for the connection.

Chapter 49 – Mobile Food Vending Units

- J. Mobile Food Vending Unit operators shall not make use of any outdoor cooking facilities, including grills, and shall at no time utilize outdoor storage, warming, or refrigeration devices.
- K. The Mobile Food Vending Unit must be removed from the public property or private property outside of the approved hours of operation.
- L. Mobile Food Vending Units shall not operate within 300 feet of a City fair, festival, farmers market, concert, or any other City event, unless expressly authorized by the City to operate as part of the event. Mobile Food Vending Units shall not operate within 300 feet of any other event being conducted unless the vendor has express authorization from the event sponsor.
- M. Within residential areas, a mobile food vendor may only operate between the hours of 9:00 a.m. and 10:00 p.m. Within non-residential areas, a mobile food vendor may only operate between the hours of 6:00 a.m. and 2:00 a.m.
- N. Public property shall not be altered, and fixtures of any kind shall not be installed on public property by the licensee unless authorized by the City of Troy, including but not limited to signage, or securing or affixing the Mobile Food Vending Unit to any public structure.
- O. A Mobile Food Vending Unit License issued pursuant to this Chapter's provisions shall be displayed in a prominent location visible to customers at all times.
- P. Mobile Food Vending Units shall be required to have an annual inspection completed and passed by the Troy Fire Department in order to receive a license. Inspections will be scheduled by the Fire Department upon the receipt of the application from the City Clerk.

49.6. Suspension or Revocation of License

The City Clerk shall immediately take action to suspend the license of any Mobile Food Vending Unit when there is clear and convincing proof that the permittee or licensee has done any of the following:

- A. Acted in violation of any section of this ordinance or otherwise exceeded the scope of the license or permit granted
- B. Made a false statement on the application (includes affirmative statements and omissions)

- C. Conducted activities in a manner that is contrary to the health, morals, safety or welfare of the public
- D. Revocation or suspension of any required state or county authorization
- E. Arrest for any other federal, state or local controlled substance crime, theft or dishonesty crimes, food adulteration crimes, violent crimes, and crimes against children and/or solicitation

Immediately upon such suspension, the City Clerk shall provide written notice to the license holder by email and First Class US mail to the mailing address as indicated on the application, and the notice shall indicate the reason for the suspension.

If the permittee or licensee wishes to challenge the decision made by the City Clerk, then the licensee must file a written appeal to the City Manager within 14 days of being suspended. If the licensee does not appeal the City Clerk's decision within 14 days, the City Clerk will automatically revoke the permit or license.

Upon receipt of a written appeal, the City Manager will review any and all information surrounding the suspension, and make a written determination within 10 days. After reviewing all pertinent information, the City Manager may overrule the suspension, limit the timeframe for the suspension, revoke the license, or make any other determination under the circumstances. The City Manager's determination is the City's final decision. Failure of the permittee or licensee to timely meet the filing deadlines as set out in this Section waives any right to contest the suspension and ultimate revocation of the license.

49.7. Exemptions

The following persons are exempt from the licensing requirements of this division:

- A. A person authorized and approved by the City to sell/distribute food from a fixed or mobile vending unit during, and as part of, an official City of Troy fair, festival, or special event.
- B. A person authorized and approved by the City to sell/distribute food from a fixed or mobile vending unit during, and as part of, an official City of Troy event where the vendor is otherwise licensed to sell at that specific event.

Chapter 49 – Mobile Food Vending Units

- C. A person who is permitted or licensed under another section of the City Code to sell/distribute food from a fixed or mobile vending unit.

49.8. Violations and Penalties

- A. A violation of any section of this Chapter is a Municipal Civil Infraction subject to the provisions of Chapter 100 of the Code of the City of Troy.
- B. Each day that a violation continues is a separate Municipal Civil Infraction violation. Sanctions for each violation of said sections shall include a fine of not more than \$500.00, costs, damages and injunctive orders as authorized by Chapter 100.

