

**CITY OF MADISON HEIGHTS
300 W. 13 MILE ROAD
REGULAR COUNCIL MEETING AGENDA
JANUARY 10, 2022
7:30 P.M.**

AGENDA:

CALL TO ORDER

ROLL CALL

INVOCATION – COUNCILOR ROHRBACH

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA:

1. Additions
2. Deletions

PRESENTATIONS

A – PUBLIC HEARINGS:

1. Street Vacation 21-01 – Barrington Road-465 and 501 W. Girard Ave. and 30125 Northeastern Highway
2. Special Approval 21-06 – 233 and 239 W. 11 Mile Road, Sale of Secondhand Automobiles
3. DPS Director – Resolution Supporting Oakland County Grant Application

ITEMS ON AGENDA OF INTEREST TO PARTIES IN THE AUDIENCE

B - MEETING OPEN TO THE PUBLIC:

C – COMMUNICATIONS:

1. Alexander Bedz – Resignation from Library Advisory Board
2. DPS Director – Emergency Purchase of 5 Replacement Police Cars

D – REPORTS:

1. City Manager – Sale of Parcel 25-11-377-019, 29022 Stephenson Highway
2. City Manager – Resolution Supporting the Application to the Michigan Council for Arts & Cultural Affairs Minigrant Project

E - ITEMS FOR FUTURE PUBLIC HEARINGS:

F - BID AWARDS/PURCHASES:

1. DPS Director – Police Department Sanitary Sewer Replacement

G - ORDINANCES:

1. CED Director – Rezoning Request 21-01, Ordinance No. 2175, Request to Rezone 26783 Lenox Ave. from R-3, Single-Family to P-1, Vehicular Parking
2. CED Director – Rezoning Request 21-02, Ordinance No. 2176, Request to Rezone 26744 Osmun Street from R-3, Single-Family, to B-3, General Business
3. CED Director – Ordinance No. 2173, Zoning Text Amendment 21-09. Off-Street Parking, Second Reading

H - UNFINISHED BUSINESS:

MINUTES:

1. Special City Council meeting minutes of 12-06-21
2. Special City Council meeting minutes of 12-13-21
3. Regular City Council meeting minutes of 12-13-21

J - EXECUTIVE SESSION:

ADJOURNMENT

NOTICE: Persons with disabilities needing accommodations for effective participation through electronic means in this meeting should contact the City Clerk at (248) 583-0826 or by email: clerks@madison-heights.org at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

DATE: January 6, 2022

TO: City Council

FROM: Melissa R. Marsh, City Manager

SUBJECT: Agenda Comments for the Regular Council Meeting of
Monday, January 10, 2022

The following are my comments for items appearing on the agenda of the Regular Council Meeting of Monday, January 10, 2021.

A - PUBLIC HEARINGS:

**NUMBER 1: STREET VACATION 21-01 – BARRINGTON ROAD-465 AND 501
W. GIRARD AVE. AND 30125 NORTHEASTERN HIGHWAY**

The Community & Economic Development Department has received a request to vacate a 30 ft.-wide unimproved right-of-way, known as Barrington Road, adjacent to Lot 39 of the Royal Acres Subdivision (465 and 501 W. Girard Ave.) and Lot 320 of the Northeastern Highway Subdivision (30125 Northeastern Hwy.). All adjacent property owners have signed the petition.

Per the Code of Ordinances City Council may consider petitions to vacate a street, alley, or right-of-way. When 100% of adjacent property owner's sign the petition, City Council considered this request at the Regular City Council meeting of December 13, 2021 and established a public hearing for January 10, 2022.

Following the public hearing, staff and I recommend approval of the proposed unimproved right-of-way as stated above.

**NUMBER 2: SPECIAL APPROVAL 21-06 – 233 AND 239 W. 11 MILE
ROAD, SALE OF SECONDHAND AUTOMOBILES**

Xiadong Chen, has requested special approval for the sale of secondhand automobiles at 233 and 239 W. 11 Mile Road zoned B-3, General Business district. The subject properties are located on the south side of W. 11 Mile, west of Brush Street within the Downtown Development Authority (DDA) district.

While the B-3 District permits a range of commercial and office uses and the proposed use is compatible with existing commercial land uses along W. 11 Mile Road this site does not satisfy dimensional standards of the Zoning Ordinance or

minimum parking space requirements. If approved the applicant will need to seek variance from the ZBA for these deficiencies. Further, the proposed use is not consistent with the City Center future land use designation as contained in the 2021 Master Plan and is not consistent with the vision of the DDA District. In addition, the DDA Board reviewed the proposed use and recommends denial.

Based on the above mentioned information staff and I recommend City Council deny the special request 21-06 for 233 and 239 W. 11 Mile Road for the sale of secondhand automobiles due to the site not meeting dimensional standards of the Zoning Ordinance, no meeting minimum parking space requirements, not consistent with the 2021 Master Plan designation or vision of the DDA Board.

NUMBER 3: DPS DIRECTOR – RESOLUTION SUPPORTING OAKLAND COUNTY GRANT APPLICATION

As part of the recently renewed Oakland County Parks Millage, Oakland County Parks and Recreation (OCPR) has established a grant program for park projects and improvements in cities, villages, and townships in Oakland County. Due to the time-sensitive nature of this grant, Staff determined that it would be best utilized pursuing supplemental funding to enhance the planned Ambassador Park Tennis Court project. While this is not a formal public hearing, a public comment period is required by Oakland County.

Funding is currently budgeted for replacement of the failing asphalt tennis court surface. By utilizing the currently budgeted funding as a match, assuming grant approval, we would be able to include replacement of the surrounding fence, and consider other improvements, including a dual-use pickleball court, improved play surfacing, and installation of backboards for single-player tennis.

Staff is requesting a public comment period be opened at the Council meeting for the purpose of soliciting any comment or resident feedback regarding this project. Following public comment staff and I recommend City Council approve a supporting resolution for our grant application.

C - COMMUNICATIONS:

NUMBER 1: ALEXANDER BEDZ – RESIGNATION FROM LIBRARY ADVISORY BOARD

Alexander Bedz has submitted his resignation from the Library Advisory Board. City Council is requested to accept this resignation and declare the seat vacant.

NUMBER 2:DPS DIRECTOR – EMERGENCY PURCHASE OF FIVE REPLACEMENT POLICE CARS

The adopted FY 2022 Budget includes funding for the scheduled replacement of four police patrol vehicles, which based on condition analysis are Patrol #104, #107, #109, and #114. Additionally, Patrol #106 was involved in a serious crash, and has now been deemed a total loss by our insurance carrier.

Due to ongoing supply chain issues the ordering window closed almost immediately before the City was able to submit an order any vehicles. In researching the issue for a resolution staff discovered that every department in the area was having difficulty with new vehicle purchases from all of the big three auto makers and that they are not doing any further production of police vehicles beyond the orders they have already received.

Galeana's VanDyke Dodge, the dealership we typically use through the Oakland County cooperative purchasing program, had six 2021 model vehicles on their lot that they recently received, that fit the City's needs. With several other agencies negotiating for the purchase of these vehicles due to the shortages, the City Manager authorize an Emergency Purchase for five patrol vehicles from Galeana's VanDyke Dodge of Warren in order to secure our ability to purchase vehicles. This purchase was made using the Oakland County cooperative pricing agreement. This Emergency Purchase was approved in accordance with the City Charter section 2-255 due to extreme circumstances and the City took delivery of these five vehicles on December 21st.

Four (4) of these vehicles were included in the current budget year for replacement with one additional to be replaced from insurance coverage. City Council is not required to approve this purchase since it is has already been authorized so we are requesting City Council receive and file this information.

D - REPORTS:

**NUMBER 1: CITY MANAGER – SALE OF PARCEL 25-11-377-019, 29022
STEPHENSON HIGHWAY**

The City of Madison Heights owns parcel 25-11-377-019, a small strip of land in front of Col's Place Restaurant entrance located at 29022 Stephenson Highway. We have been in a lease agreement with the various property owners since 1974. In mid- 2020, we approached the owner of Col's Place Restaurant, located at 29022 Stephenson Highway, to discuss the expiring lease agreement. At that time, the owner requested to purchase this parcel to combine with the other lot parcels for redevelopment. The City has researched this idea and agrees that the City no longer has use for this parcel, and the best use is redevelopment.

Therefore, we have tentatively agreed to sell the parcel for the current taxable value of \$18,370 plus all associated costs, including engineering and legal services. We will reserve an easement for underground utilities and the right for the City and utility companies to perform any necessary maintenance and repairs. The owner will be required to continue to pay all taxes until the closing and ownership transfer, and the parcel will be required to be combined with parcel 25-11-377-016.

Following our City Charter section 12-1 Purchase or Sale of Property. The City Manager shall be responsible for the purchase and sale of all city property. The City Council, by ordinance, requiring five (5) affirmative votes, shall provide for conditions and amounts in which all sales or purchases will be made without Council approval. The Charter section requires comparative prices for the sale; however, this parcel has no value to any other party.

If Council concurs, appropriate action would be for City Council to authorize the sale of 29022 Stephenson Highway parcel 25-11-377-019 for the above-listed conditions and amount and authorize the City Manager and City Clerk to sign the purchase agreement on behalf of the City.

NUMBER 2: CITY MANAGER – RESOLUTION SUPPORTING THE
APPLICATION TO THE MICHIGAN COUNCIL FOR ARTS & CULTURAL AFFAIRS
MINI GRANT PROJECT

Michigan Council for Arts & Cultural Affairs (MCACA) provides grants to encourage, initiate and facilitate an enriched artistic, cultural and creative environment in Michigan. Funds are appropriated each year in the state budget to fund activities. This year the MCACA has partnered with Regional Services Agencies throughout the state within fifteen (15) regions determined by county(ies) to offer minigrants for projects up to \$4,000 for special opportunities to address arts and cultural programs locally.

This grant program was forwarded to the Art's Board and Human Relations and Equity Commission (HREC). The HREC has asked to request funding to support this year's Juneteenth program. The application was completed and submitted through the City on behalf of the City HREC. The grant application has been submitted ahead of the January 15 deadline with review pending approval of the City Council. Special thank you to HREC volunteers Nickole Fox and Cemone Moy.

Therefore, the HREC recommends City Council approve the attached resolution supporting the application to the Michigan Council for Arts and Cultural Affairs for \$4,000 to support the 2022 Juneteenth Event to be held June 18, 2022.

F – BID AWARDS/ PURCHASES:

NUMBER 1: DPS DIRECTOR – POLICE DEPARTMENT SANITARY SEWER
REPLACEMENT

The FY 2021 Budget includes funding for the replacement of the suspended sanitary plumbing in the lower level of the Police Department. This project

was prioritized after a failure of a cast iron trap caused a severe sewage leak. Several other issues are also manifesting themselves, including a transient odor of sewage in the lower level and west stairwell and hallway and an ongoing backup issue, which is partly due to the overall condition of the plumbing itself. Multiple attempts have been made to identify and correct this issue, to no avail.

In order to address the issue completely, staff first had a thorough test of the sanitary system conducted, which included the preparation of a recommendation to move forward. The plumbing is original to the building and consists of no-hub cast iron, which binds each 10-foot segment, fitting, and fixture with a rubber and steel band. This smoke test inspection determined that nearly every one of these bands is dry-rotted,

causing odor, leakage, and misalignment issues. Additionally, several segments of pipe are showing signs of rotting through. Although these bands could be individually replaced, as well as the affected sections of pipe, the labor required to do so is not cost-effective when compared to a total replacement of the plumbing.

The original bid was written for a like-for-like replacement with no-hub cast-iron; an alternate bid was provided and is preferred, to replace with solvent-welded PVC. This not only will provide a much more long-lasting and maintenance-free system but is also over \$11,000 cheaper than the cast-iron option. Our Fire Marshal has also confirmed that this would be acceptable based on code.

The sole responsive bidder is Allied Building Service Company of Detroit, Michigan. This is a firm with extensive municipal experience, which provides all manner of turnkey building trade services. This proves beneficial for a project such as this because there are multiple other trades involved in dropping the hallway ceiling, taking down ductwork, and so on. Because Allied is an all-in-one company, they would not need to subcontract these services in order to perform the project efficiently.

When considering the serious difficulty in sourcing contractors due to the labor shortage and supply chain issues, the additional due diligence performed to determine the necessity and scope of work, and the highly positive reference checks and experience of the vendor, Staff believes that this bid and vendor is in the best interest of the City, and will provide the most long-lasting and economical solution to this issue. Staff and I recommend two motions: First, since this project is over the initially budgeted amount, we first request that Council consider a Budget Amendment for \$24,230 to account 101-301-9870-000. This would require a super-majority of Council. Second, if the budget amendment is approved, we request that the City Council award the bid for the Police Department Sanitary Plumbing Replacement to Allied Building Service Company, of Detroit, Michigan, for a total project cost of \$37,360.

G - ORDINANCES:

NUMBER 1: CED DIRECTOR – REZONING REQUEST 21-01, ORDINANCE NO. 2175, REQUEST TO REZONE 26783 LENOX AVE. FROM R-3, SINGLE-FAMILY TO P-1, VEHICULAR PARKING

The applicant, Marusich Architecture, requests to rezone one (1) parcel of land at 26783 Lenox Avenue from R-3, Residential, to P-1, Vehicular Parking district. The property is located on the west side of Lenox Ave., south of 11 Mile Rd. The subject property is approximately 0.15 acres in area and is currently improved with a 967 sq. ft. single-family residence and detached garage. The applicant requests the rezoning in order to accommodate additional off-street parking for a proposed commercial development. This rezoning would be required for almost any type of redevelopment. The applicant has discussed conceptual plans for the proposed development, which currently include a restaurant and either apartments or hotel.

The only permitted uses in the P-1 district are off-street parking areas and residential buildings; existing residential uses are permitted as a conforming use. The P-1 district includes minimum parking lot setback, design, and screening requirements, which will need to be satisfied as part of site plan review.

When reviewing a rezoning request, the City Council should review the proposed district's consistency and compatibility with adjacent land uses and the future land use map as laid out in the Master Plan.

At their December 21st, 2021 meeting, the Planning Commission's reviewed the findings and recommended City Council approve rezoning request PRZN 21-0001 upon first reading and schedule the public hearing for February 14th, 2022.

NUMBER 2: CED DIRECTOR – REZONING REQUEST 21-02, ORDINANCE NO. 2176, REQUEST TO REZONE 26744 OSMUN STREET FROM R-3, SINGLE-FAMILY, TO B-3, GENERAL BUSINESS

The applicant, Woodpile BBQ, requests to rezone one (1) parcel of land at 26744 Osmun St. from R-3, Residential, to B-3, General Business district. The property is located at the southeast corner of E. 11 Mile Road and Osmun Street. The subject property is approximately 0.20 acres in area and is currently improved with a 910 sq. ft. single-family residence and detached garage. The applicant requests the rezoning in order to accommodate additional off-street parking for Woodpile BBQ, located immediately to the east of the subject site.

The applicant has provided conceptual plans for the proposed parking lot. The subject site is located immediately to the west of Woodpile BBQ, which is zoned B-3. Properties immediately to the east, north and west are zoned B-3 and improved with commercial uses, while the property to the south is zoned R-3 and improved with a single-family residence. The subject site is located within the boundaries of the DDA. The future land use designation of the subject site is "Commercial." Per the Master Plan, the Commercial designation is intended to accommodate, "a broad range of goods and services." The B-3 zoning district aligns with the future land use plan and vision of the Master Plan.

At their December 21st, 2021 the Planning Commission's reviewed the findings and recommended that the City Council approve rezoning request PRZN 21-0002 upon first reading and schedule the public hearing for February 14th, 2022.

NUMBER 3: CED DIRECTOR – ORDINANCE NO. 2173, ZONING TEXT AMENDMENT 21-09. OFF- STREET PARKING, SECOND READING

Proposed Zoning Ordinance 2173 sets minimum parking requirements for specific use types, often presented as ratios based on building area or maximum occupancy rates. Many of these minimum parking ratios were originally adopted to satisfy peak demand for the individual use rather than average demand. As a result, many properties within the City have been developed with an oversupply of parking, leading to large expanses of unused impervious surface.

The proposed amendments aim to reduce minimum parking space requirements to more appropriately align them with average parking demand. Staff proposes the attached text amendments to modernize minimum parking space requirements and parking design standards. The proposed amendments introduce new use definitions, modify minimum parking space requirements for individual uses, provide for administrative flexibility in reducing minimum space requirements, and provide clarification on alternative parking plans (e.g. remote parking and shared parking). Further, the proposed amendments strengthen parking lot design and screening standards.

Staff and I recommend Council approve Ordinance No. 2173 on the second and final reading.

CITY OF MADISON HEIGHTS
ELECTRONIC COUNCIL AGENDA REQUEST FORM

SUBMITTED TO: _____

SUBMITTED BY: _____ DATE: _____

FOR CONSIDERATION AT THE COUNCIL MEETING OF: _____

ACTION REQUESTED

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	UNFINISHED BUSINESS	_____

DESCRIPTION OF ITEM

IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS

POLICY CONSIDERATION

FINANCIAL IMPACT

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 nd Acct.	_____		_____
Other Comments	_____		_____

REVIEW CHECKLIST

DEPARTMENT _____ DATE _____

DEPARTMENT _____ DATE _____

CITY MANAGER _____ DATE _____



MEMORANDUM

Date: January 3rd, 2022
To: City of Madison Heights City Council
From: Matt Lonnerstater, AICP – City Planner
Subject: Street Vacation Request #PEE 21-0001 – 465 W. Girard Ave.; 501 W. Girard Ave.; and 30125 Northeastern Hwy.

Introduction

The Community & Economic Development Department has received a request to vacate a 30 ft.-wide unimproved right-of-way, known as Barrington Road, adjacent to Lot 39 of the Royal Acres Subdivision (465 and 501 W. Girard Ave.) and Lot 320 of the Northeastern Highway Subdivision (30125 Northeastern Hwy.). All adjacent property owners have signed the petition.

Background and Analysis

Per Section 23-109 (*Vacation of Streets, Alleys, Etc.*) of Chapter 23 of the Code of Ordinances (*Streets and Sidewalks and Other Public Places*), City Council may consider petitions to vacate a street, alley, or right-of-way. When 100% of adjacent property owners sign the petition, City Council may consider the initial request and appoint a time not less than four weeks thereafter to establish a public hearing. If desired, City Council may, but is not required to, refer the matter to the Planning Commission for study and report back to Council. City Council has scheduled the required hearing for January 10th, 2022.

501 W. Girard Ave. is improved with a single-family residence, while 465 W. Girard and 30125 Northeastern Hwy. are vacant. When a right-of-way is vacated, the new property is split and allocated to adjacent properties. The applicant has provided a conceptual development plan, denoting one (1) new single-family residence. The City is not approving any transfer of land or site development plan as part of this petition process.

A twelve-inch (12") sanitary sewer line is located within the existing right-of-way. Therefore, if vacated, the City should retain a public utility easement over the property.

The petition has been transmitted to applicable utilities, the Site Plan Review Committee, and the City Engineering Consultant for review. The City's Engineer has reviewed the request and does not object to the street vacation, subject to the following conditions: 1) A minimum 30-foot wide easement must be retained for future maintenance, repairs, and/or access; and 2) a meets and bounds legal description shall be provided to staff subject to retaining easements for existing city infrastructure.

Staff Recommendation

After the public hearing, staff recommends that City Council approve the proposed vacation of the existing 30 ft.-wide right-of-way subject to the following conditions:

1. A 30 ft.-wide public utility easement shall be retained, with final approval by all applicable utilities; and
2. A meets and bounds legal description shall be provided to staff subject to retaining easements for existing and future infrastructure.



CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

December 14, 2021

City of Madison Heights
300 W. Thirteen Mile Road
Madison Heights, Michigan 48071

Attn: **Mr. Matt Lonnerstater, AICP**
Community Development Department

Re: **Barrington Road Petition for Vacating a Public Street / Alley / Easement**
Reference: 2020 Plot Plan 461 W Girard Ave – PB 20-0559 (NFE M018 / 2020)
Madison Heights, Michigan

Dear Mr. Lonnerstater:

At your request, NFE has reviewed the request for the Barrington Road Petition for Vacating a Public Street / Alley / Easement for the subject property adjacent to 465 W. Girard Avenue, 501 W. Girard Avenue, and 30125 Northeastern Highway as provided by your office on December 6, 2021. We offer the following comments and restrictions of this petition.

Comments / Concerns:

1. A twelve-inch diameter sanitary sewer line bisects this undeveloped right-of-way per the attached excerpt from the City of Madison Heights GIS Map. This sewer line is approximately ten (10) feet deep and services the surrounding area. This sewer line must remain in place. A minimum 30-foot-wide easement must be retained for future maintenance, repairs, and/or access.
2. Based upon our 2020 plan review for a plot plan for 461 W. Girard Avenue – PB 20-0559 (copy attached) – the applicant proposed constructing gas, and water services in this area. The actual location(s) of these services were to be as built and provided to the City of Madison Heights for record purposes. NFE has not received a copy of that documentation. Therefore, those services will require an easement and/or relocation as necessary pending their physical location in the parcel.
3. We have attached copies of our 2008 City of Madison Heights R2-1 Road Reconstruction plans for reference purposes providing alternate location(s) of city infrastructure service locations. The cost for extending these services is the responsibility of the applicant.
4. NFE has no objections to vacating this property provided that a meets and bounds legal description is provided by the applicant subject to retaining easements for existing city infrastructure as described above.

Should you have any questions or concerns, please do not hesitate to contact our office to further discuss this petition.

Very truly yours,
NOWAK & FRAUS ENGINEERS

Timothy L. Germain, P.E.,
Consulting City Engineer / TLG / cj - Enclosures

cc: City of Madison Heights Building Department, DPS Department, Water & Sewer Department – to be forward by CDD Department
NFE – Brad Brickel, Assistant City Engineer, PE (46777 Woodward Avenue, Pontiac, Michigan 48342) - copy
NFE Electronic Project File: MHER# M018 / PB 20-0559-2020

NOWAK & FRAUS ENGINEERS

46777 WOODWARD AVENUE
PONTIAC, MI 48342-5032

WWW.NOWAKFRAUS.COM

VOICE: 248.332.7931
FAX: 248.332.8257

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council for the City of Madison Heights will hold a public hearing on January 10th, 2022 at 7:30 p.m. in the City Council Chambers of the Municipal Building at 300 W. 13 Mile Road, Madison Heights, Michigan 48071 to consider the following request:

Case # Street Vacation 21-01

Request by Daniel Bean to vacate an existing 30 ft.-wide unimproved right-of-way adjacent to Lot 39 of the Royal Acres subdivision and Lot 320 of the Northeastern Highway subdivision. The area of request is located adjacent to 501 W. Girard Avenue, 465 W. Girard Avenue, and 30125 Northeastern Highway, located to the north of the Girard Avenue cul-de-sac, west of Northeastern Hwy.

The application, and any supporting documents, can be viewed during regular business hours at the City Clerk or Community Development Departments. In addition, the agenda item can be viewed after 4:00 p.m. on Friday, January 7th, 2022 online at www.madison-heights.org in the Agenda Center.

For further information, please contact the Community and Economic Development Department at (248) 583-0831.

Cheryl Rottmann, CMC
City Clerk
(248) 583-0826

Madison Park News 12/22/2021

PORTION OF BARRINGTON ROAD – VACATION REQUEST



PETITION FOR VACATING A PUBLIC STREET, ALLEY AND/OR EASEMENT

To the Honorable,
The Mayor and City Council
Madison Heights, Michigan

Date: 11-30-21

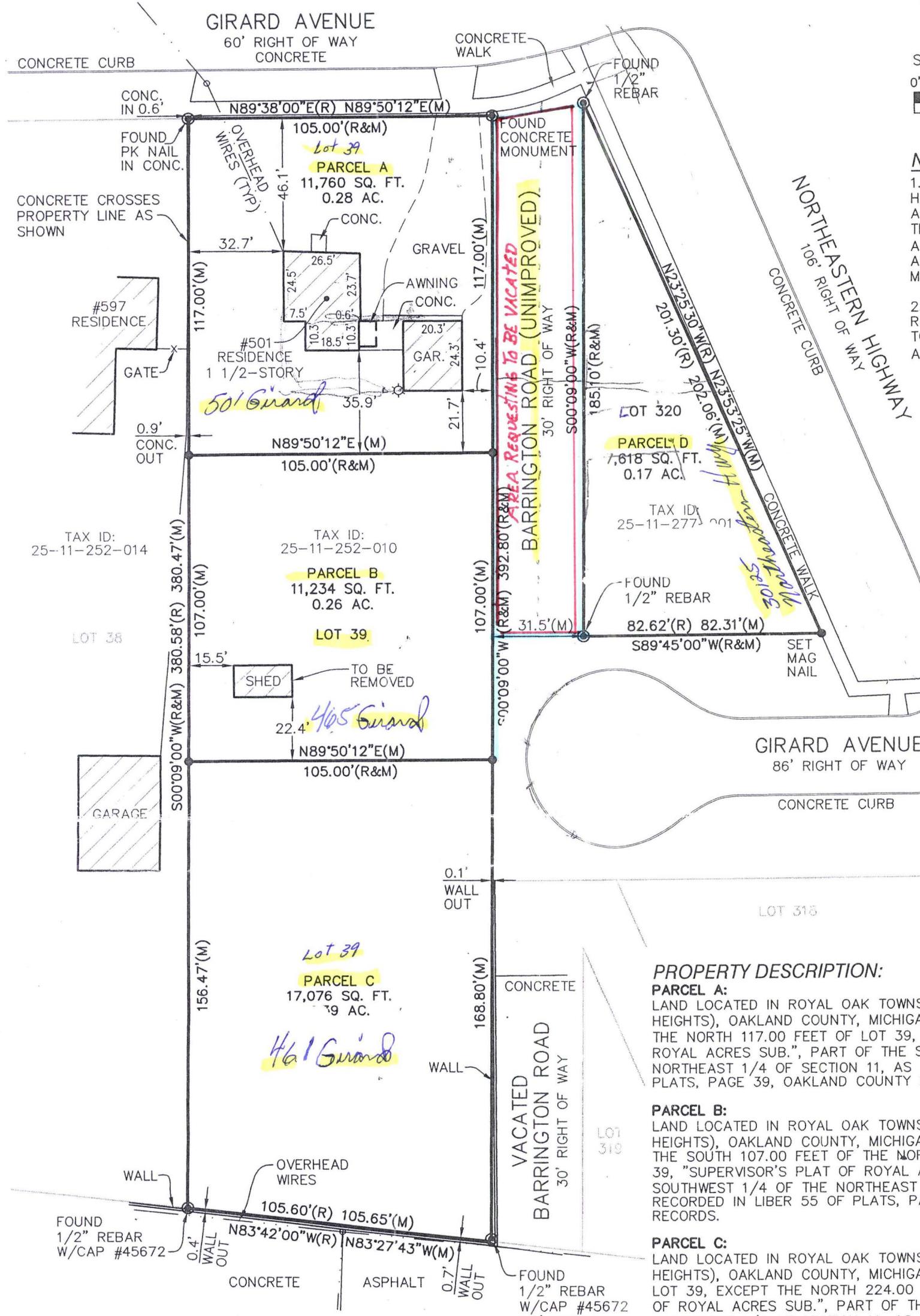
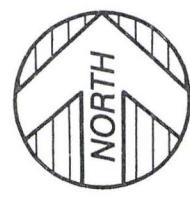
We, the undersigned petitioners, residing at the place set opposite our respective names hereto, being the abutting owners and mortgages of real estate located:

on the West side of Cul de sak Side(s) of Girard Ave - Cul de sak
located between Just West of Northeastern and South of Girard Ave
in Royal Acres Sud. Part of Southwest 1/4 of the Northeast 1/4 of Sect. 11 As Recorded in Liber
55 of PLATS, Page 39

and being entirely in the City of Madison Heights and being 100 % percent of the property owners
above said area, hereby respectfully pray and petition that you vacate the public (Street, Alley, and/or
Easement) lying adjacent to Lot(s) Acreage Parcel(s):

Parcel A / B / C / D ⁰⁰¹ of Royal Acres Sub. Subdivision (if
any) and that said parcel become part of the adjoining property, according to law. Provided, however,
that if said (street or alley) is now used or may be used for the general public convenience and welfare
for sewers, water and gas mains, electrical lines and telephone lines and because said usages are for
the benefit of the general public beyond the above described area and because this vacation is
primarily for the private benefit of the undersigned petitioners, the City of Madison Heights, as a
condition without existence of which this vacation shall be of no effect, reserves to itself for the benefit
and welfare of the general public an easement co-extensive with the vacated (street, alley) for the
purposes of general public convenience and necessities such as sewers, water and gas mains, and
electrical and telephone lines together with the general right of entry for maintenance purposes in
regard to such public conveniences and necessities, and we the undersigned, consent to the easement
aforesaid on behalf of ourselves, our heirs, administrators and assigns.

SPLIT SURVEY



LEGEND

- SET 1/2" REBAR WITH CAP, #47976
- FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION

I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND HEREIN DESCRIBED AND THAT THIS MAP REPRESENTS THE RESULTS OF THE SURVEY.

15 Lmo
ANTHONY T. SYCKO, JR., P.S.
PROFESSIONAL SURVEYOR
MICHIGAN LICENSE NO. 47976



REVISED DATE: AUGUST 18, 2014

 22556 GRATIOT AVE. EASTPOINTE, MI 48021 PROFESSIONAL SURVEYORS - PROFESSIONAL ENGINEERS (586)772-2222 * FAX (586)772-4048	

*Jim Schaefer
2-583-10831*



CIVIL ENGINEERS
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www.nowakfraus.com

October 26, 2020

City of Madison Heights
300 W. Thirteen Mile Road
Madison Heights, MI 48071

Attn: **Ms. Jane Kaminski, Administrative Assistant**
Community Development Director

Re: **Engineering Review - Plot Plan Submittal - Review #3**
New Single-Family Residence – 461 W Girard - PB 20-0559
Madison Heights, Michigan

Dear Ms. Kaminski:

We have completed our third review of the above referenced project on behalf of the City of Madison Heights. The plot plan as submitted is marked **"Approved as Noted" - See October 26, 2020 letter.**

The revised plot plan has been prepared by Kem-Tec of Eastpointe, MI - last dated October 20, 2020 / and was received on October 22, 2020 by NFE via electronic email delivery from City Hall.

One electronic copy of this package has been forwarded to the City for your distribution. Due to the Covid-19 pandemic; we do not have access to paper copies as our staff is working from home based upon Governor Whitmer's March 23, 2020 Executive Order Number 2020-21(covid-19).

General Approval Requirements –

1. All previously requested plan revisions have been made – no further comment required at this time.
2. An As-Built Survey of the Water Main Service Locations shall be provided at completion of construction work.
3. For assistance with local utilities including water, sanitary sewer, and storm sewer connections please contact Sean Ballantine or Chris Woodward of the City of Madison Heights DPS/Water Department at (248) 589-2294.

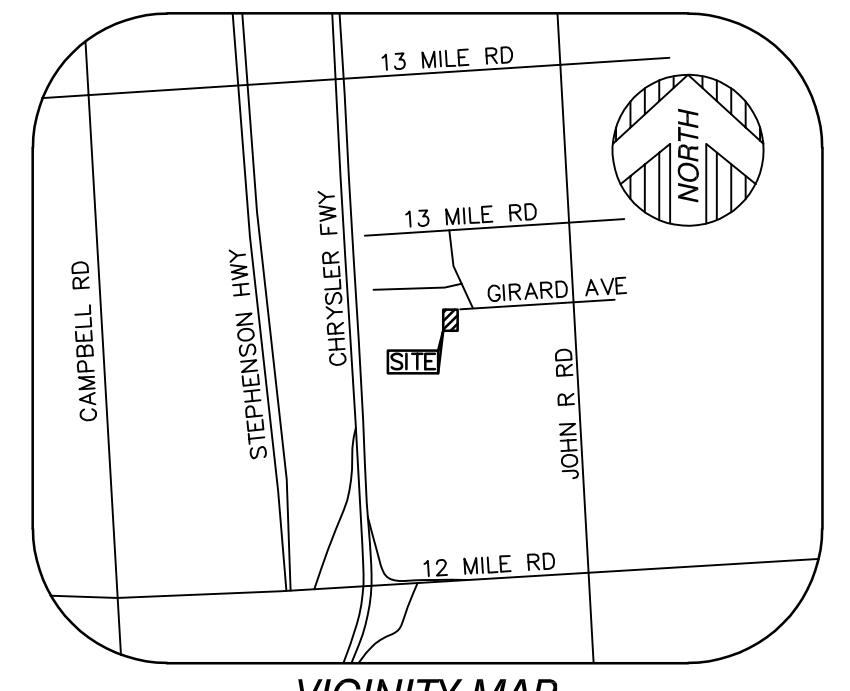
Please feel free to contact me if there are any questions relative to this matter.

Very truly yours,
NOWAK & FRAUS ENGINEERS

Timothy L. Germain, P.E.,
Consulting City Engineer

TLG/cj - Enclosures –

cc: City of Madison Heights – Building Official, Planner, DPS Director, DPS Staff
Project File: MHER #M018 / 2020 461 W Girard - PB-20-0559PP#3.doc/2020



VICINITY MAP
(NOT TO SCALE)

PARCEL AREA

17,076± SQUARE FEET = 0.39± ACRES

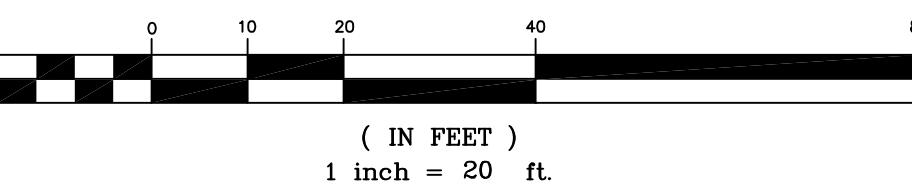
BENCHMARK

SITE BENCHMARK
"X" ON NORTH SIDE OF SANITARY MANHOLE, WEST SIDE OF CUL-DE-SAC WEST GIRARD AVENUE.
ELEVATION = 633.41' (NAVD 88)

MANHOLE SCHEDULE

TYPE	NUM	RIM (FT)	SIZE (IN)	DIR	INV	ELEV (FT)
SANITARY MH	80001	633.38	12	N	625.78	
		633.38	12	S	625.83	
SQUARE CB	80002	633.21	12	E	629.74	
STORM CB	80045	633.83	12	N	630.45	
		633.83	12	E	630.49	

GRAPHIC SCALE

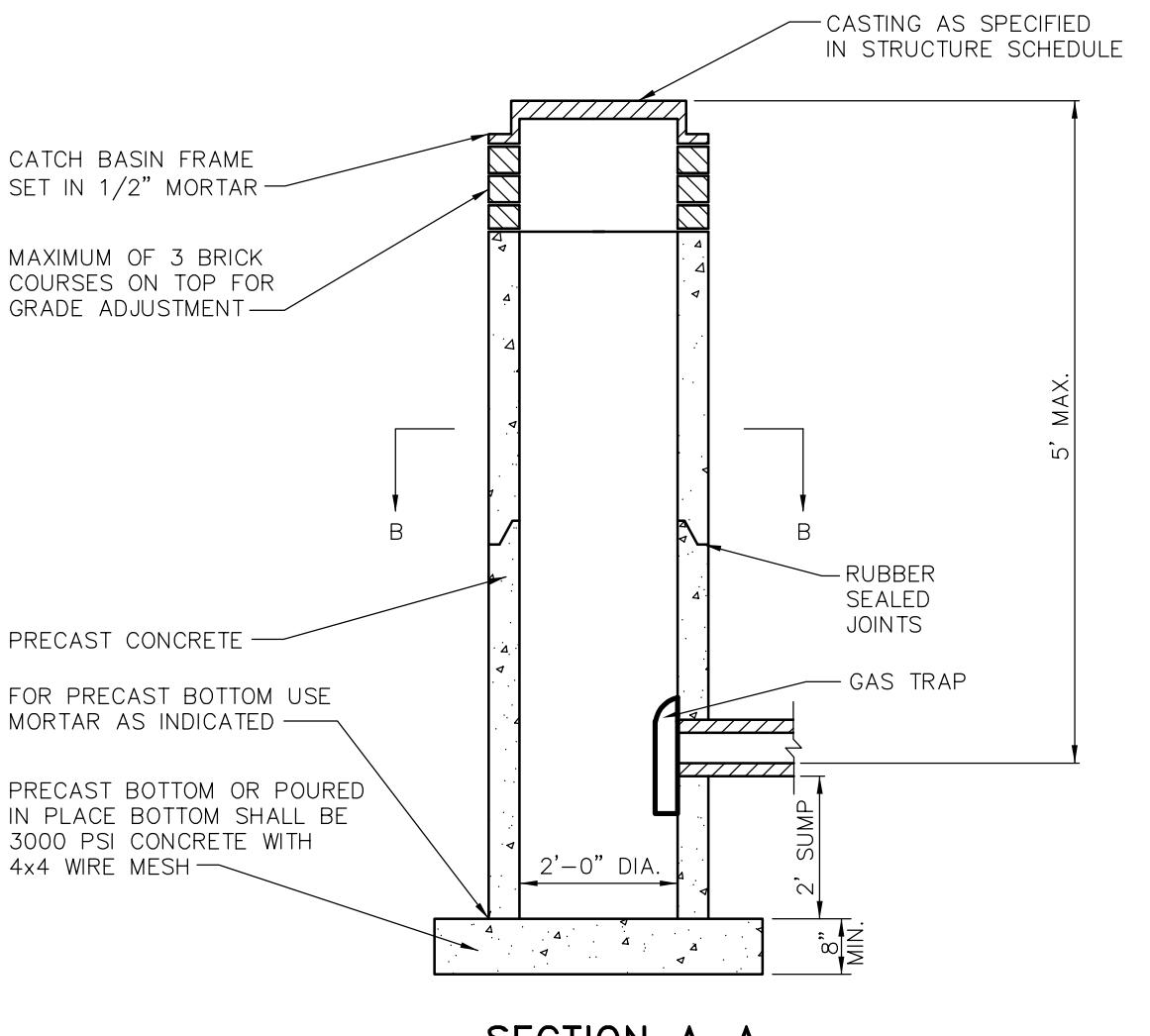


BASIS OF BEARING

SOUTH 00°09'00" WEST, BEING THE WEST LINE OF VACATED BARRINGTON ROAD, AS PLATTED.

1. ALL JOINTS MADE WATERTIGHT WITH APPROVED MASTIC MATERIAL AND POINTED.
2. MAXIMUM DEPTH OF 2'-0" DIA. CATCH BASINS TO BE 5'-0" AT INVERT.
3. ALL CATCH BASIN COMPONENT PARTS SHALL HAVE NAME OF MANUFACTURER STENGED ON THE INSIDE. THE LETTERING SHALL BE A MINIMUM OF 4" HIGH.