Chapter 60 – Fees and Bonds Required

ITEM/SERVICE:	FEE:
(Adopted 10-23-2017; Effective 11-02-2017)	
Massage Therapist Registration	
Registration Fee	\$10.00
Annual Renewal Fee	\$10.00*
(09-08-08) *(11-24-2008; Enacted: 01-01-2009)	
Medical Marihuana Grow Operation	
Application and License Fee	\$1,500.00
Annual License Renewal Fee	\$1,500.00
(04-23-2018; Enacted: 05-03-2018)	
<u>Mobile Food Vending Unit (Chapter 49)</u>	
<u>Annual License Fee</u>	<u>\$100.00</u>
Motor Vehicle Races (Chapter 66) – Repealed 2/6/2017, Effective 2/16/2017	
Motorcycle & Motor Driven Rental Agency (Chapter 59)	
Each Location	
Annual Fee	\$100.00
Plus, each motorcycle/motor driven cycle Annual Fee	\$100.00
NOTARY SERVICE	
Required as part of official City business	No Charge
Fee per Notary Act	\$10.00
<i>Troy Resident or Troy Property Owner.</i>	
First Notary Act	No Charge
Subsequent Notary Act/s (per Notary Act)	\$10.00
(Rev. 03-23-09; Effective: 04-01-2009)	
Peddlers & Solicitors (Chapter 74)	
Per week	\$20.00
Per month	\$40.00
Annual Fee	\$100.00
Pet Shop (Chapter 75 – Repealed 03-28-2011)	
POLICE RECORDS SECTION SERVICE FEES	
ALARM REGISTRATION	
Alarm Registration Fee (Chapter 103)	\$25.00
Renewal of Alarm Registration*	\$25.00
Alarm Shut-off Fee	Actual Costs**
Non-Registered Alarms – Alarm Activation:	

Chapter 60 – Fees and Bonds Required

ITEM/SERVICE:	FEE:
PRECIOUS METALS, GEMS AND ITEMS (Chapter 69)	
Dealer Fee: Per Establishment	\$50.00
Fees collected by City Clerk as part of application and permitting process	
PRELIMINARY BREATH TEST ADMINISTRATION FEES	
City of Troy residents	\$5.00
Non-residents	\$10.00
REPORTS	
Labor charge-Except CAD Short Report (first 15 minutes)	\$7.00
Charge for each additional 15 minute interval	\$7.00
Each page, after the first 10 pages	0.32¢
CAD Short Report	\$3.50
These fees also apply to true copies of reports as required by subpoena	
TAXICAB/LIMOUSINE DRIVER, AND PEDDLER LICENSE, <u>AND MOBILE FOOD VENDING UNIT CLEARANCES</u>	
Taxicab/Limousine driver license processing fee (Chapter 65)	\$24.00 ³
<u>Mobile Food Vending Unit processing fee (Chapter 49)</u>	<u>\$24.00³</u>
Peddler license processing fee (Chapter 74)	\$24.00 ³
³ The fee includes \$10.00 for the clearance, plus a \$14.00 fingerprint processing fee	
Fees collected by City Clerk as part of application and permitting process	
(04-20-2009)	
Sidewalk and Approach Permits (Chapter 34)	
Minimum Permit Fee	\$35.00
Each additional 50 square feet above 500 square feet	\$1.00
Re-Inspection Fee	\$20.00
(Rev. 07-07-2008)	
Sign Permits (Chapter 85)	
Painted Wall Sign – under 100 square feet	\$ 75.00
Painted Wall Sign – 101 – 200 square feet	\$100.00
Painted Wall Sign – 201 – 300 square feet	\$100.00
Attached Wall Sign – under 100 square feet	\$100.00
Attached Wall Sign – 101 – 200 square feet	\$125.00
Attached Wall Sign – 201 – 300 square feet	\$150.00
Ground Sign – under 100 square feet	\$125.00
Ground Sign – 101 – 200 square feet	\$150.00
Ground Sign – 201 – 300 square feet	\$175.00
Road Closure Construction Sign	\$ 30.00
Special Event Sign	\$ 30.00
(Rev. 06-07-2010)	

Chair Abitheira called the Regular meeting of the Building Code Board of Appeals to order at 3:04 p.m. on February 2, 2022 in the Council Chamber of Troy City Hall.

1. ROLL CALL

Members Present

Gary Abitheira

Teresa Brooks

Matthew Dziurman

Sande Frisen

Members Absent

Mark F. Miller, City Manager

Support Staff Present

Salim Huerta, Building Official

Jackie Ferencz, Planning Department Administrative Assistant

2. APPROVAL OF MINUTES – November 3, 2021

Moved by: Frisen

Support by: Brooks

RESOLVED, To approve the minutes of the November 3, 2021, Regular meeting as submitted.