SECTION B-B



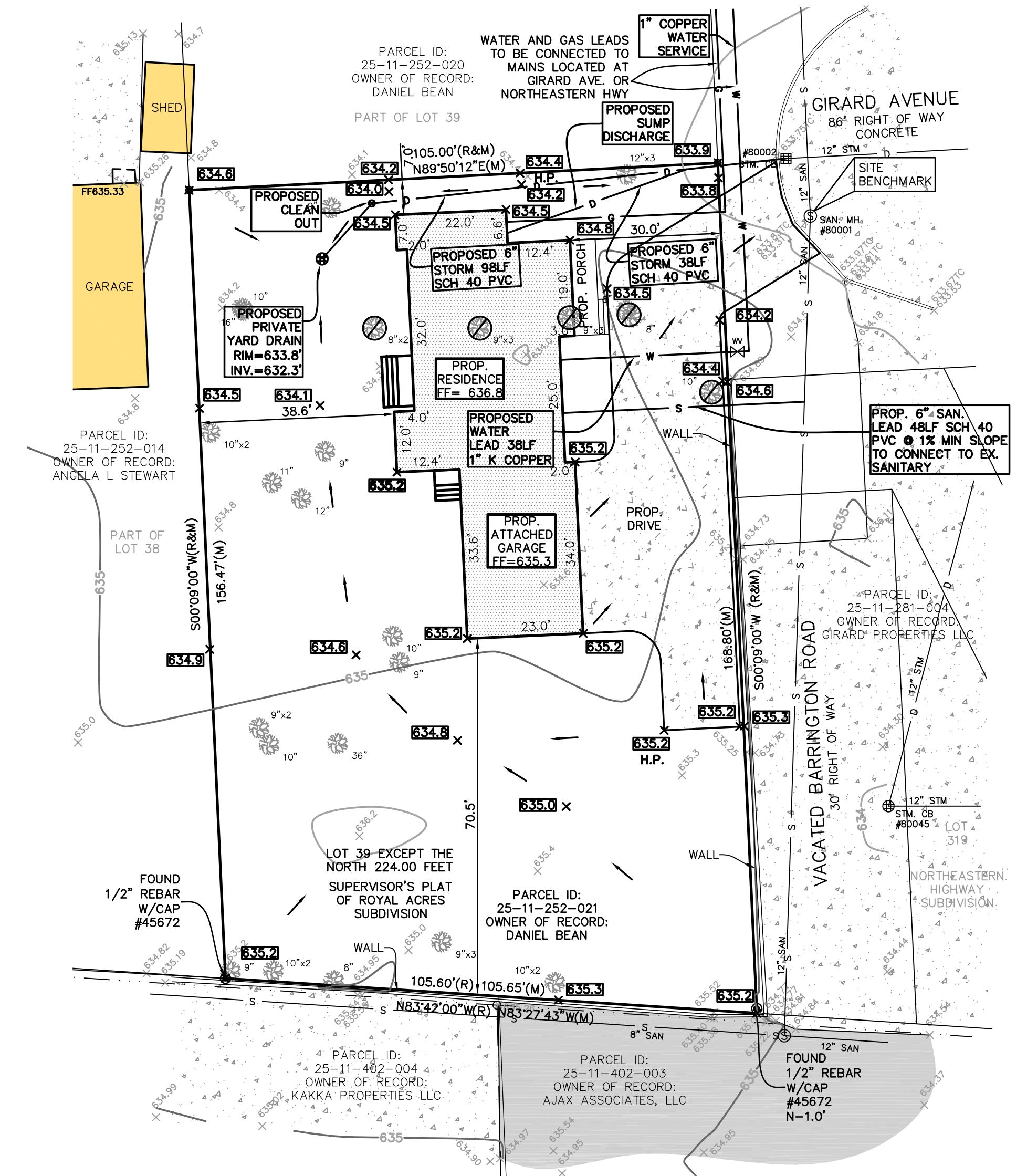
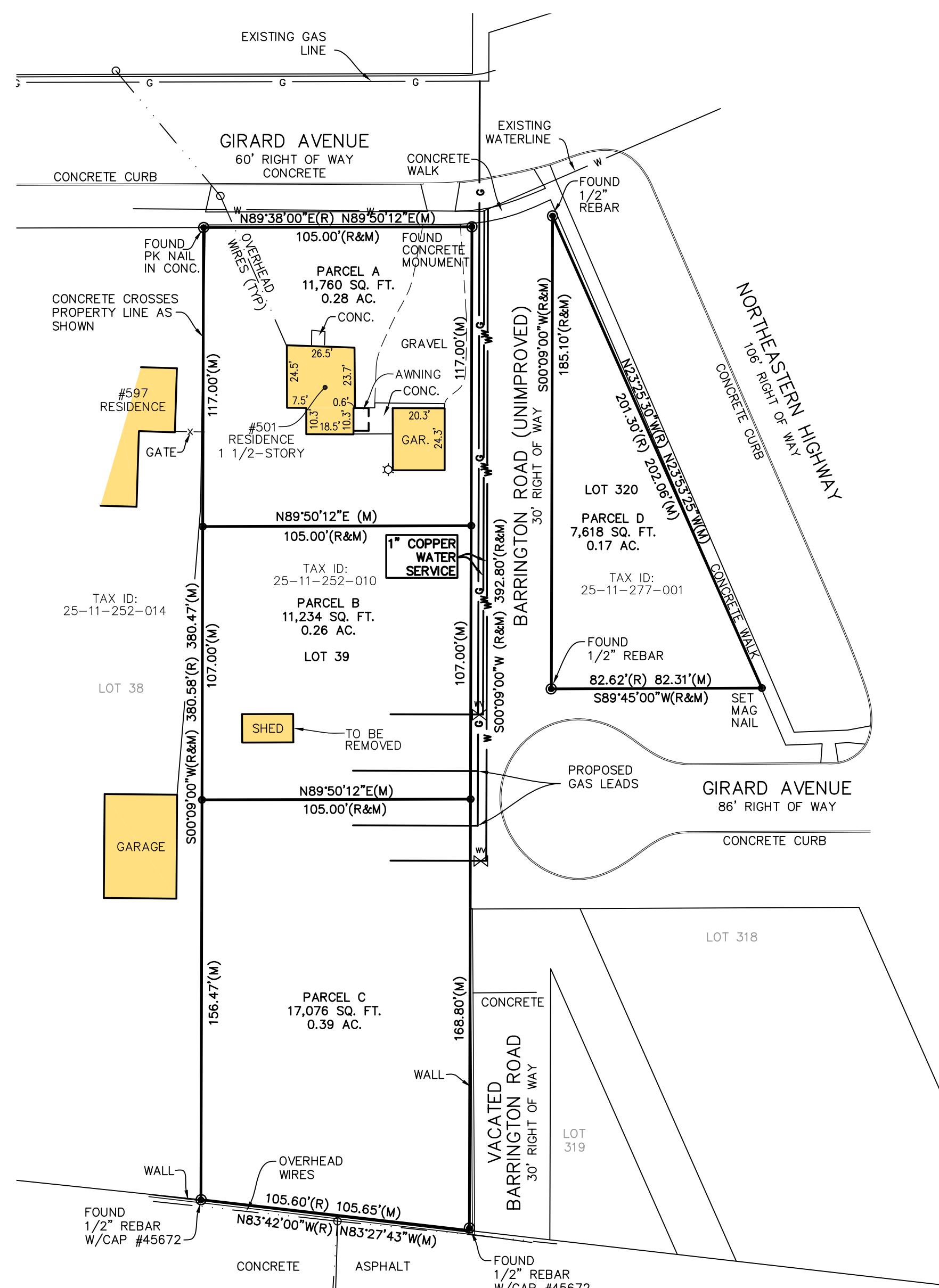
2' DIAMETER CATCH BASIN WITH SUMP
NOT TO SCALE

LEGEND

●	SET 1/2" REBAR WITH CAP P.S. 47976
(R&M)	FOUND MONUMENT (AS NOTED)
(R)	RECORD AND MEASURED DIMENSION
(M)	MEASURED DIMENSION
0.00	GROUND ELEVATION
○	UTILITY POLE
◎	SANITARY MANHOLE
⊕	ROUND CATCH BASIN
■	SQUARE CATCH BASIN
DECIDUOUS TREE (AS NOTED)	DECIDUOUS TREE (AS NOTED)
PARCEL BOUNDARY LINE	PARCEL BOUNDARY LINE
PLATTED LOT LINE	PLATTED LOT LINE
BUILDING	BUILDING
—	BUILDING OVERHANG
—	CONCRETE CURB
—	EDGE OF CONCRETE (CONC.)
—	WALL (AS NOTED)
—	OVERHEAD UTILITY LINE
G	GAS LINE
S	SANITARY LINE
D	STORM LINE
—	MINOR CONTOUR LINE
—	MAJOR CONTOUR LINE
■	BUILDING AREA
ASPHALT	ASPHALT
CONCRETE	CONCRETE

DETAIL

1"=40'



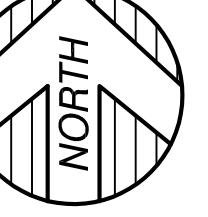
REVIEWED MH PB20-0559 / Rev #3
By Timothy L. Geman at 12:46 pm, Oct 26, 2020

APPROVED NFE M018 / MHER #3 / 2020
By Timothy L. Geman at 12:46 pm, Oct 26, 2020

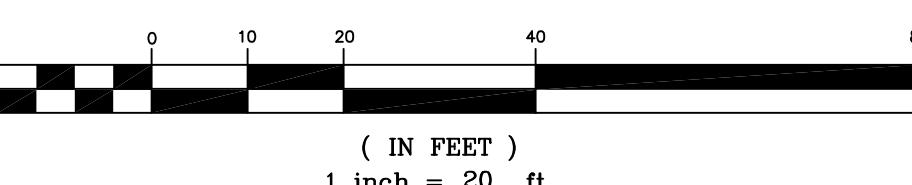
Refer to attached NFE October 26, 2020 Review for additional information and requirements.

PROPERTY DESCRIPTION

LOT 39, EXCEPT THE NORTH 224.00 FEET, "SUPERVISOR'S PLAT OF ROYAL ACRES SUB.", PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, AS RECORDED IN LIBER 55 OF PLATS, PAGE 39, OAKLAND COUNTY RECORDS.



GRAPHIC SCALE



SURVEYOR'S NOTES

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMprise ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES OTHER THAN THE STRUCTURE INVENTORY SHOWN HEREON.

2. A CURRENT TITLE POLICY HAS NOT BEEN FURNISHED AT TIME OF SURVEY, THEREFORE EASEMENTS AND/OR ENCUMBRANCES AFFECTING SUBJECT PARCEL MAY NOT BE SHOWN.

NOTES

1. THE EXISTING PROPERTY LINE ELEVATIONS ALONG THE DEVELOPED PROPERTY LINE(S) MUST BE MAINTAINED.
2. NO STORM WATER IS TO DISCHARGE TOWARD THE ADJACENT PROPERTIES. ALL PROPOSED SWALES MUST BE AT 1% MINIMUM TO CONVEY STORM WATER ALONG THE PROPERTY LINE. SWALES MUST BE CONSTRUCTED ENTIRELY ON THE SUBJECT PROPERTY AND MATCH EXISTING GRADE AT COMMON PROPERTY LINE ALONG THE EAST AND WEST PROPERTY LINES.
3. ALL DOWNSPOUTS SHALL BE DIRECTED TOWARD A PROPOSED SWALE, HARD SURFACE AND/OR LANDSCAPE AREAS WITH OVERLAND FLOW TOWARDS THE PUBLIC RIGHT OF WAY.
4. SOD SHALL BE INSTALLED IN THE FRONT SETBACK AREA AND WITHIN THE RIGHT-OF-WAY BETWEEN THE EXISTING CURB AND EXISTING SIDEWALK. ANY EXISTING LAWN AREAS DISTURBED BY CONSTRUCTION SHALL BE REPAVED WITH NEW SOD AND TOPSOIL TO MATCH EXISTING CONDITIONS.
5. THE WATER MAIN TAPS ARE TO BE PERFORMED BY THE CITY'S WM CONTRACTOR. THE TAP IS TO BE MADE AFTER "TAP & WATERMAIN INSTALL FEES" ARE PAID AT CITY HALL. THE BUILDER WILL INSTALL COPPER WATER SERVICE TO THE TAP. THE CONTRACTOR WILL EXTEND CONCRETE PIPE ALONG THE PUBLIC RIGHT OF WAY. THE TAP WILL BE MADE IN THE PUBLIC ROW. AFTER THE TAP IS INSTALLED, THE BUILDER WILL INSTALL A WATER SHUT OFF VALVE. THE VALVE MUST BE INSTALLED WITHIN THE CITY ROW AND RAISED TO EXISTING GRADE AT COMPLETION OF LANDSCAPE/SOD INSTALLATION.
6. THE SANITARY SEWER TAP SHALL BE MADE UTILIZING A CORE-KEY AND BOOT (INSERTAL) TEE ON THE EXISTING SANITARY SEWER LINE. THE SEWER TAP MUST BE LOCATED BY THE MAINTENANCE CONTRACTOR AND RAISED TO EXISTING GRADE. ALL PAVEMENT REPAIRS WITHIN THE CITY ROW/PUBLIC EASEMENT SHALL BE COORDINATED, WITNESSED, AND INSPECTED BY THE CITY CONSULTING ENGINEERING FIRM -NFE. ADDITIONAL FEES WILL APPLY, AND COORDINATION MUST OCCUR A MINIMUM OF 72 HOURS PRIOR TO TAP AND BACKFILL/COMPACTATION OPERATION IF REQUIRED BASED UPON PLAN LOCATION.
7. ALL EXISTING UTILITIES SHALL BE MARKED BY MISS DIG SYSTEM AND FIELD LOCATED PRIOR TO CONSTRUCTION. IF ANY EXISTING UTILITIES ARE IMPACTED OR DAMAGED BY THIS PERMIT WORK, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE CITY OF MADISON HEIGHTS COMMUNITY DEVELOPMENT DEPARTMENT/BUILDING DEPARTMENT FOR ASSISTANCE AND RELOCATION. ANY DAMAGED PIPE/SEWER LINES THAT EXIST SHALL BE REPAVED AND RESTORED TO PRE-CONSTRUCTION CONDITIONS OR BETTER. MACHINE SAWCUTS ARE REQUIRED TO BE TO THE NEAREST PAVEMENT JOINT FOR REMOVAL PURPOSES.
8. SUBMITTAL OF AN "AS-BUILT SURVEY" & "FINAL INSPECTION" IS REQUIRED UPON COMPLETION OF CONSTRUCTION.

ZONING REGULATIONS

R-2: ONE FAMILY RESIDENTIAL

*MINIMUM LOT AREA PER DWELLING UNIT - 7,200 SQUARE FEET

*MINIMUM USABLE SPACE IN PERCENTAGE OF LOT AREA - 30%

*REQUIRED SETBACK LINE MINIMUM DIMENSIONS IN FEET -

FRONT - 25 FEET

LEAST ONE SIDE - 5 FEET

TOTAL TWO SIDES - 14 FEET

REAR - 35 FEET

*MAXIMUM HEIGHT IN FEET - 25 FEET

NOTE: ALL ZONING INFORMATION IS TAKEN FROM THE CITY OF MADISON HEIGHTS WEBSITE. ALL ZONING INFORMATION MUST BE VERIFIED FOR COMPLETENESS WITH CURRENT ZONING REGULATIONS.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREIN DESCRIBED. THE ELEVATIONS SHOWN HEREON ARE BASED ON A FIELD SURVEY AND THE DRAWING HEREON DELINEATED IS A CORRECT REPRESENTATION OF THE SAME.

ANTHONY T. SYKOV, JR., P.S.
PROFESSIONAL SURVEYOR
MICRO-LICENSURE NO. 17976
22558 GRATIOT AVE., EASTPOINTE, MI 48021
TSykov@kemtec-survey.com

Received 10/22/20
461 W Girard
PB20-0559

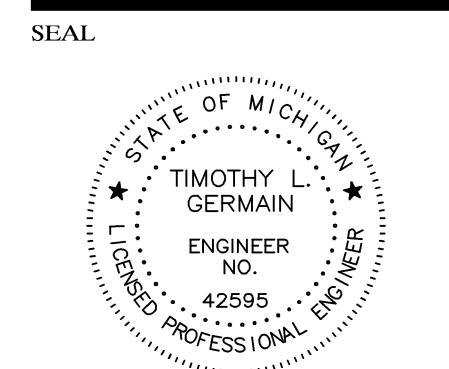
N

NOWAK
&
FRAUS

Consulting Engineers
Land Surveyors
Land Planners

1310 N. Stephenson Highway
Royal Oak, MI 48067-1508

Tel. (248) 399-0886
Fax. (248) 399-0805



PROJECT
R2-1 Girard Avenue
(West end of road
to Northeastern Hwy.)
& Northeastern Hwy.
(Woodside Ave. to
Palmer St.) SAD #276

CLIENT
City of Madison Heights
300 West Thirteen Mile
Madison Heights,
Michigan 48071
Contact: Jim Schafer
Tel: (248) 583-0831
Fax: (248) 588-4143

PROJECT LOCATION
Part of the S.E. 1/4
of the N.E. 1/4
of Section 11,
T.11N., R.11E.,
City of Madison Heights,
Oakland County, MI

PAVING LEGEND
PROPOSED CONCRETE SIDEWALK/DRIVEWAY
PROPOSED CONCRETE PAVEMENT

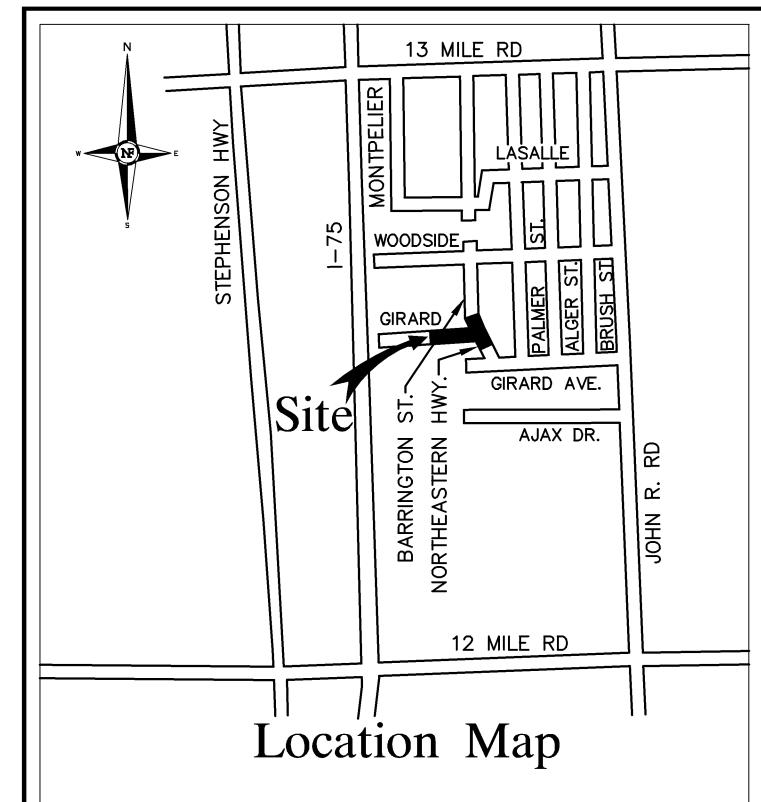
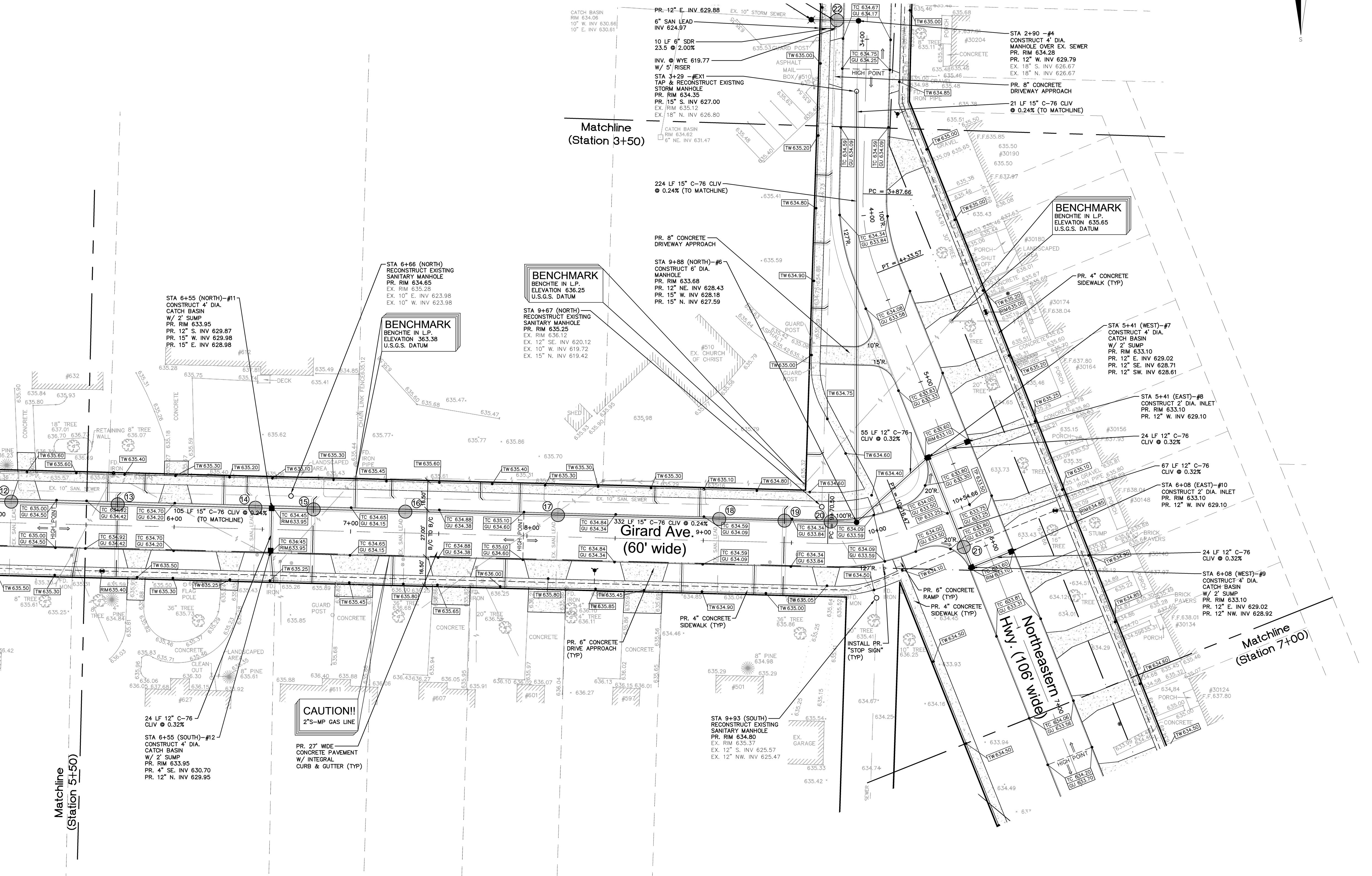
Paving & Grading /
Utility Plan



DATE: REVISION:

DRAWN BY:
M. Carnaggi
DESIGNED BY:
B. Brickel
APPROVED BY:
T. Germain
DATE:
February 20, 2008
SCALE:
1"=30'

N/F JOB NO.
E847 / E846
SHEET NO.
C10



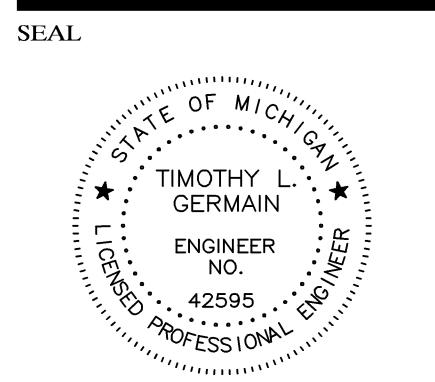
Location Map

N

NOWAK
&
FRAUS

Consulting Engineers
Land Surveyors
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Royal Oak, MI 48067-1508
Tel. (248) 399-0886
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PROJECT
R2-1 Northeastern Hwy.
(Woodside Avenue to
Palmer Street)
SAD #276

CLIENT
City of Madison Heights
300 West Thirteen Mile
Madison Heights,
Michigan 48071
Contact: Jim Schafer
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Part of the S.E. 1/4
of the N.E. 1/4
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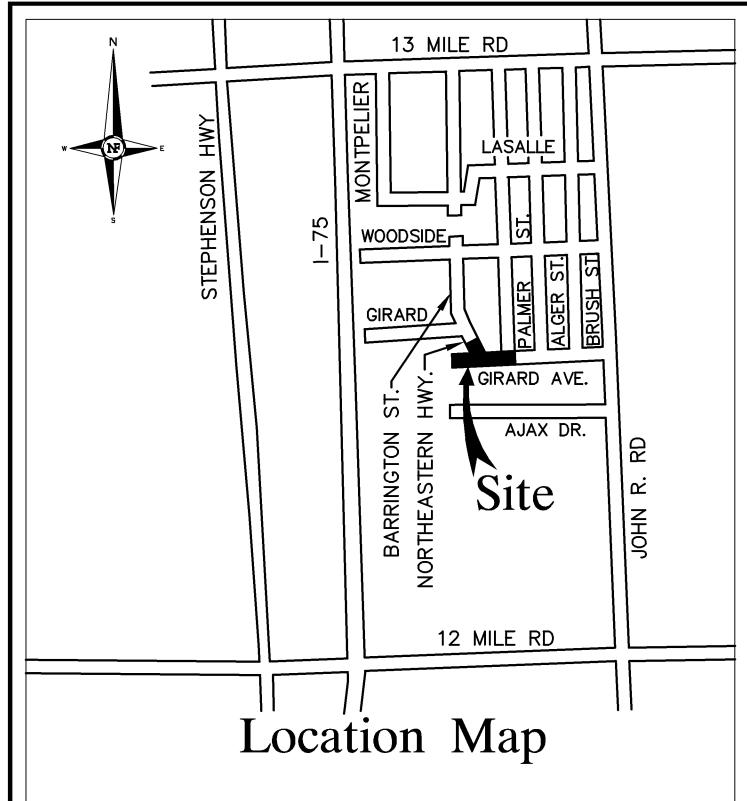
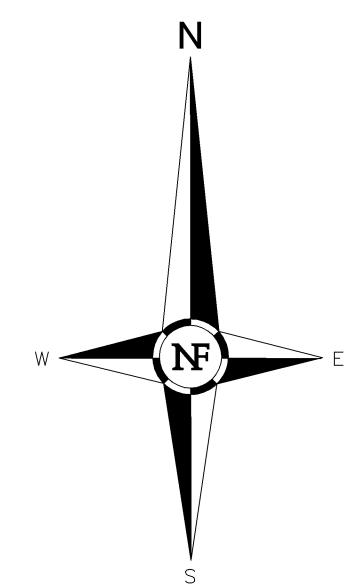
PAVING LEGEND
PROPOSED CONCRETE SIDEWALK/DRIVEWAY
PROPOSED CONCRETE PAVEMENT

72 HOURS
BEFORE YOU DIG
CALL MISS DIG
1-800-482-7171

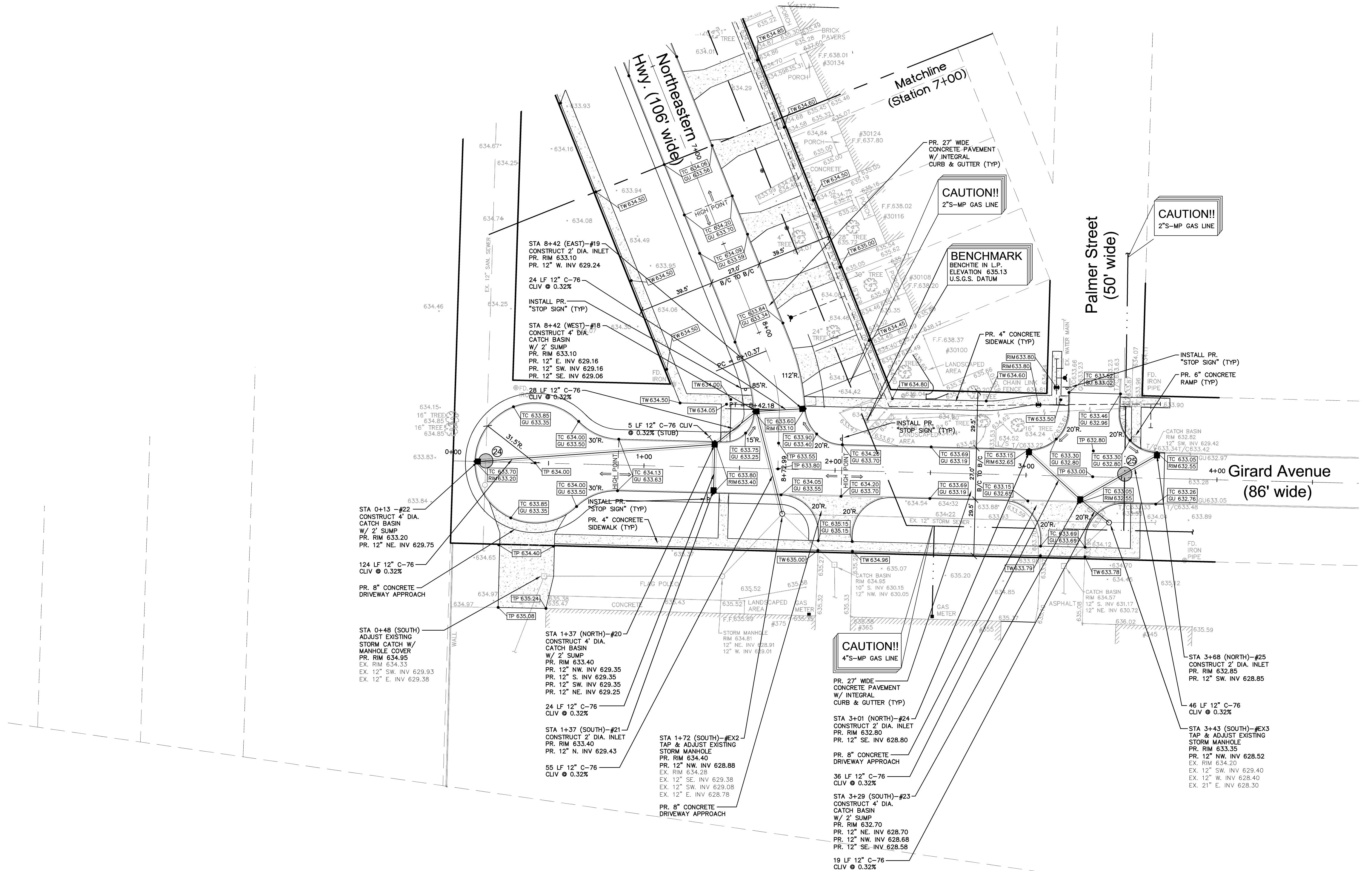
DATE: REVISION:

DRAWN BY:
M. Carnaghi
DESIGNED BY:
B. Brickel
APPROVED BY:
T. Germain
DATE:
February 20, 2008
SCALE:
1"=30'

N/F JOB NO. SHEET NO.
E846 C12



Location Map



GRADING NOTE
DUE TO SIGNIFICANT GRADE CHANGES, THE YARDS SHALL BE REGRADED
CREATING A SMOOTH TRANSITION FROM THE EXISTING SURFACE TO THE
PROPOSED SURFACE PER THE DIRECTION OF THE ENGINEER.

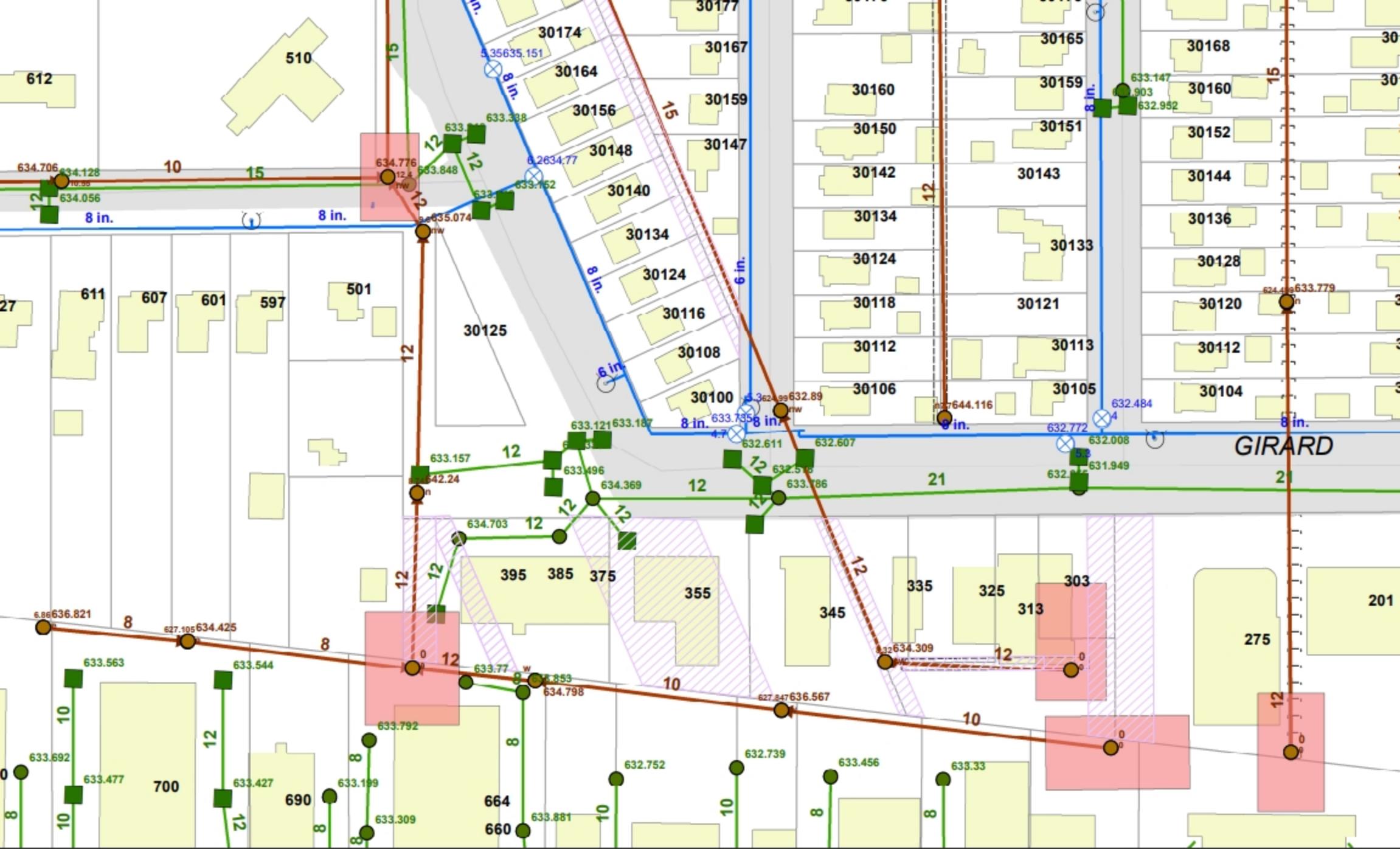
NOTE
REFER TO SHEETS C5-C8 FOR TOPOGRAPHIC SURVEY/DEMOLITION PLAN
REFER TO SHEETS C15-C19 FOR STORM SEWER PROFILE PLAN
REFER TO SHEETS C21-C24 FOR WATER MAIN REPLACEMENT PLAN

NOTICE
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE
CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE
EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE
WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY
STRUCTURES, OR OF ANY OTHER PERSONS.

PROJECT CROSSING SCHEDULE
24) PR. 12' STM. B/P 629.51
25) EX. 2" GAS (V.I.F.)
EX. 12' SAN. (V.I.F.)
PR. 12' STM. T/P 629.98

Paving & Grading /
Utility Plan

LEGEND
MANHOLE EXISTING SANITARY SEWER
HYDRANT SAN. CLEAN OUT
GATE VALVE EXISTING WATER MAIN
MANHOLE CATCH BASIN EXISTING STORM SEWER
C.B. EX. R. Y. CATCH BASIN
UTILITY POLE GUY POLE EXISTING BURIED CABLES
GUY WIRE OVERHEAD LINES
LIGHT POLE
SIGN
C.O. MANHOLE EXISTING GAS MAIN
HYDRANT GATE VALVE PR. SANITARY SEWER
INLET C.B. MANHOLE PR. WATER MAIN
C.B. PR. STORM SEWER
PROPOSED LIGHT POLE
TC 600.00 PR. TOP OF CURB ELEVATION
TW 600.00 PR. GUTTER ELEVATION
TP 600.00 PR. TOP OF WALK ELEVATION
FG 600.00 PR. TOP OF PWT. ELEVATION
FINISH GRADE ELEVATION



⊗ GATEWELL

Water Line:

— ACTIVE

- SANITARY MH

● STORM MH

■ CATCH BASIN

— STORM LINE

 MADISON HEIGHTS
BOUNDARY

PARCEL

BUILDIN

 Print the Map!



Church of Christ 

Barrington St

Barrington Street

W Girard Ave

W Girard Ave

Palmer St

Northeastern Hwy

Palmer St

W Girard Ave

Stanhope Tool, Inc

Color Coat Plating

CITY OF MADISON HEIGHTS
ELECTRONIC COUNCIL AGENDA REQUEST FORM

SUBMITTED TO: _____

SUBMITTED BY: _____ DATE: _____

FOR CONSIDERATION AT THE COUNCIL MEETING OF: _____

ACTION REQUESTED

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	UNFINISHED BUSINESS	_____

DESCRIPTION OF ITEM

IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS

POLICY CONSIDERATION

FINANCIAL IMPACT

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 nd Acct.	_____		_____
Other Comments	_____		_____

REVIEW CHECKLIST

DEPARTMENT _____ DATE _____

DEPARTMENT _____ DATE _____

CITY MANAGER _____ DATE _____



MEMORANDUM

Date: January 4th, 2022
To: City of Madison Heights City Council
From: Matt Lonnerstater, AICP – City Planner
Subject: Special Approval Request PSP 21-06 – 233 and 239 W. 11 Mile Rd.

Introduction

The applicant, Xiadong Chen, requests special use approval for the sale of secondhand automobiles at **233 and 239 W. 11 Mile Rd.** (PINs 44-25-23-228-003 and 44-25-23-228-002), zoned B-3, General Business district. The subject properties are located on the south side of W. 11 Mile, west of Brush St., within the Downtown Development Authority (DDA) district.

Background and Analysis

The subject property (combined) is approximately 0.3 acres in area and is improved with a 947 sq. ft. single-family residence and detached garage. The applicant requests special use approval to operate a used auto dealership on site. Per the site plan, the applicant proposes to utilize the existing residence as an office and proposes to store for-sale automobiles both within the existing garage and a new 2,539 sq. ft. carport structure. As proposed, the combined lot coverage of the detached accessory structures exceeds the maximum permitted by the Zoning Ordinance. Further, the site plan does not satisfy minimum parking space requirements. If special approval is granted, the applicant will subsequently need to apply for dimensional variances from the Zoning Board of Appeals.

Per **Section 10.326(1)**, the outdoor sale of secondhand automobiles is permitted upon special use approval within the B-3 zoning district, subject to the following specific-use standards:

- (a) *The lot or area shall be provided with a permanent, durable and dustless surface and shall be graded and drained as to dispose of all surface water accumulated within the area in accord with the provisions of section 10.340.*
- (b) *Ingress and egress to the outdoor sales area shall be at least 60 feet from the intersection of any two streets.*
- (c) *No major repair or major refinishing shall be done on the lot.*

Requests for special approval are also subject to the following criteria, as outlined in Section **10.201(4)**:

The use shall be designed and located so that it is compatible with the surrounding properties, neighborhood and vicinity. At a minimum, this shall include:

1. *Location of use(s) on site;*
2. *Height of all improvements and structures;*
3. *Adjacent conforming land uses;*
4. *Need for proposed use in specified areas of the city;*
5. *Conformance with future land use plans for the area as adopted by the planning commission;*
6. *Compatibility with the permitted principal uses allowed in the zoning district where the special approval use is requested.*

Additional criteria for reviewing special approval uses are contained at the end of this report.