Yes: All present (4)

Absent: Miller

MOTION CARRIED

3. HEARING OF CASES

* *Note: The Chair opened the floor for public comment for the following cases without verbally stating the Public Hearing was opened and closed.*

A. **VARIANCE REQUEST, CHERYL L. SMITH, 1299 MILVERTON** – This property is a double front corner lot. Per the City of Troy Zoning Ordinance, it is in the R-1E use district. As such per Chapter 83 of the City of Troy Code, it has a 25 feet required front setback along both Milverton (North-South) and Milverton (East-West). The petitioner is requesting a variance to install a 6-feet high, 132 feet long obscuring vinyl fence one (1) foot from the property line along the Milverton (North-South) side, where the City Code limits to 30 inches obscuring high fences due to the fact that there is not a back-to-back relationship to the rear neighboring lot. The variance request is for 36 feet of the total 132 feet of fence, 96 feet of the fence do not require a variance. **CHAPTER 83**

Mr. Huerta read the variance request narrative. Mr. Huerta reported one written communication was received from Water Resources Commissioner (WRC) addressing storm drain, sanitary sewer, water system and soil erosion.

The applicant Cheryl L. Smith was present. Ms. Smith said she wants to replace the deteriorated wood fence that is now removed with a resin fence. The fence would provide safety and security from park traffic and would be a deterrent for noise from barking dogs. Ms. Smith addressed concerns with safety of children who walk into her yard to pet neighboring dogs through an existing chain link fence. Ms. Smith said the new fence would be aesthetically more pleasing.

There was discussion on:

- Information and pictures submitted with request.
- Stub street connection to park; used by City to service park.
- Fence layout, proposed setback, distance of setback from sidewalk.
- Existing neighboring fences in relationship to the park.
- Department of Public Works (DPW) internal review of fence permitting.
- Applicant's property is adjacent to sidewalk used for park entry.
- No record of fence permit on file for original wood fence.

Chair Abitheira opened the floor for public comment.

There was no one present who wished to speak.

Chair Abitheira closed the floor for public comment.

Mr. Huerta advised the applicant that should the Board grant the variance request, the Department of Public Works (DPW) would conduct its review that is a standard procedure for all fence permitting.

Chair Abitheira advised the applicant she has the option to postpone the item until a full Board is present.

Ms. Smith said she would like to go forward with the request today.

Moved by: Dziurman
Support by: Brooks

RESOLVED, To **approve** the variance request for 1299 Milverton as specified by the applicant with no exception at this point, for the following reasons:

1. It does not impact any hardships on the community.
2. It creates difficulties for the homeowner for which this Board would like to resolve.

Yes: All present (4)

Absent: Miller

MOTION CARRIED

- B. **VARIANCE REQUEST, SAPPHIRE BUILDING INC., 1432 WATTLES** – This property is an interior lot and it is in the R1-B use district, as such it has 40 feet required front setback along W. Wattles. The petitioner is requesting a variance to install a 4.5 feet high 253.95 feet non-obscuring metal fence and 6 masonry columns at 5 feet high. All items with a setback of one (1) foot from the property line along W. Wattles and sides of the 40 feet setback, where the City Fence Code limits fences to 30 inches. The total length of the fence requested by the petitioner to be permitted by the Building Department is 970 feet, which only the 253.95 feet of the fence require a variance. *CHAPTER 83*

Mr. Huerta read the variance request narrative. Mr. Huerta reported one written communication was received from Srinivasan Ravindran, 4055 Glencastle, in opposition relating to topography and drainage concerns.

Present were Amie Ackerman representing Sapphire Building Inc. and property owner Danish Mazhar.

Ms. Ackerman said the homeowner of the newly construction house would like a fence with a gate that would enclose the property for security and privacy purposes. She indicated the homeowner would like to utilize as much of the front yard as possible. She said there is plenty of room to enter the property and open the gate to gain access to the home. Ms. Ackerman said the homeowner would like the fence in lieu of landscaping for easier maintenance.

Mr. Mazhar shared with the Board his concern for security and safety of his child who is on the autistic spectrum. He said enclosing the property with a fence would offer protection from his child entering the street or neighboring properties.