Existing Zoning and Land Use

Existing adjacent land uses and zoning designations are denoted in the table below:

	Existing Land Use	Existing Zoning
Site	Single-Family Residence	B-3, General Business
North (across W. 11 Mile Rd.)	Retail/Restaurant	B-3, General Business
South	Church Parking Lot	R-3, Residential
East	Church	B-3, General Business
West	Church Parking Lot	B-3, General Business

The subject site is surrounded by property owned and operated by the Madison Heights Fellowship Baptist Church. Properties to the east and west along W. 11 Mile Rd. are primarily improved with commercial, retail and office uses.

The subject site is located within the boundaries of the DDA.

Existing Conditions along W. 11 Mile Rd.



Existing Conditions along W. 11 Mile Rd. (looking west)



Future Land Use and Master Plan

Adjacent future land uses, contained within the 2021 Madison Heights Master Plan, are denoted in the table below:

	Future Land Use
Site	City Center
North (across W. 11 Mile Rd.)	City Center
South	Single-Family
East	City Center
West	City Center

The future land use designation of the subject site is ‘*City Center*.’ Per the Master Plan, the City Center designation envisions a, “*mix of residential office, retail, restaurants, entertainment, gathering spaces, and recreation areas.*” The City Center designation is intended to transform the center of the DDA district into a, “*vibrant, compact, pedestrian-oriented downtown area.*” The Master Plan states that development regulations for automobile-related services should strive to mitigate negative impacts to pedestrian circulation.

In addition to the future land use section, the 2021 Master Plan contains a chapter dedicated to the DDA area. This chapter contains recommendations to, “*help transform the DDA district into a high-quality, walkable, and recognizable commercial corridor.*” Recommendations include, but are not limited to: encouraging a mix of pedestrian-friendly uses within the city center, including retail and residential); engaging the streetscape; and improving the relationship between buildings and the public realm. The Master Plan denotes the intersection of John R. Rd. and 11 Mile Rd. immediately to the east of the project site as a ‘gateway’ into the downtown district.

Findings and Recommendation

1. The applicant requests special use approval for a secondhand automobile dealership at 233/239 W. 11 Mile Rd., zoned B-3, General Business. The B-3 District permits a range of commercial and office uses. The proposed use is compatible with existing commercial land uses along W. 11 Mile Road.
2. The proposed site plan conforms to the use-specific conditions for secondhand automobile sales, per Section 10.326(1). However, the proposed site plan does not satisfy dimensional standards of the Zoning Ordinance. As proposed, the combined building footprint of the accessory structures exceeds the maximum permitted by the Zoning Ordinance. Further, the site plan does not satisfy minimum parking space requirements. The applicant will need to seek variances from the Zoning Board of Appeals for these deficiencies. The site plan does not satisfy review criteria **10.201(4)(a)** - *Site plans submitted for special approval uses shall be prepared in conformance with and contain all information as outlined in Section 10.514.*
3. The proposed use is not consistent with the ‘*City Center*’ future land use designation, as contained within the 2021 Master Plan. The proposed auto-oriented use is not consistent with the Master Plan’s vision to transform the City Center into a vibrant, compact, pedestrian-oriented downtown area. The proposed use does not satisfy review criteria **10.201(4)(c)5** - *Conformance with future land use plans for the area as adopted by the planning commission*
4. The proposed use is not consistent with the vision for the DDA District, as outlined within the 2021 Master Plan. The proposed auto-oriented use does not promote the Master Plan’s goal to

improve the DDA District through a pedestrian-oriented mix of uses, improved streetscapes, and a vibrant public realm. The proposed use does not satisfy review criteria **10.201(4)(c)5** - *Conformance with future land use plans for the area as adopted by the planning commission*

5. The Site Plan Review Committee (SPRC) reviewed the proposed special approval request at their December 1st, 2021 meeting. Based on the proposed use's conflicts with the Future Land Use map and Master Plan, as well as the deficiencies of the site plan, the SPRC did not recommend approval of the proposed special use.
6. The Downtown Development Authority (DDA) reviewed the proposed special approval request at their January 4th, 2022 meeting and recommended denial of the proposed use based on conflicts with the Master Plan and vision for the DDA area.

Based on these findings, staff recommends that the City Council deny the requested special use.

Next Step

After the public hearing and discussion, the City Council may take action on the requested special use. **Any motion shall include concise findings based upon the special approval review standards and criteria, Section 10.201(4).**

Section 10.201 – Special Approval Use Review Procedures and Requirements

- (4) *Review standards and criteria.* The city council shall consider the following standards and criteria in their review of all special approval use requests:
 - (a) Site plans submitted for special approval uses shall be prepared in conformance with and contain all information as outlined in Section 10.514. Site Plan Review.
 - (b) All design standards or criteria imposed on specific special approval uses elsewhere in this Ordinance shall be met.
 - (c) The use shall be designed and located so that it is compatible with the surrounding properties, neighborhood and vicinity. At a minimum, this shall include:
 1. Location of use(s) on site;
 2. Height of all improvements and structures;
 3. Adjacent conforming land uses;
 4. Need for proposed use in specified areas of the city;
 5. Conformance with future land use plans for the area as adopted by the planning commission; and
 6. Compatibility with the permitted principal uses allowed in the zoning district where the special approval use is requested.
 - (d) Ingress/egress to the use shall be controlled to assure maximum vehicular and pedestrian safety, convenience and minimum traffic impact on adjacent roads, drives and uses including, but not limited to:
 1. Reduction in the number of ingress/egress points through elimination, minimization and/or consolidation of drives and/or curb cuts;

2. Proximity and relation to intersections, specifically with regard to distance from drive(s) to intersection(s);
3. Reduction/elimination of pedestrian/vehicular traffic conflicts;
4. Adequacy of sight distances;
5. Location and access of off-street parking;
6. Location and/or potential use of service drives to access multiple parcels, reducing the number of access points necessary to serve the parcels.

(e) Screening shall be provided along all property lines, where council determines such screening is necessary to minimize impact of the use on adjacent properties or uses.

(f) The use shall be properly served by utilities.

(g) The use shall not have an adverse effect on the environment beyond the normal affects of permitted principal uses in the same zoning district and shall not result in an impairment, pollution, and/or destruction of the air, water, and natural resources.

(h) The use shall be specifically scrutinized for conformance with the performance standards outlined in section 10.509 of this Ordinance.

(i) The proposed use shall be designed as to location, size, intensity, site layout, and periods of operation to eliminate any possible nuisances which might be noxious to the occupants of any other nearby properties. The use shall not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive smoke, fumes, glare, noise, vibration, odors, and adverse environmental impacts.

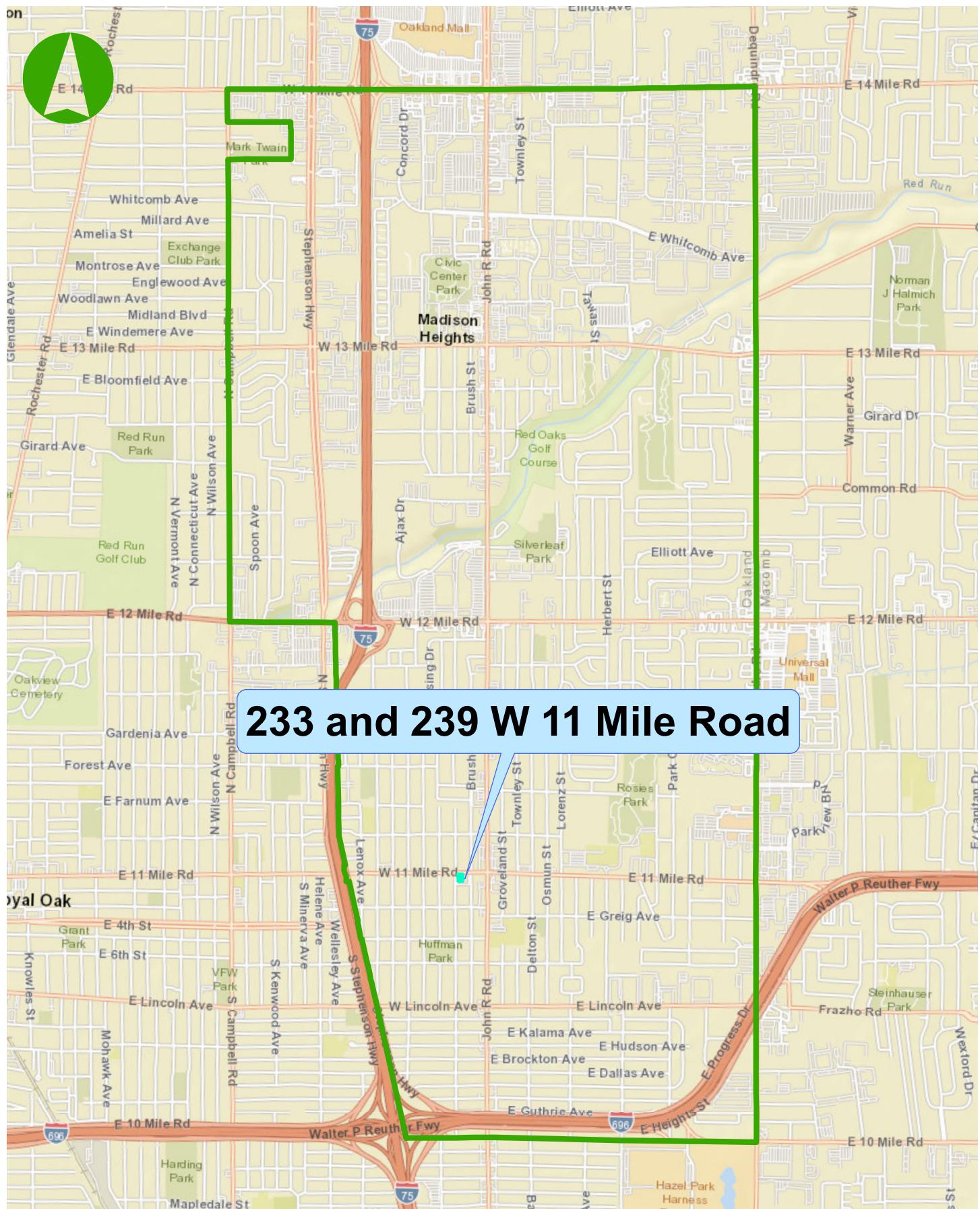
(j) The proposed use does not impose an unreasonable burden upon public services and utilities in relation to the burden imposed by permitted principal uses in the same zoning district.

(k) The city council may impose conditions in granting special approval that it deems necessary to fulfill the spirit and purpose of this Ordinance. The conditions may include those necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall:

1. Be designed to protect natural resources, the health, safety and welfare, as well as the social and economic well being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
2. Be related to the valid exercise of the police power and purposes that are affected by the proposed use or activity.
3. Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in this Ordinance for the land use or activity under consideration (if applicable); and be necessary to ensure compliance with those standards.
4. Provide adequate safeguards as deemed necessary for the protection of the general welfare and individual property rights, and for ensuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard or requirement, and the failure to correct such breach within 30 days after an order to correct is issued by the city shall be reason for immediate revocation of the special approval. Conditions and requirements stated as a part of special use permit authorizations shall be continuing obligations of the holders of such permits and are binding upon their heirs and assigns and upon any persons taking title to the affected property while such special use permit is in effect.

- (I) The discontinuance of a special use after a specified time may be a condition to the issuance of the permit. Renewal of a special use permit may be granted after a review and determination by the city council that continuing private need and public benefit will be served by such renewal. Renewal applications shall be in accord with standards and requirements in effect at the time that the renewal is requested.

SA Case : 21 - 01



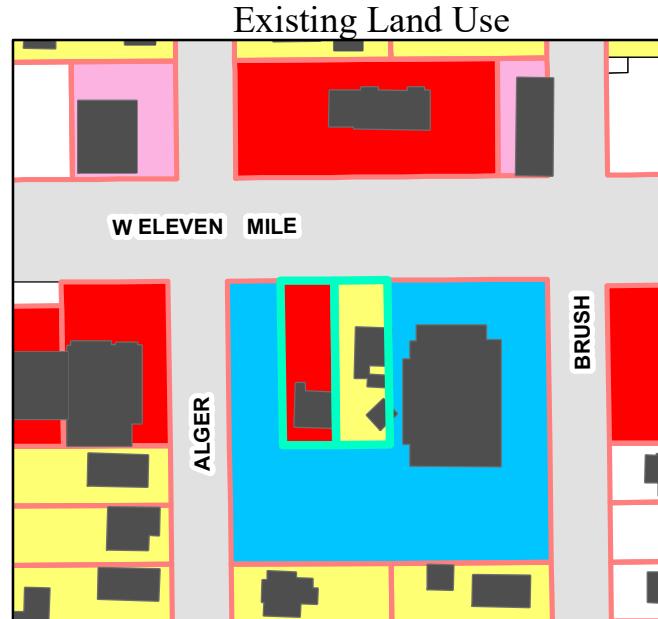
Site Address: 233 & 239 W Eleven Mile Rd



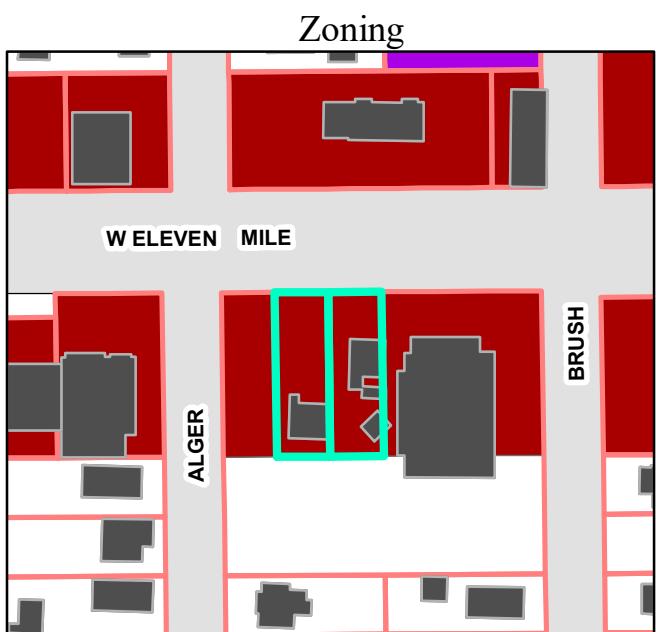
Click for map



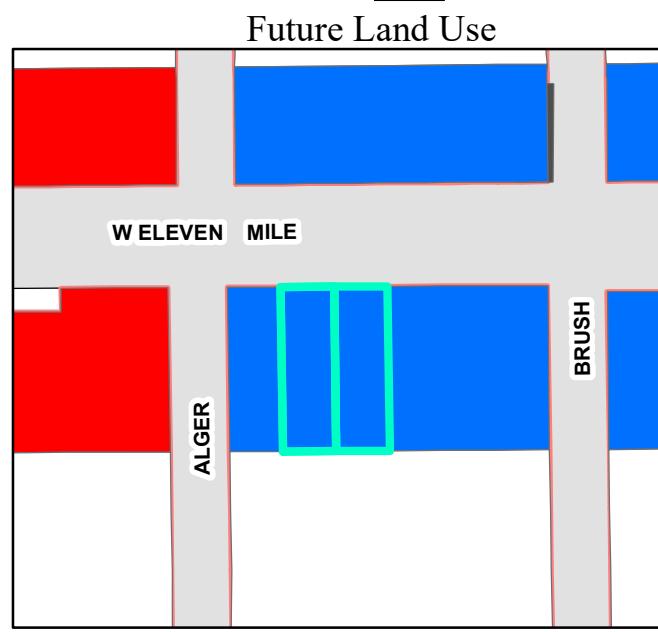
 233 & 239 W 11 Mile Rd
 Parcels



 233 & 239 W 11 Mile Rd
 Buildings
 Parcels
 Single And Two Family
 Office
 Commercial
 Quasi-public
 Vacant



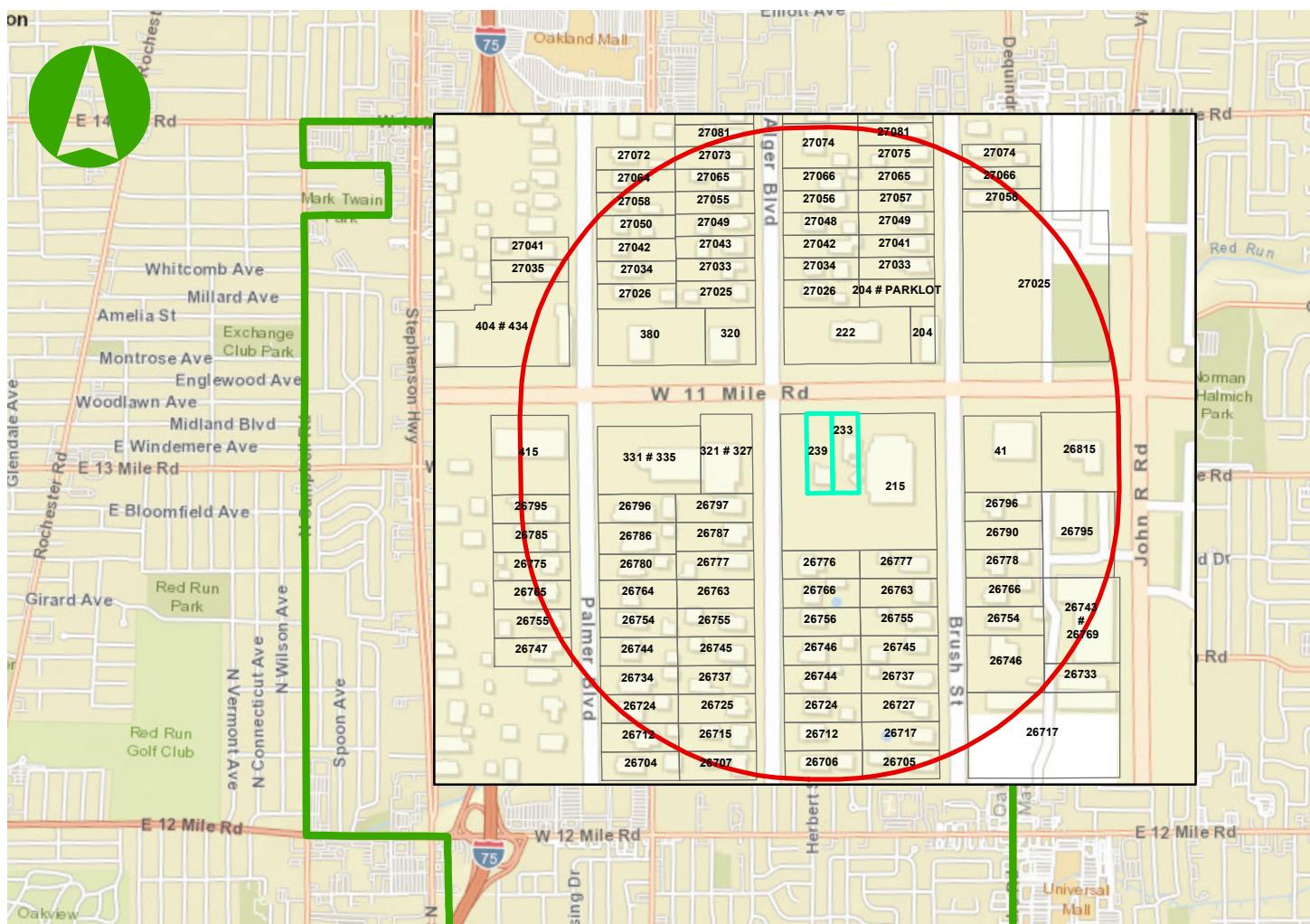
 233 & 239 W 11 Mile Rd
 Buildings
 Parcels
 R-3 Residential
 M-1 Light Industrial