There was discussion on:

- Information and pictures submitted with request.
- Proposed setback as relates to sidewalk, distance to house from property line.
- Alternative method to provide security; landscaping with arborvitaes.
- Similar variance request (home on Long Lake) for fence and gate.
- Existing neighboring fences as relates to setback requirements, relationship to road and adjacent homes.
- Safety of pedestrian traffic; as relates to columns and gate opening(s).
- Potential future widening of Wattles; addressed eminent domain, span of property to accommodate vehicle pulling in without obstructing vehicular or pedestrian traffic.

- Configuration of setback as relates to gate opening, columns, clear corner visual.
- Concerns of Board setting a precedent, if granted.
- Communication received in opposition to variance request.

Chair Abitheira opened the floor for public comment.

- James Guisinger (no address provided); impartial to variance request, addressed City fence permits with respect to homeowners' association regulations.

Chair Abitheira closed the floor for public comment.

Mr. Huerta offered to assist Mr. Guisinger during regular business hours with any questions he might have.

The Board encouraged the applicant to look at a home located on Long Lake Road for which the homeowner was before this Board with a similar variance request.

Moved by: Brooks

Support by:

RESOLVED, To **deny** the variance request at 1432 Wattles, for the following reasons:

1. The characteristics of the property would allow a fence to be set back farther.
2. Compliance with a 30-inch fence can be met.

MOTION FAILED (for lack of support)

A lengthy discussion continued among the Board and Mr. Mazhar to determine an agreeable distance to set back the fence.

Mr. Huerta said it appears with information he just researched that the applicant's property would not be compromised with a potential future widening of Wattles.

Chair Abitheira advised the applicant he has the option to postpone the item until a full Board is present.

Mr. Mazhar said he would like to go forward with the request today.

Yes: Frisen

No: Dziurman

RESOLVED, To **approve** the variance request at 1432 Wattles with the caveat that the fence is moved ten (10) feet back from the south lot line, for the following reason:

1. The variance would not be harmful to the essential character of the area in which the property is located.

Yes: Abitheira, Dziurman, Frisen
No: Brooks
Absent: Miller

MOTION CARRIED

4. COMMUNICATIONS – None

5. PUBLIC COMMENT

There was no one present who wished to speak.

6. MISCELLANEOUS BUSINESS

There was discussion on:

- 2022 calendar dates.
- Process to amend Chapter 83.

7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 4:26 p.m.

Respectfully submitted,



Gary Abitheira, Chair



Kathy L. Czarnecki, Recording Secretary
(Prepared via website videotape)

On February 15, 2022 at 7:30 p.m., Chair Bossenbroek, called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

Michael Bossenbroek
Thomas Desmond
David Eisenbacher
Jefferey Forster
Aaron Green
Mahendra Kenkre
Jayalakshmi Malalahalli

Also Present:

Paul Evans, Zoning and Compliance Specialist
Allan Motzny, Assistant City Attorney
Barbara Chambers, ZBA Alternate

2. PROCEDURE- read by Vice Chair Eisenbacher

3. APPROVAL OF MINUTES –

Minutes of September 21, 2021

MOTION to amend the minutes

Moved by Green
Seconded by Desmond

RESOLVED, to amend the September 21, 2021 meeting minutes.

Yes: All

MOTION PASSED

MOTION to approve the amended minutes

Moved by Eisenbacher
Seconded by Green

RESOLVED, to approve the amended September 21, 2021 meeting minutes.

Yes: All

MOTION PASSED

4. APPROVAL OF AGENDA – no changes

5. HEARING OF CASE:

VARIANCE REQUEST, SARAH & JIM ROLL, 4721 STODDARD- A variance request to construct a home addition setback 34.5 feet from the rear property line, where the Zoning Ordinance requires the addition to be setback at least 40 feet from the rear property.

Moved by Eisenbacher
Second by Desmond

RESOLVED, to grant the variance

Yes: All

MOTION PASSED

6. COMMUNICATIONS – None7. MISCELLANEOUS BUSINESS – Member Green reminded everyone that members seeking reappointment must file forms with City Clerk.8. PUBLIC COMMENT –None9. ADJOURNMENT –The Zoning Board of Appeals meeting ADJOURNED at 7:53 pm.

Respectfully submitted,



Michael Bossenbroek, Chair



Paul Evans, Zoning and Compliance Specialist

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Chair Lambert called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on May 10, 2022, in the Council Chamber of the Troy City Hall. Chair Lambert and Vice Chair Perakis presented opening remarks relative to the role of the Planning Commission and procedure of tonight's meeting.

1. ROLL CALL

Present:

Toby Buechner
Carlton M. Faison
Tom Krent
David Lambert
Marianna Perakis
Sadek Rahman
John J. Tagle

Absent:

Michael W. Hutson
Lakshmi Malalahalli

Also Present:

R. Brent Savidant, Community Development Director
Ben Carlisle, Carlisle Wortman Associates
Julie Quinlan Dufrane, Assistant City Attorney
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2022-05-026

Moved by: Tagle
Support by: Rahman

RESOLVED, To approve the Agenda as prepared.

Yes: All present (7)
Absent: Hutson, Malalahalli

MOTION CARRIED

3. APPROVAL OF MINUTES – April 26, 2022

Ms. Perakis asked that the April 26, 2022 draft minutes reflect a revision on page 3, first paragraph, third sentence, with respect to the base price of homes, to read: "He [Mr. Michael] indicated a price range of \$500,000 to \$800,000, plus additional costs for structural options available to purchaser."

Resolution # PC-2022-05-027

Moved by: Perakis

Support by: Krent

RESOLVED, To approve the minutes of the April 26, 2022 Regular meeting as revised.

Yes: All present (7)

Absent: Hutson, Malalahalli

MOTION CARRIED**4. PUBLIC COMMENT – For Items Not on the Agenda**

There was no one present who wished to speak.

PUBLIC HEARING**5. PUBLIC HEARING - PRELIMINARY SITE PLAN REVIEW (SP JPLN2021-0028) – Proposed Golden Villas One Family Residential Cluster, South side of Square Lake, West of Dequindre (PIN 88-20-12-200-031 and 88-20-12-200-035), Section 12, Currently Zoned R-1C (One Family Residential) District**

Mr. Carlisle reviewed the background of the Preliminary Site Plan application for Golden Villas cluster development as relates to location, parcel size, adjacent zoning, access and natural features. Mr. Carlisle reported eight (8) units could be constructed as indicated on the parallel plan, and the applicant is seeking four (4) additional units above the parallel plan for a total of twelve (12) by doing a cluster. He said the plan preserves 33% of the total site as open space and 1,900 square foot homes with first floor master bedroom and bath would be constructed. Mr. Carlisle said the 33% of open space is a collar around the property and a T-turnaround would be provided at the end of the road.

Mr. Carlisle reported the application is deficient twenty (20) trees along Square Lake. He noted the applicant has resubmitted a landscape plan to correct the deficiency but at this time the administration has not had the opportunity to review it.

Mr. Carlisle addressed the applicant's request to seek waivers of the rear lot and perimeter setback requirements to construct decks. He addressed elevations and building materials. He said the applicant is required to submit three diverse elevations and has only provided one elevation. Mr. Carlisle reviewed the Cluster Standards as set forth in Section 10.04.I of the Zoning Ordinance.

In summary, Mr. Carlisle said the Planning Commission shall determine if requirements are met to qualify for cluster development option, if the required standards have been met, and if the additional number of units is commensurate with open space being preserved and the provision of smaller homes. He asked the Planning Commission to consider the applicant's request to seek relief for the required setbacks for the construction of decks, and that the applicant provide two additional housing elevations and the required trees along Square Lake.

Discussion among Administration and Board members:

- Housing elevations; 1,900 square foot maximum, diversity, first floor master bedroom.
- Open space; amenities, grading, preservation of trees, buffer, maintenance, as relates to parallel plan.
- Parallel plan vs cluster development option; as relates to open space, setback encroachments for decks, size of homes, lot size, connectivity to residential to the south.
- Potential to require additional trees on site.

Mr. Savidant said the applicant would be required to submit an Open Space Preservation Agreement prior to Final Site Plan approval. He said the applicant is not required to plant additional trees under the Woodland Protection Ordinance and by Resolution only could the Planning Commission request additional trees.

Present were owner/applicant Sam DiMercurio and John Thompson of Professional Engineering Association (PEA).

Mr. Thompson said the open space would not be an active area but a natural buffer collar around the property, enhanced with additional trees and, with time, an improved buffer for properties. He stated the amenities offered are the 33% preservation of open space and the construction of 1,900 square foot homes in response to the City desire for smaller homes. Mr. Thompson said they would engage the project architect to prepare additional elevations for administrative approval.