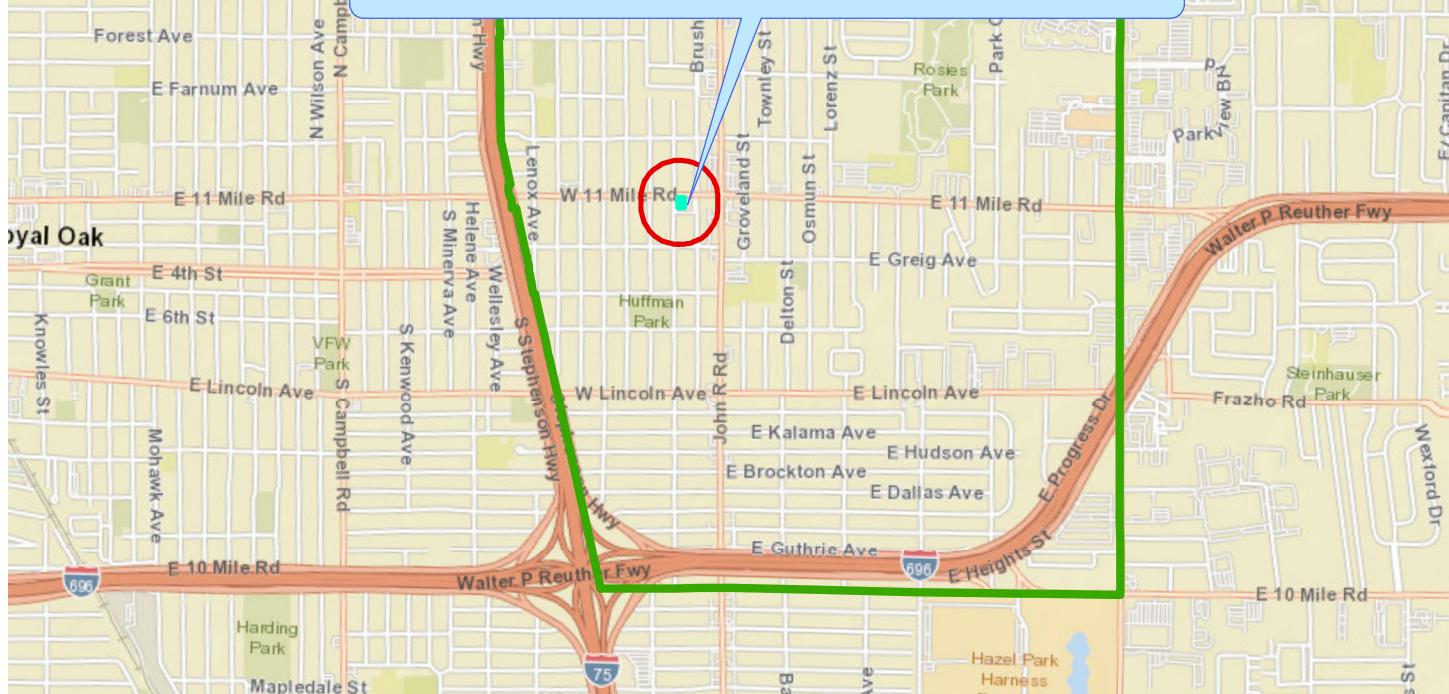
 233 & 239 W 11 Mile Rd
 Buildings
 Parcels
 R-3 Residential
 M-1 Light Industrial
 Single Family
 Multiple Family
 Office
 Commercial
 Public and Schools
 Recreation
 Conservation
 Mixed Use Innovation

SA Case : 21 - 01

Buffer 500 Ft



233 and 239 W 11 Mile Road



NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council for the City of Madison Heights will hold a public hearing on January 10th, 2022 at 7:30 p.m. in the City Council Chambers of the Municipal Building at 300 W. 13 Mile Road, Madison Heights, Michigan 48071 to consider the following special approval request:

Case # PSP 21-006

The applicant, Myst Luxury Auto Sales, requests Special Approval from City Council under Section 10.326(1) of the Madison Heights Zoning Ordinance to allow for the outdoor sales of secondhand automobiles at 233 W. 11 Mile Rd. and 239 W. 11 Mile Rd. The property is zoned B-3, General Business District.

The application and any supporting documents can be viewed during regular business hours at the Community and Economic Development Department. In addition, the agenda item can be viewed after 4:00 p.m. on Friday, January 7th, 2022 online at www.madison-heights.org in the Agenda Center.

For further information, please contact the Community and Economic Development Department at (248) 583-0831.

Cheryl Rottmann, CMC
City Clerk
(248) 583-0826

Madison Park News 12/22/2021



**CITY OF MADISON HEIGHTS
COMMUNITY DEVELOPMENT DEPARTMENT
PETITION FOR USE PERMITTED BY
SPECIAL APPROVAL**

FOR OFFICE USE ONLY
RSP21-006 No.
Request _____
Date _____ Filed _____
Approved by _____ CDD _____
Approved for Hearing _____

I (we) the under signed, do hereby apply and petition the City of Madison Heights for a Special Approval Use Permit and provide the following information.

(Application must be typed)

Building Address: 233-239 W 11 Mile Rd

Tax ID No.: 44-25-23-288-003/002

APPLICANT INFORMATION	
Name: <u>Xiaodong Chen</u>	
Phone No.: <u>2486627877</u>	Fax No.: _____
Mailing Address: <u>1266 dulong ave</u> <small>(Notices will be mailed to this address)</small>	City, State, Zip: <u>48071</u>
Driver's License No.: <u>C500928001675</u>	Date of Birth: <u>08/30/1992</u>
Interest in Property: <u>233-239 W. 11 Mile Road</u>	

BUILDING & BUSINESS INFORMATION

Zoning District: B3 Use Requested Pursuant to Section 10.322 of the Zoning Ordinance

Explain Requested Use in Detail: Used Auto Dealership. Existing residence to become 'sales office' with waiting area, restroom
Existing garage to become vehicle storage. New unenclosed addition to existing garage to become additional vehicle storage.

Parcels 2523228002 (garage) & 2523228003 (residence)

The above referenced parcel is known as: (Lots(s) Acreage Parcel (s)) Lots 10 & 11 of Oak Gardens

Subdivision (if platted lot(s)) and is located on the N S E W (Circle One) side of 11 Mile Street/Road between Alger Street/Road and Brush Street/Road.

Hours of Operation: 9-5

Property Frontage: 90' Width/Depth: 90x138.5 No. of Parking Spaces: 4 Private Lot Shared Lot

No. of Floors: 1 Max. No. of Employees: _____ Male _____ Female _____ No. on Largest Single Shift: _____

No. of Seats for Restaurant or Assembly Uses: _____ Capacity of Waiting Area: _____

Building: New or Existing Will Additions or Alterations to the Building be Required? YES

Explain: ADA compliance; additional vehicle storage; general aesthetic improvements

Describe Any Other Site Improvements to be Made: Renovations, interior & exterior, to existing primary structure (a residence) and accessory structure (a garage). Existing drive and parking resurfacing. New 6' screen wall. New landscape and green buffers. New unenclosed vehicle storage structure.

Building Owner Name: Martin Goycag Phone No.: 586-344-1088 Fax No.: _____

Mailing Address: P.O. Box 252 City: Clarkston Zip: 48347
(Notices will be mailed to this address)

Note: All blanks and boxes above must be completed. Use N/A where appropriate.
CONTINUED ON REVERSE SIDE



**PETITION FOR USE PERMITTED BY
SPECIAL APPROVAL (Continued)**

Include one (1) copies of a site plan, no larger than 11 x 17 inches, which meets the requirements of Section 10.514 of the Zoning Ordinance of Madison Heights and the required seven hundred and fifty dollar fee (\$750.00) plus a site plan application.

This petition / application must be signed by both the Owner in Fee of the property and the Applicant prior to submittal. Applicant(s) and property owner(s) hereby consent to city staff, board and commission members, and contractors to access the property for purposes of evaluating the site for the requested action(s).

FOR THE OWNER:

Signature Martin Gojcaj
Printed MARTIN GOJCAJ Name
Date 11-18-21

FOR THE APPLICANT IF NOT THE OWNER:

Signature XJ
Printed Xiaodong Chen Name
Date 2021/11/15 1941

NOTARY:

On this 18 day of Nov

Before me personally appeared
Martin Gojcaj to me known to be the person who executed the forgoing instrument, and acknowledged that he executed the same as his free act and deed.

Notary's
Signature Rebecca Laron Clark

Notary's
Printed Name Rebecca Laron Clark

Notary public, State of Michigan,
County of Oakland.

My commission expires 11-21-21.

Acting in the County of Oakland.

NOTARY:

On this 19th day of November 2021

Before me personally appeared
XIAODONG CHEN to me known to be the person who executed the forgoing instrument, and acknowledged that he executed the same as his free act and deed.

Notary's
Signature Patricia A. Gardenhire

Notary's
Printed Name PATRICIA A. GARDENHIRE

Notary public, State of Michigan,
County of Wayne.

My commission expires 12/09/2026.

Acting in the County of OAKLAND.

OFFICE USE ONLY

\$750.00 Fee Paid 11-19-21 Receipt Number 108228 By BS Date: 11-19-21

One Site Plan Attached no larger than 11 x 17 inches Yes No

Site Plan Application: PSPL21-0025 Date: 11-19-21

Copies to C.D.D. _____

Notices Mailed to Properties Within 500 Feet _____

Council Action _____

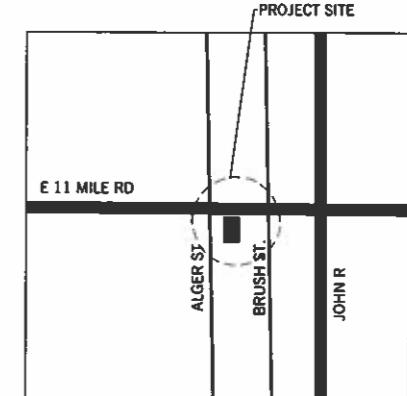
Meeting Date _____



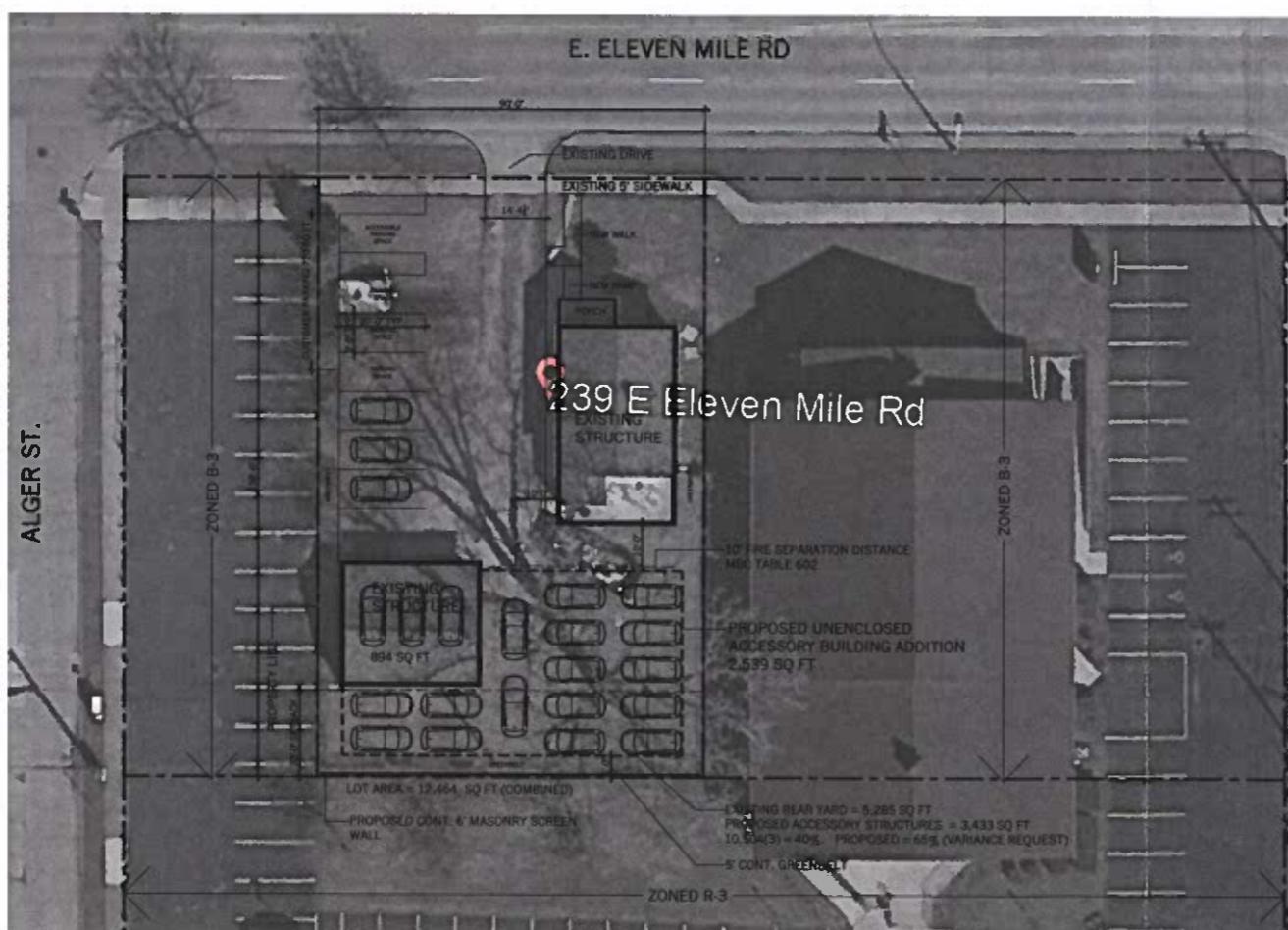
4 CONCEPT RENDERING
A01.00 SCALE: NONE



3 CONCEPT RENDERING
A01.00 SCALE: NONE



1 LOCATION MAP
A01.00 SCALE: NONE



RECEIVED
NOV 19 2021
BY:.....

BUILDING CODE + ORDINANCE REVIEW

GENERAL DESCRIPTION

PROJECT NAME: 239 E 11 MILE RD
PROJECT DESCRIPTION: PROPOSED AUTOMOTIVE DEALERSHIP

APPLICABLE CODES: MICHIGAN BUILDING CODE (MBC) 2015

BUILDING: MICHIGAN BUILDING CODE (MBC) 2015
ACCESSIBILITY: ICC/ANSI A117.1-2009
ADA ACCESSIBILITY GUIDELINES (ADAAG)

PARCEL IDS: 2523228002 & 2523228003

LEGAL: TBD

LOCAL ZONING REQUIREMENTS

ZONING ORDINANCE: MADISON HEIGHTS (MARCH 31, 2021)
ZONED: B3 GENERAL BUSINESS
PROPOSED USE: AUTO DEALER (SEC. 10.326(B) USE PERMISSIBLE BY RIGHT)

AREA AND BULK REQUIREMENTS

MAX. HEIGHT: 2 STORIES / 30'
MIN. YARD SETBACKS:
FRONT: 5'
SIDE 1: 0'
SIDE 2: 0'
REAR: 20'

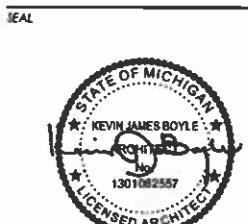
MIN. FLOOR AREA:
MAX. % OF LOT COVERAGE:

PARKING REQUIREMENTS PER SEC. 10.505 (11) a.
MOTOR VEHICLE SALES AND MOTOR VEHICLE HEAVY AND LIGHT REPAIR FACILITIES AND/OR GARAGE(S). SIX SPACES PLUS ONE FOR EACH 100 SQUARE FEET OF FLOOR AREA OF THE WAITING AND/OR SALES AREA AND TWO FOR EACH MOTOR VEHICLE SERVICE BAY AND/OR STALL IN THE SERVICE ROOM PLUS ONE FOR EACH EMPLOYEE.

REQUIRED SPACES: 9
PROPOSED PROVIDED SPACES: 4 (TO BE VARIANCE REQUEST DUE TO LIMITED SIZE OF BUILDING AND PARCEL)

STATE OF MICHIGAN VEHICLE DEALER LICENSE REQUIREMENTS

- THE PREMISES MUST CONTAIN A PERMANENTLY ENCLOSED BUILDING OR STRUCTURE EITHER OWNED, LEASED, OR RENTED BY A DEALER, WHICH IS NOT A RESIDENCE, TENT, TEMPORARY STAND, OR ANY TEMPORARY QUARTERS;
- THE BUILDING OR STRUCTURE IS REQUIRED TO BE CONTINUOUSLY OCCUPIED IN GOOD FAITH FOR THE PURPOSE OF SELLING, BUYING, TRADING, LEASING, OR OTHERWISE DEALING IN MOTOR VEHICLES;
- ALL BOOKS, RECORDS, AND FILES NECESSARY TO CONDUCT THE BUSINESS OF A CLASS A OR CLASS B DEALER MUST BE MAINTAINED IN THE BUILDING OR STRUCTURE;
- A BUILDING OR STRUCTURE HOUSING AN OFFICE OF AT LEAST 150 SQUARE FEET IN SIZE, EQUIPPED WITH STANDARD OFFICE FURNITURE, WORKING UTILITIES, A WORKING RESTROOM, AND A WORKING TELEPHONE LISTED IN THE NAME OF THE BUSINESS ON THE DEALER'S LICENSE;
- LAND SPACE OF NO LESS THAN 1,300 SQUARE FEET TO ACCOMMODATE THE DISPLAY OF A MINIMUM OF 10 VEHICLES OF THE KIND AND TYPE THAT THE DEALER IS LICENSED TO SELL AND AN ADDITIONAL 650 SQUARE FEET FOR CUSTOMER PARKING. THE DISPLAY AND CUSTOMER PARKING AREAS MUST BE ADEQUATELY SURFACED AND WELL LIT DURING BUSINESS HOURS;
- AN EXTERIOR SIGN DISPLAYING THE NAME OF THE DEALERSHIP THAT IS PERMANENTLY AFFixed TO THE BUILDING OR AND WITH LETTERS CLEARLY VISIBLE FROM A HIGHWAY IDENTIFIES THE PREMISES;
- CONSPICUOUS POSTING OF THE DEALER'S REGULAR HOURS OF OPERATION. THE POSTED HOURS MUST BE NOT LESS THAN 30 HOURS PER WEEK;
- THE PREMISES MUST CONTAIN A REGISTERED REPAIR FACILITY ON-SITE FOR THE REPAIR AND SERVICING OF MOTOR VEHICLES OF A TYPE SOLD AT THE ESTABLISHED PLACE OF BUSINESS, UNLESS THE DEALER HAS ENTERED INTO A WRITTEN SERVICING AGREEMENT WITH A REGISTERED REPAIR FACILITY AT A LOCATION NOT TO EXCEED 10 MILES' DISTANCE FROM THE ESTABLISHED PLACE OF BUSINESS. IF REPAIRS ARE CONDUCTED PURSUANT TO A SERVICING AGREEMENT, THE SERVICING AGREEMENT MUST BE CONSPICUOUSLY POSTED IN THE OFFICE.