Mr. DiMercurio estimated the price point for homes on the market in the subdivision located south of the proposed development at \$800,000 to \$900,000. He indicated the price point for homes in the cluster development would be \$500,000 to \$600,000. Mr. DiMercurio addressed building materials as brick, Hardie board and lap siding. It was brought to his attention that vinyl siding is not a preferred material.

PUBLIC HEARING OPENED

- Murthy Kowsika, 5874 Colleen; addressed traffic concerns should the proposed development connect with the subdivision to the south.

PUBLIC HEARING CLOSED

There was discussion on:

- No vehicular connection to subdivision to the south with T-turnaround as proposed.
- Open space preservation; as relates to amenity features.
- Cluster development calculations, as relates to bonus density.
- Administrative approval of submission of additional elevations.
- Confirmation of home size; designation of 1,900 square feet would be inclusive in Open Space Preservation Agreement.
- Price point of homes; market-driven, high construction costs, whether consideration of Planning Commission in review process.

Ms. Perakis voiced concerns with the price point of the homes, that the application does not meet the Open Space requirements of the Zoning Ordinance as relates to recreational facilities and the preservation of common open space or creation of natural features. She said the perimeter buffer along Square Lake and the berm on the west side of the development are natural buffers.

Resolution # PC-2022-05-028

Moved by: Krent

Support by: Tagle

RESOLVED, The Planning Commission hereby recommends to the City Council that the proposed Golden Villas Site Condominium (One Family Residential Cluster), 12 units/lots, South side of Square Lake, West of Dequindre (Parcels 88-20-12-200-031 and 88-20-12-200-035), Section 12, approximately 3.0 acres in size, Currently Zoned R-1C (One Family Residential) District, be approved for the following reasons:

1. The cluster development better protects the adjacent properties than if the site were not developed as a cluster.
2. The cluster development is compatible with adjacent properties.
3. The site can be adequately served with municipal water and sewer.
4. The cluster development preserves 33% open space, to remain open space in perpetuity.
5. The cluster development offers 1,900 square foot units with first floor master bedroom and bath, a housing type desired in Troy.

BE IT FURTHER RESOLVED, The Planning Commission recommends approval of granting relief from the required rear yard setback and required perimeter setback as per Section 10.04.E.5, as outlined in the report.

BE IT FINALLY RESOLVED, The Planning Commission offers the following design considerations:

1. Applicant shall provide two (2) additional housing elevation options.
2. Applicant shall provide twenty (20) additional trees along Square Lake Road.
3. Applicant will not use vinyl siding on any part of the exterior of the homes.
4. Applicant shall provide an Open Space Preservation Agreement prior to Final Site Plan approval, which ultimately includes construction of 1,900 square foot homes with master bedroom and bath on the main floor.

Discussion on the motion on the floor.

Chair Lambert addressed the homes as relates to price point and desired square footage. He stated he's not necessarily enthused by the proposed green space but it's a better option than what green space would be provided with a conventional development plan.

Mr. Buechner noted it appears there is no opposition from neighboring properties of the proposed development.

Vote on the motion on the floor.

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

MOTION CARRIED**PRELIMINARY SITE PLAN REVIEW**

6. PRELIMINARY SITE PLAN REVIEW (SP JPLN2022-0002) – Proposed Norton and Quill Site Condominium, Northwest Corner of Norton Street and Quill Creek Drive (PIN 88-20-03-251-043 and 88-20-03-251-044), Section 3, Currently Zoned R-1B (One Family Residential) District

Mr. Carlisle reviewed the Norton and Quill Preliminary Site Condominium application as relates to location, number of units, parcels, lot size, access, surrounding zoning and natural resources. Mr. Carlisle addressed rear yard setback requirements for units 3 and 4 and noted compliance could easily be rectified with submission of a revised plan. He addressed the stormwater management facility as relates to location between units 1 and 2, access and maintenance. Mr. Carlisle addressed access to 6443 Norton through one of the newly created lots, indicating an easement reviewed by the City Attorney and recorded by Oakland County would be required.

Mr. Carlisle said the applicant is required to provide a tree survey and mitigation requirements, elevations of all four sides of the homes and building materials, and the landscape plan is required to be stamped by a licensed Landscape Architect.

In summary, Mr. Carlisle said the Planning Commission can either allow the applicant to address the outstanding items as identified in his report dated May 6, 2022 as part of Final Site Plan review, or the application can be postponed until those items are addressed.

Discussion between administration and Board members:

- Driveway encroachment on property to the north (6443 Norton).
- Drainage as relates to existing creek.