MYST AUTO
32703 JOHN R RD
MADISON HEIGHTS, MI 48071
(248) 662-7877

PROPOSED AUTO DEALERSHIP
239 E 11 MILE RD
MADISON HEIGHTS, MI 48071

SHEET CONTENTS

SITE PLAN STUDY

DATE DESCRIPTION DRAWN BY

11/04/2021 CLIENT REVIEW
DATE DESCRIPTION DRAWN BY
KEVIN JAMES BOYLE, AIA
5940 FOREST AVE
HARBOR SPRINGS, MI 49740
TELE: (248) 918-3270
CONSULTANTS

PROJECT NO. 202107 SHEET NO. A01.00

CITY OF MADISON HEIGHTS
ELECTRONIC COUNCIL AGENDA REQUEST FORM

SUBMITTED TO: _____

SUBMITTED BY: _____ DATE: _____

FOR CONSIDERATION AT THE COUNCIL MEETING OF: _____

ACTION REQUESTED

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	OLD BUSINESS	_____

DESCRIPTION OF ITEM

IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS

POLICY CONSIDERATION

FINANCIAL IMPACT

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 nd Acct.	_____		_____
Other Comments	_____		_____

REVIEW CHECKLIST

DEPARTMENT _____ DATE _____

DEPARTMENT _____ DATE _____

CITY MANAGER _____ DATE _____

MEMORANDUM

DATE: **January 4, 2022**

TO: **Melissa R. Marsh, City Manager**

FROM: **Sean P. Ballantine, Public Works Supervisor**

Adam M. Owczarzak, Assistant to the City Manager

R. Corey Almas, Director of Public Services

SUBJECT: Resolution supporting Oakland County Parks Grant Application

As part of the recently renewed Oakland County Parks Millage, Oakland County Parks and Recreation (OCPR) has established a reimbursement grant program for park projects and improvements in cities, villages, and townships in Oakland County. Due to the time-sensitive nature of this grant, Staff determined that it would be best utilized pursuing supplemental funding to enhance a currently programmed and budgeted improvement. The Ambassador Park Tennis Court project was identified due to the overall project cost, as well as the proximity of the facility to the Red Oaks County Park system, and its potential inclusion in the future Oakland County Trailways system.

Funding is currently budgeted for replacement of the failing asphalt tennis court surface. By utilizing the currently budgeted funding as a match, assuming grant approval, we would be able to include replacement of the surrounding fence, and consider other improvements, including a dual-use pickleball court, improved play surfacing, and installation of backboards for single-player tennis.

The grant application requires a supporting resolution from the City Council, which is attached for consideration. Staff also requests that a public comment period be opened at the Council meeting for the purpose of soliciting any comment or resident feedback regarding this project.

We appreciate your consideration on this matter.

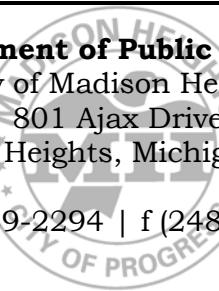
Department of Public Services

City of Madison Heights

801 Ajax Drive

Madison Heights, Michigan 48071

p (248) 589-2294 | f (248) 589-2679



PROCLAMATION

WHEREAS, the City of Madison Heights desires to submit an application titled "Ambassador Park Tennis Court Replacement" to the Oakland County Parks and Recreation Park Improvements Grant Program for Development of the failing tennis courts at Ambassador Park in the amount of \$30,000; and,

WHEREAS, the proposed application is supported by the Community's Capital Improvement Plan and Recreation Master Plan; and,

WHEREAS, the Grant Program requires a local match of twenty-five percent (25%) of the requested grant; and,

WHEREAS, the Grant Program requires that the City of Madison Heights certify compliance with all Grant Program requirements, including commitment to long-term maintenance and all project cost overruns,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Madison Heights hereby approves participation in the Park Improvements Grant Program and authorizes the submission of a Park Improvements Grant Program application for \$30,000.

BE IT FURTHER RESOLVED, that the Grant Program Application is supported by the City of Madison Heights' Capital Improvement Plan and Recreation Master Plan.

BE IT FURTHER RESOLVED, that the City of Madison Heights acknowledges and certifies compliance with all grant program requirements, including commitment to long-term maintenance and all project cost overruns.

BE IT FURTHER RESOLVED, that the City of Madison Heights shall make a local match through financial commitment in cash, force account, federal or state funds, private funds, or donated labor/materials directly related to the project for \$25,000.

BE IT FURTHER RESOLVED, that City Manager Melissa Marsh will be authorized to sign all grant-related documents on behalf of the City of Madison Heights.



Roslyn Grafstein
Mayor



Mark A. Bliss
Councilman



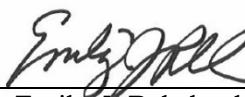
Sean D. Fleming
Councilman



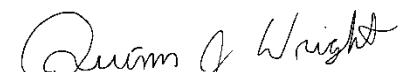
David M. Soltis
Councilman



Robert J. Corbett Jr.
Mayor Pro Tem



Emily J. Rohrbach
Councilor



Quinn J. Wright
Councilor

CITY OF MADISON HEIGHTS
ELECTRONIC COUNCIL AGENDA REQUEST FORM

SUBMITTED TO: _____

SUBMITTED BY: _____ DATE: _____

FOR CONSIDERATION AT THE COUNCIL MEETING OF: _____

ACTION REQUESTED

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	UNFINISHED BUSINESS	_____

DESCRIPTION OF ITEM

IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS

POLICY CONSIDERATION

FINANCIAL IMPACT

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 nd Acct.	_____		_____
Other Comments	_____		_____

REVIEW CHECKLIST

DEPARTMENT _____ DATE _____

DEPARTMENT _____ DATE _____

CITY MANAGER _____ DATE _____

Cheryl Rottmann

From: Al Bedz <aebedz93@gmail.com>
Sent: Friday, December 17, 2021 2:57 PM
To: Cheryl Rottmann
Cc: Roslyn Yerman
Subject: Library Advisory Board

Good afternoon Cheryl,

I am sorry for the late notification, but I need to resign my position on the Library Advisory Board as I am no longer a resident of the City.

Thank you,

- Alex Bedz

CITY OF MADISON HEIGHTS
ELECTRONIC COUNCIL AGENDA REQUEST FORM

SUBMITTED TO: _____

SUBMITTED BY: _____ DATE: _____

FOR CONSIDERATION AT THE COUNCIL MEETING OF: _____

ACTION REQUESTED

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	OLD BUSINESS	_____

DESCRIPTION OF ITEM

IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS

POLICY CONSIDERATION

FINANCIAL IMPACT

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 nd Acct.	_____		_____
Other Comments	_____		_____

REVIEW CHECKLIST

DEPARTMENT _____ DATE _____

DEPARTMENT _____ DATE _____

CITY MANAGER _____ DATE _____

MEMORANDUM

DATE: **December 22, 2021**

TO: **Melissa R. Marsh, City Manager**

FROM: **Sean P. Ballantine, Public Works Supervisor**

Dan Yamarino, Motor Pool Supervisor

Corey K. Haines, Police Chief/Deputy City Manager

R. Corey Almas, Director of Public Services

SUBJECT: Emergency Purchase – 5 Replacement Police Cars

The adopted FY 2022 Budget includes funding for the scheduled replacement of four police patrol vehicles, which based on condition analysis are Patrol #104, #107, #109, and #114. Additionally, Patrol #106 was involved in a serious crash, and has now been deemed a total loss by our insurance carrier.

The ordering window for these vehicles opened in December, however, due to ongoing supply chain issues, it immediately closed before the City was able to order any vehicles. Chief Haines learned from our contact at Canfield Inc., Keith Engblom, where we have the police vehicles up-fitted, that every department is having difficulty securing new vehicle purchases from all of the big 3 auto makers and that they are not doing any further production of police vehicles beyond the orders they have already received.

Out of concern that replacement vehicles would not be available we contacted Galeana's VanDyke Dodge which is the dealership we typically use through the Oakland County cooperative purchasing program. The dealership was originally allotted an order of 10 total Dodge Durango vehicles for the 2022 model year; however that order has not been accepted or confirmed. The dealer did explain that he had 6 vehicles on his lot that he recently received, 2021 models that fit the City's needs. One of those vehicles was sold the day of our conversation and the dealer indicated he had several police agencies starting the purchasing process to buy them.

Based on these circumstances we requested the City Manager authorize an Emergency Purchase for five patrol vehicles from Galeana's VanDyke Dodge of Warren using the Oakland County cooperative pricing agreement. This Emergency Purchase was approved in accordance with the City Charter section 2-255 and the City took delivery of these five vehicles on December 21st.

Four (4) of these vehicles were included in the current budget year for replacement with one additional to be replaced from insurance coverage.

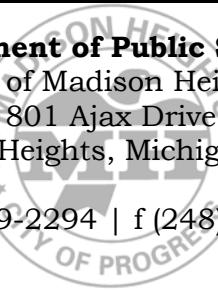
Department of Public Services

City of Madison Heights

801 Ajax Drive

Madison Heights, Michigan 48071

p (248) 589-2294 | f (248) 589-2679



MEMORANDUM

City Council is not required to approve this Emergency purchase that has already taken place; however staff and I ask that City Council receive and file this report as notice of the City Manager's approval allowing the purchase of five 2021 Dodge Durango Pursuit vehicles from Galeana's VanDyke Dodge, of Warren, Michigan, in the total amount of \$177,051.

Department of Public Services

City of Madison Heights
801 Ajax Drive
Madison Heights, Michigan 48071

p (248) 589-2294 | f (248) 589-2679



GALEANA'S VAN DYKE DODGE
28400 VAN DYKE AVENUE
WARREN, MI 480937133

Priced Order Confirmation (POC)

Date Printed: 2021-12-17 9:57 AM VIN: 1C4SDJFT3MC764000 Quantity: 01
 Estimated Ship Date: 2021-09-16 1:59 AM VON: 48704193 Status: KZ - Released by plant and invoiced
 Date Ordered: 2021-04-02 11:55 AM Ordered By: S66657A FAN 1: 00BN2 Kalkaska County Sheriff's Off
 FAN 2:
 Client Code:
 Bid Number: TB1071

Sold to:
 GALEANA'S VAN DYKE DODGE (57081)
 28400 VAN DYKE AVENUE
 WARREN, MI 480937133

Ship to:
 GALEANA'S VAN DYKE DODGE (57081)
 28400 VAN DYKE AVENUE
 WARREN, MI 480937133

Vehicle: 2021 DURANGO PURSUIT VEHICLE AWD (WDEE75)

	Sales Code	Description	MSRP(USD)
Model:	WDEE75	DURANGO PURSUIT VEHICLE AWD	36,000
Package:	22Z	Customer Preferred Package 22Z	0
	EZH	5.7L V8 HEMI MDS VVT Engine	2,995
	DFD	8-Spd Auto 8HP70 Trans (Buy)	0
Paint/Seat/Trim:	PXJ	DB Black Clear Coat	0
	APA	Monotone Paint	0
	*A7	Cloth Bucket Seats W/Rear Vinyl	120
	-X9	Black	0
Options:	CW6	Deactivate Rear Doors/Windows	75
	LNA	Black Right LED Spot Lamp	515
	LNF	Black Left LED Spot Lamp	545
	LNX	LED Spot Lamps	0
	NAS	50 State Emissions	0
	XAN	Blind Spot and Cross Path Detection	495
	3AH	Price Protection - Code H	0
	4ES	Delivery Allowance Credit	0
	2SQ	FCA Fleet Powertrain Care	0
	YG1	7.5 Additional Gallons of Gas	0
	4NU	Fuel Fill / Battery Charge	0
	4FM	Fleet Option Editor	0
	4FT		0
	5N6	Easy Order	0
	4FT	Fleet Sales Order	0
	4EA	Sold Vehicle	0
Non Equipment:	4KA	Special Bid Handling	0
	4FA	Special Bid-Ineligible For Incentive	0
	4DH	Prepaid Holdback	0
	MAF	Fleet Purchase Incentive	0
Bid Number:	TB1071	Government Incentives	0
Special Equipment:	99595B		0
	99595A		0
Destination Fees:			1,495
		Total Price:	<u>42,240</u>

QUOTE PRICE \$35,199.00

DATE 12-17-2021

GLENN BUTTERWORTH, FLEET MGR. 

Note: This is not an invoice. The prices and equipment shown on this priced order confirmation are tentative and subject to change or correction without prior notice. No claims against the content listed or prices quoted will be accepted. Refer to the vehicle invoice for final vehicle content and pricing. Orders are accepted only when the vehicle is shipped by the factory.

GALEANA'S VAN DYKE DODGE
28400 VAN DYKE AVENUE
WARREN, MI 480937133

Priced Order Confirmation (POC)

Date Printed:	2021-10-19 9:52 AM	VIN:	1C4SDJFT8MC763599	Quantity:	01
Estimated Ship Date:	2021-09-15 1:59 AM	VON:	48665728	Status:	KZ - Released by plant and Invoiced
Date Ordered:	2021-03-26 12:26 PM	Ordered By:	S66657A	FAN 1:	00DDK Dealer / Police Inventory
				FAN 2:	
				Client Code:	
				Bid Number:	TB1071
Sold to:		Ship to:		PO Number:	
GALEANA'S VAN DYKE DODGE (57081) 28400 VAN DYKE AVENUE WARREN, MI 480937133		GALEANA'S VAN DYKE DODGE (57081) 28400 VAN DYKE AVENUE WARREN, MI 480937133			

Vehicle:

2021 DURANGO PURSUIT VEHICLE AWD (WDEE75)

	Sales Code	Description	MSRP(USD)
Model:	WDEE75	DURANGO PURSUIT VEHICLE AWD	36,000
Package:	22Z	Customer Preferred Package 22Z	0
	EZH	5.7L V8 HEMI MDS VVT Engine	2,995
	DFD	8-Spd Auto 8HP70 Trans (Buy)	0
Paint/Seat/Trim:	PXJ	DB Black Clear Coat	0
	APA	Monotone Paint	0
	*A7	Cloth Bucket Seats W/Rear Vinyl	120
	-X9	Black	0
Options:	ADL	Skid Plate Group	295
	CW6	Deactivate Rear Doors/Windows	75
	LNA	Black Right LED Spot Lamp	515
	LNF	Black Left LED Spot Lamp	545
	LNX	LED Spot Lamps	0
	NAS	50 State Emissions	0
	XAN	Blind Spot and Cross Path Detection	495
	3AH	Price Protection - Code H	0
	4ES	Delivery Allowance Credit	0
	2SQ	FCA Fleet Powertrain Care	0
	YG1	7.5 Additional Gallons of Gas	0
	4NU	Fuel Fill / Battery Charge	0
	4FM	Fleet Option Editor	0
	4FT		0
	5N6	Easy Order	0
	4FT	Fleet Sales Order	0
	4EA	Sold Vehicle	0
Non Equipment:	4KA	Special Bid Handling	0
	4FA	Special Bid-Ineligible For Incentive	0
	4DH	Prepaid Holdback	0
	MAF	Fleet Purchase Incentive	0
Bid Number:	TB1071	Government Incentives	0
Special Equipment:	99595B		0
	99595A		0
Destination Fees:			1,495
		Total Price:	42,535

QUOTE PRICE \$35,463.00

DATE 12-15-2021

GLENN BUTTERWORTH, FLEET MGR.

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GALEANA'S VAN DYKE DODGE
28400 VAN DYKE AVENUE
WARREN, MI 480937133

Priced Order Confirmation (POC)

Date Printed:	2021-12-17 9:47 AM	VIN:	1C4SDJFT7MC752481	Quantity:	01
Estimated Ship Date:	2021-10-04 1:59 AM	VON:	48642129	Status:	KZ - Released by plant and invoiced
Date Ordered:	2021-03-23 9:24 AM	Ordered By:	S66657A	FAN 1:	00DDK Dealer / Police Inventory
				FAN 2:	
				Client Code:	
				Bid Number:	TB1071
Sold to:		Ship to:		PO Number:	
GALEANA'S VAN DYKE DODGE (57081) 28400 VAN DYKE AVENUE WARREN, MI 480937133		GALEANA'S VAN DYKE DODGE (57081) 28400 VAN DYKE AVENUE WARREN, MI 480937133			

Vehicle: 2021 DURANGO PURSUIT VEHICLE AWD (WDEE75)

	Sales Code	Description	MSRP(USD)
Model:	WDEE75	DURANGO PURSUIT VEHICLE AWD	36,000
Package:	22Z	Customer Preferred Package 22Z	0
	EZH	5.7L V8 HEMI MDS VVT Engine	2,995
	DFD	8-Spd Auto 8HP70 Trans (Buy)	0
Paint/Seat/Trim:	PXJ	DB Black Clear Coat	0
	APA	Monotone Paint	0
	*A7	Cloth Bucket Seats W/Rear Vinyl	120
	-X9	Black	0
Options:	ADL	Skid Plate Group	295
	CW6	Deactivate Rear Doors/Windows	75
	LNA	Black Right LED Spot Lamp	515
	LNF	Black Left LED Spot Lamp	545
	LNX	LED Spot Lamps	0
	NAS	50 State Emissions	0
	XAN	Blind Spot and Cross Path Detection	495
	3AH	Price Protection - Code H	0
	4ES	Delivery Allowance Credit	0
	2SQ	FCA Fleet Powertrain Care	0
	YG1	7.5 Additional Gallons of Gas	0
	4NU	Fuel Fill / Battery Charge	0
	4FM	Fleet Option Editor	0
	4FT		0
	5N6	Easy Order	0
	4FT	Fleet Sales Order	0
	4EA	Sold Vehicle	0
Non Equipment:	4KA	Special Bid Handling	0
	4FA	Special Bid-Ineligible For Incentive	0
	4DH	Prepaid Holdback	0
	MAF	Fleet Purchase Incentive	0
Bid Number:	TB1071	Government Incentives	0
Special Equipment:	99595B		0
	99595A		0
Destination Fees:			1,495
		Total Price:	42,535

QUOTE PRICE \$35,463.00

DATE 12-17-2021

GLENN BUTTERWORTH, FLEET MGR. 

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GALEANA'S VAN DYKE DODGE

28400 VAN DYKE AVENUE

WARREN, MI 480937133

Priced Order Confirmation (POC)

Date Printed:	2021-11-02 9:16 AM	VIN:	1C4SDJFT9MC752479	Quantity:	01
Estimated Ship Date:	2021-10-04 1:59 AM	VON:	48642127	Status:	KZ - Released by plant and invoiced
Date Ordered:	2021-03-23 9:24 AM	Ordered By:	S66657A	FAN 1:	00DDK Dealer / Police Inventory
				FAN 2:	
				Client Code:	
				Bid Number:	TB1071
Sold to:		Ship to:		PO Number:	
GALEANA'S VAN DYKE DODGE (57081)		GALEANA'S VAN DYKE DODGE (57081)			
28400 VAN DYKE AVENUE		28400 VAN DYKE AVENUE			
WARREN, MI 480937133		WARREN, MI 480937133			

Vehicle:

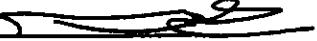
2021 DURANGO PURSUIT VEHICLE AWD (WDEE75)

	Sales Code	Description	MSRP(USD)
Model:	WDEE75	DURANGO PURSUIT VEHICLE AWD	36,000
Package:	22Z	Customer Preferred Package 22Z	0
	EZH	5.7L V8 HEMI MDS VVT Engine	2,995
	DFD	8-Spd Auto 8HP70 Trans (Buy)	0
Paint/Seat/Trim:	PXJ	DB Black Clear Coat	0
	APA	Monotone Paint	0
	*A7	Cloth Bucket Seats W/Rear Vinyl	120
	-X9	Black	0
Options:	ADL	Skid Plate Group	295
	CW6	Deactivate Rear Doors/Windows	75
	LNA	Black Right LED Spot Lamp	515
	LNF	Black Left LED Spot Lamp	545
	LNX	LED Spot Lamps	0
	NAS	50 State Emissions	0
	XAN	Blind Spot and Cross Path Detection	495
	3AH	Price Protection - Code H	0
	4ES	Delivery Allowance Credit	0
	2SQ	FCA Fleet Powertrain Care	0
	YG1	7.5 Additional Gallons of Gas	0
	4NU	Fuel Fill / Battery Charge	0
	4FM	Fleet Option Editor	0
	4FT		0
	5N6	Easy Order	0
	4FT	Fleet Sales Order	0
	4EA	Sold Vehicle	0
Non Equipment:	4KA	Special Bid Handling	0
	4FA	Special Bid-Ineligible For Incentive	0
	4DH	Prepaid Holdback	0
	MAF	Fleet Purchase Incentive	0
Bid Number:	TB1071	Government Incentives	0
Special Equipment:	99595B		0
	99595A		0
Destination Fees:			1,495

Total Price: 42,535

QUOTE PRICE \$35,463.00

DATE 12-17-2021

GLENN BUTTERWORTH, FLEET MGR. 