Present were Thomas Alsobrooks and Aaron O'Connor representing Mauro Engineering.

Mr. Alsobrooks stated the existing gravel driveway at 6443 Norton would be removed and relocated for access to the home's side entry garage. He affirmed an easement would not be required.

Mr. O'Connor said conceptual elevations were submitted and they would follow through with the required elevations to meet requirements of the Zoning Ordinance. He addressed building materials as relates to different floor plans; brick, Hardie board, lap siding. He indicated no siding would be used on any of the front elevations. Mr. O'Connor clarified they were not the builder for the homes on Quill Creek and indicated the homes for the proposed development would be a different style but similar in size.

Chair Lambert opened the floor for public comment.

- Jay Welch, 6408 Montclair; addressed City notice to residents; expressed concerns with existing drainage, flooding, effect of fill by previous adjacent property owner.
- Danny Thieu, 628 Quill Creek; addressed existing drainage, flooding issues.
- Heather Welch, 6408 Montclair; addressed damage to their fence and neighbor's fence resulting from drainage issues.

Chair Lambert closed the floor for public comment.

Mr. Savidant explained a site condominium application does not require a Public Hearing and a notice to residents is not required by law. Mr. Savidant said the notice sent to residents on this item was mailed as a courtesy and he apologized for the lateness. He briefly explained the process of building under the Site Condominium Act.

Mr. Savidant said if the application is granted approval this evening, the Engineering Department would review the application during the Final Site Plan approval process. He said it's City standard that a new development does not exacerbate existing drainage issues, and he indicated that typically during this process existing drainage issues are alleviated.

There was discussion on:

- Architectural features and building materials; potential to request ranch style homes only and request no vinyl siding.
- Detention basin; potential improvement for existing drainage issues.
- Access drive to detention basin; location, maintenance, access easement agreement with City.
- Driveway at 6443 Norton; either eliminate designation on a revised site plan, or reference in Resolution that access easement is required should driveway remain on site.

Ms. Dufrane addressed how the driveway at 6443 Norton should be addressed in the Resolution, as referenced above during discussion.

Ms. Dufrane addressed the difference in discretionary standards of a cluster development application and a site condominium application. She said she is less comfortable with the Planning Commission placing conditions on a site condominium application as relates to style of homes and building materials. Ms. Dufrane said conditions to a site condominium application should be reasonably related to the health, safety and welfare of the residents.

Resolution # PC-2022-05-029

Moved by: Perakis

Support by: Buechner

RESOLVED, That Preliminary Site Condominium Approval, pursuant to Article 8 and Section 10.02 of the Zoning Ordinance, as requested for Norton and Quill Site Condominium, 4 units/lots, Northwest corner of Norton Street and Quill Creek Drive (Parcels 88-20-03-251-043 and 88-20-03-251-044), Section 3, approximately 1.786 acres in size, Currently Zoned R-1B (One Family Residential) District, be granted, subject to the following:

1. Provide tree survey and mitigation requirements.
2. Provide easement for the access drive to detention basin.
3. Submit revised plan with 45-foot rear setbacks.
4. Have landscape plan prepared by licensed Landscape Architect.
5. Provide elevations of all four sides and provide materials.
6. Resubmit the plan showing the elimination of the driveway at 6443 Norton.

Yes: All present (7)

Absent: Hutson, Malalahalli

MOTION CARRIED**OTHER ITEMS**7. **PUBLIC COMMENT** – For Items on the Agenda

There was no one present who wished to speak.

8. **PLANNING COMMISSION COMMENT**

There were general comments, some relating to:

- Price point of homes; consideration by Planning Commission.
- National Planning Conference.
 - Attended by Mr. Savidant and Mr. Carlisle.
 - Induction of Richard Carlisle into the AICP College of Fellows.
- City signage for proposed developments.
- Federally funded park project at Civic Center and Town Center Drives.
 - Presentation of concept plan at next Planning Commission meeting.

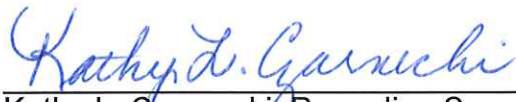
9. **ADJOURN**

The Regular meeting of the Planning Commission adjourned at 8:53 p.m.

Respectfully submitted,



David Lambert, Chair



Kathy L. Czarnecki, Recording Secretary

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