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GALEANA'S VAN DYKE DODGE
28400 VAN DYKE AVENUE
WARREN, MI 480937133

Priced Order Confirmation (POC)

Date Printed:	2021-12-17 9:49 AM	VIN:	1C4SDJFT9MC752482	Quantity:	01
Estimated Ship Date:	2021-10-05 1:59 AM	VON:	48642130	Status:	KZ - Released by plant and invoiced
Date Ordered:	2021-03-23 9:24 AM	Ordered By:	S66657A	FAN 1:	00DDK Dealer / Police Inventory
				FAN 2:	
				Client Code:	
				Bid Number:	TB1071
Sold to:		Ship to:		PO Number:	
GALEANA'S VAN DYKE DODGE (57081) 28400 VAN DYKE AVENUE WARREN, MI 480937133		GALEANA'S VAN DYKE DODGE (57081) 28400 VAN DYKE AVENUE WARREN, MI 480937133			

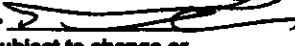
Vehicle: 2021 DURANGO PURSUIT VEHICLE AWD (WDEE75)

	Sales Code	Description	MSRP(USD)
Model:	WDEE75	DURANGO PURSUIT VEHICLE AWD	36,000
Package:	22Z	Customer Preferred Package 22Z	0
	EZH	5.7L V8 HEMI MDS VVT Engine	2,995
	DFD	8-Spd Auto 8HP70 Trans (Buy)	0
Paint/Seat/Trim:	PXJ	DB Black Clear Coat	0
	APA	Monotone Paint	0
	*A7	Cloth Bucket Seats W/Rear Vinyl	120
	-X9	Black	0
Options:	ADL	Skid Plate Group	295
	CW6	Deactivate Rear Doors/Windows	75
	LNA	Black Right LED Spot Lamp	515
	LNF	Black Left LED Spot Lamp	545
	LNX	LED Spot Lamps	0
	NAS	50 State Emissions	0
	XAN	Blind Spot and Cross Path Detection	495
	3AH	Price Protection - Code H	0
	4ES	Delivery Allowance Credit	0
	2SQ	FCA Fleet Powertrain Care	0
	YG1	7.5 Additional Gallons of Gas	0
	4NU	Fuel Fill / Battery Charge	0
	4FM	Fleet Option Editor	0
	4FT		0
	5N6	Easy Order	0
	4FT	Fleet Sales Order	0
	4EA	Sold Vehicle	0
Non Equipment:	4KA	Special Bid Handling	0
	4FA	Special Bid-Ineligible For Incentive	0
	4DH	Prepaid Holdback	0
	MAF	Fleet Purchase Incentive	0
Bid Number:	TB1071	Government Incentives	0
Special Equipment:	99595B		0
	99595A		0
Destination Fees:			1,495

Total Price: 42,535

QUOTE PRICE \$35,463.00

DATE 12-17-2021

GLENN BUTTERWORTH, FLEET MGR. 

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City of Madison Heights**Disposition: Auction/Reserves****Vehicle Replacement Guidelines & Evaluation Worksheet**

(Only those fields shaded in yellow need to be completed.)

Date of Evaluation: 12/21/2021
 Vehicle #: **104**
 Department / Division: PD-Patrol
 Year / Make / Model: 2018 Ford Interceptor Utility

Vehicle Type: **B**
 Type A = Sedans / Light Trucks \leq 1 Ton
 Type B = Medium / Heavy Duty $>$ 1 Ton
 Type C = Off Road Equipment

Age: One point for each year of chronological age beginning with in-service date

In Service Date: 10/1/2018 Age in Months: 38
 Age in Years (rounded): 3 **Score:** 3

Usage: Type A = 1 point per 10,000 miles; Type B = 1 point per 5,000 miles; Type C = 1 point per 250 hours used

Actual Mileage: 60,074
 Actual Hours: (N/A) **Score:** 12

Service Type:

Type A		Type C	
Points	Description	Points	Description
1	Standard sedans and light pickups.	1	Standard duties as equipped.
2	Standard vehicles with occasional off-road usage.	2	Standard duties when used with attachments (sickle bar, backhoes, rear bushhogs).
3	Any vehicle that pulls trailers, hauls heavy loads, continued off-road usage.	3	Multiple duties based on seasons (snow, mowing, leaf).
4	Any vehicle involved in snow removal.	4	Extreme duties in harmful atmosphere (dust, salt, water).
5	Police, Fire, and Rescue service vehicles.	5	Heavy construction work including snow removal.

Type B	
Points	Description
1	Standard use including basic job site duties, some light duty hauling.
2	Standard use with attachments (compressors, lights, etc.) including job site duties, standard load hauling, some towing.
3	Above standard use including job site duties that include idling, standard load hauling, light trailer/equipment towing, leaf collection.
4	Above standard use including job site idling and hauling above standard loads, towing equipment and heavy trailers, light snow removal.
5	Extreme service, high job site idling and duties with attachments, heavy load hauling, heavy trailer/equipment towing, major snow removal duties, refuse collection, etc. (Examples: Sign Truck, Tandem or Single Dump Truck, Snow Removal Truck).

Score: 5**Reliability:** *Note: Based on current conditions. Preventative Maintenance work is not included.*

Points	Description
1	In shop 0 or 1 time within the last 3 months, and no major breakdowns or road calls.
2	In shop 1 time within the last 3 months, and 1 breakdown/road call within the last 3 months.
3	In shop more than twice within the last month, and no major breakdowns or road calls.
4	In shop more than once within the last month, and 2 or more breakdowns/road calls within the last month.
5	In shop more than twice monthly within the last 3 months, and 2 or more breakdowns within the last month.

Number of times in shop within the last month:	<u>0</u>
Number of times in shop within the last 3 months:	<u>1</u>
Any Road Calls or Breakdowns (Y or N):	<u>N</u>
Road Calls / Breakdowns within the last month:	<u>0</u>
Road Calls / Breakdowns within the last 3 months:	<u>0</u>
In shop more than twice monthly within the last 3 months (Y or N):	<u>N</u>

Score: 1**Maintenance & Replacement Costs:**

Points	Description
1	Maintenance costs are less than or equal to 20% of replacement cost.
2	Maintenance costs are 21-40% of replacement cost.
3	Maintenance costs are 41-60% of replacement cost.
4	Maintenance costs are 61-80% of replacement cost.
5	Maintenance costs are greater than or equal to 81% of replacement cost.

Total Maintenance Cost :	<u>\$5,250</u>	as of <u>12/21/2021</u>
Estimated Purchase Price - New Veh. :	<u>\$38,000</u>	as of <u>12/21/2021</u>
Est. Resale Value of Car to be sold :	<u>\$5,000</u>	as of <u>12/21/2021</u>
Estimated Net Replacement Cost :	<u>\$33,000</u>	as of <u>12/21/2021</u>
Maintenance Cost as % of Replacement Cost:	<u>15.9%</u>	as of <u>12/21/2021</u>

Score: 1**Condition:**

Type A	
Points	Description
1	No visual damage or rust and a good drive train
2	Minor imperfections in body and paint, interior fair (no rips, tears, burns), and a good drive train.
3	Noticeable imperfections in body and paint surface, some minor rust, minor damage from add-on equipment, worn interior (one or more rips, tears, burns), and a weak or noisy drive train.
4	Previous accident damage, poor paint and body condition, rust (holes), bad interior (tears, rips, cracked dash), major damage from add-on equipment, and one drive train component bad.
5	Previous accident damage, poor paint, bad interior, drive train that is damaged or inoperative, and major damage from add-on equipment

Type B	
Points	Description
1	No visual damage or rust, good paint, good interior, no damage from add-on equipment, no body modification, good drive train.
2	Minor imperfections in body and paint, interior fair (no rips, tears, burns), good drive train, minor body modification.
3	Noticeable imperfections in body and paint surface, some minor rust, fair interior, weak/fair drive train, minor body modification, minor damage from add-on equipment.
4	Previous accident damage, poor paint & body condition, major rust/corrosion, poor interior, damage from add-on equip., moderate body modification evidence, 1 drive train component bad.
5	Previous accident damage, poor paint & body condition, bad interior, drive train damaged or inoperative, major body modifications, major damage from add-on equipment and attachments.

Type C			
Points	Description	Number of Notable Accidents:	(list number)
1	Good condition, fully functional.	Paint / Body:	Good
2	Fair body, functional.	Interior:	Good
3	Minor body damage, weak operating system.	Drive Train:	Good
4	Severe damage, component not functional.	General Condition:	2 (pick number from table)
5	Extreme damage, inoperable.		

Score: 2

Overall:	Total Score:	<u>24</u>
0 - 17	Excellent	Do not replace.
18 - 22	Good	Re-evaluate for future budget(s).
23 - 27	Fair	Qualifies for replacement if budget allows.
28+	Poor	Needs priority replacement.

Prepared By: Sean P. Ballantine Date: 12/21/2021

City of Madison Heights**Disposition:** **Total Loss****Vehicle Replacement Guidelines & Evaluation Worksheet**

(Only those fields shaded in yellow need to be completed.)

Date of Evaluation: 12/21/2021
 Vehicle #: **106**
 Department / Division: PD-Patrol
 Year / Make / Model: 2021 Dodge Durango Pursuit

Vehicle Type: **B**
 Type A = Sedans / Light Trucks \leq 1 Ton
 Type B = Medium / Heavy Duty $>$ 1 Ton
 Type C = Off Road Equipment

Age: One point for each year of chronological age beginning with in-service date

In Service Date: 5/21/2021 Age in Months: 7
 Age in Years (rounded): 1 **Score:** 1

Usage: Type A = 1 point per 10,000 miles; Type B = 1 point per 5,000 miles; Type C = 1 point per 250 hours used

Actual Mileage: 12,645
 Actual Hours: (N/A)

Score: 3**Service Type:**

Type A		Type C	
Points	Description	Points	Description
1	Standard sedans and light pickups.	1	Standard duties as equipped.
2	Standard vehicles with occasional off-road usage.	2	Standard duties when used with attachments (sickle bar, backhoes, rear bushhogs).
3	Any vehicle that pulls trailers, hauls heavy loads, continued off-road usage.	3	Multiple duties based on seasons (snow, mowing, leaf).
4	Any vehicle involved in snow removal.	4	Extreme duties in harmful atmosphere (dust, salt, water).
5	Police, Fire, and Rescue service vehicles.	5	Heavy construction work including snow removal.

Type B	
Points	Description
1	Standard use including basic job site duties, some light duty hauling.
2	Standard use with attachments (compressors, lights, etc.) including job site duties, standard load hauling, some towing.
3	Above standard use including job site duties that include idling, standard load hauling, light trailer/equipment towing, leaf collection.
4	Above standard use including job site idling and hauling above standard loads, towing equipment and heavy trailers, light snow removal.
5	Extreme service, high job site idling and duties with attachments, heavy load hauling, heavy trailer/equipment towing, major snow removal duties, refuse collection, etc. (Examples: Sign Truck, Tandem or Single Dump Truck, Snow Removal Truck).

Score: 5**Reliability:***Note: Based on current conditions. Preventative Maintenance work is not included.*

Points	Description
1	In shop 0 or 1 time within the last 3 months, and no major breakdowns or road calls.
2	In shop 1 time within the last 3 months, and 1 breakdown/road call within the last 3 months.
3	In shop more than twice within the last month, and no major breakdowns or road calls.
4	In shop more than once within the last month, and 2 or more breakdowns/road calls within the last month.
5	In shop more than twice monthly within the last 3 months, and 2 or more breakdowns within the last month.

Number of times in shop within the last month:

0

Number of times in shop within the last 3 months:

1

Any Road Calls or Breakdowns (Y or N):

N

Road Calls / Breakdowns within the last month:

0

Road Calls / Breakdowns within the last 3 months:

0

In shop more than twice monthly within the last 3 months (Y or N):

N**Score:** 1**Maintenance & Replacement Costs:**

Points	Description
1	Maintenance costs are less than or equal to 20% of replacement cost.
2	Maintenance costs are 21-40% of replacement cost.
3	Maintenance costs are 41-60% of replacement cost.
4	Maintenance costs are 61-80% of replacement cost.
5	Maintenance costs are greater than or equal to 81% of replacement cost.

Total Maintenance Cost : \$201 as of 12/21/2021
 Estimated Purchase Price - New Veh. : \$38,000 as of 12/21/2021
 Est. Resale Value of Car to be sold : \$5,000 as of 12/21/2021
 Estimated Net Replacement Cost : \$33,000 as of 12/21/2021
 Maintenance Cost as % of Replacement Cost: 0.6% as of 12/21/2021

Score: 1**Condition:**

Type A	
Points	Description
1	No visual damage or rust and a good drive train
2	Minor imperfections in body and paint, interior fair (no rips, tears, burns), and a good drive train.
3	Noticeable imperfections in body and paint surface, some minor rust, minor damage from add-on equipment, worn interior (one or more rips, tears, burns), and a weak or noisy drive train.
4	Previous accident damage, poor paint and body condition, rust (holes), bad interior (tears, rips, cracked dash), major damage from add-on equipment, and one drive train component bad.
5	Previous accident damage, poor paint, bad interior, drive train that is damaged or inoperative, and major damage from add-on equipment

Type B	
Points	Description
1	No visual damage or rust, good paint, good interior, no damage from add-on equipment, no body modification, good drive train.
2	Minor imperfections in body and paint, interior fair (no rips, tears, burns), good drive train, minor body modification.
3	Noticeable imperfections in body and paint surface, some minor rust, fair interior, weak/fair drive train, minor body modification, minor damage from add-on equipment.
4	Previous accident damage, poor paint & body condition, major rust/corrosion, poor interior, damage from add-on equip., moderate body modification evidence, 1 drive train component bad.
5	Previous accident damage, poor paint & body condition, bad interior, drive train damaged or inoperative, major body modifications, major damage from add-on equipment and attachments.

Type C			
Points	Description	Number of Notable Accidents:	(list number)
1	Good condition, fully functional.	Paint / Body:	Totalled
2	Fair body, functional.	Interior:	Totalled
3	Minor body damage, weak operating system.	Drive Train:	Totalled
4	Severe damage, component not functional.	General Condition:	5 (pick number from table)
5	Extreme damage, inoperable.		

Score: 5

Overall:	Total Score:
0 - 17	Excellent
18 - 22	Good
23 - 27	Fair
28+	Poor

Total Score: 16

0 - 17 Excellent Do not replace.

18 - 22 Good Re-evaluate for future budget(s).

23 - 27 Fair Qualifies for replacement if budget allows.

28+ Poor Needs priority replacement.

Prepared By: Sean P. BallantineDate: 12/21/2021

City of Madison Heights**Disposition: Auction/Reserves****Vehicle Replacement Guidelines & Evaluation Worksheet**

(Only those fields shaded in yellow need to be completed.)

Date of Evaluation: 12/21/2021
 Vehicle #: **107**
 Department / Division: PD-Patrol
 Year / Make / Model: 2018 Ford Interceptor Utility

Vehicle Type: **B**
 Type A = Sedans / Light Trucks \leq 1 Ton
 Type B = Medium / Heavy Duty $>$ 1 Ton
 Type C = Off Road Equipment

Age: One point for each year of chronological age beginning with in-service date

In Service Date: 10/1/2018 Age in Months: 38
 Age in Years (rounded): 3 **Score:** 3

Usage: Type A = 1 point per 10,000 miles; Type B = 1 point per 5,000 miles; Type C = 1 point per 250 hours used

Actual Mileage: 63,124
 Actual Hours: (N/A) **Score:** 13

Service Type:

Type A		Type C	
Points	Description	Points	Description
1	Standard sedans and light pickups.	1	Standard duties as equipped.
2	Standard vehicles with occasional off-road usage.	2	Standard duties when used with attachments (sickle bar, backhoes, rear bushhogs).
3	Any vehicle that pulls trailers, hauls heavy loads, continued off-road usage.	3	Multiple duties based on seasons (snow, mowing, leaf).
4	Any vehicle involved in snow removal.	4	Extreme duties in harmful atmosphere (dust, salt, water).
5	Police, Fire, and Rescue service vehicles.	5	Heavy construction work including snow removal.

Type B	
Points	Description
1	Standard use including basic job site duties, some light duty hauling.
2	Standard use with attachments (compressors, lights, etc.) including job site duties, standard load hauling, some towing.
3	Above standard use including job site duties that include idling, standard load hauling, light trailer/equipment towing, leaf collection.
4	Above standard use including job site idling and hauling above standard loads, towing equipment and heavy trailers, light snow removal.
5	Extreme service, high job site idling and duties with attachments, heavy load hauling, heavy trailer/equipment towing, major snow removal duties, refuse collection, etc. (Examples: Sign Truck, Tandem or Single Dump Truck, Snow Removal Truck).

Score: 5**Reliability:** *Note: Based on current conditions. Preventative Maintenance work is not included.*

Points	Description
1	In shop 0 or 1 time within the last 3 months, and no major breakdowns or road calls.
2	In shop 1 time within the last 3 months, and 1 breakdown/road call within the last 3 months.
3	In shop more than twice within the last month, and no major breakdowns or road calls.
4	In shop more than once within the last month, and 2 or more breakdowns/road calls within the last month.
5	In shop more than twice monthly within the last 3 months, and 2 or more breakdowns within the last month.

Number of times in shop within the last month:	<u>0</u>
Number of times in shop within the last 3 months:	<u>1</u>
Any Road Calls or Breakdowns (Y or N):	<u>N</u>
Road Calls / Breakdowns within the last month:	<u>0</u>
Road Calls / Breakdowns within the last 3 months:	<u>0</u>
In shop more than twice monthly within the last 3 months (Y or N):	<u>N</u>

Score: 1**Maintenance & Replacement Costs:**

Points	Description
1	Maintenance costs are less than or equal to 20% of replacement cost.
2	Maintenance costs are 21-40% of replacement cost.
3	Maintenance costs are 41-60% of replacement cost.
4	Maintenance costs are 61-80% of replacement cost.
5	Maintenance costs are greater than or equal to 81% of replacement cost.

Total Maintenance Cost : \$7,380 as of 12/21/2021
 Estimated Purchase Price - New Veh. : **\$38,000** as of 12/21/2021
 Est. Resale Value of Car to be sold : **\$5,000** as of 12/21/2021
 Estimated Net Replacement Cost : **\$33,000** as of 12/21/2021
 Maintenance Cost as % of Replacement Cost: 22.4% as of 12/21/2021

Score: 2**Condition:**

Type A	
Points	Description
1	No visual damage or rust and a good drive train
2	Minor imperfections in body and paint, interior fair (no rips, tears, burns), and a good drive train.
3	Noticeable imperfections in body and paint surface, some minor rust, minor damage from add-on equipment, worn interior (one or more rips, tears, burns), and a weak or noisy drive train.
4	Previous accident damage, poor paint and body condition, rust (holes), bad interior (tears, rips, cracked dash), major damage from add-on equipment, and one drive train component bad.
5	Previous accident damage, poor paint, bad interior, drive train that is damaged or inoperative, and major damage from add-on equipment

Type B	
Points	Description
1	No visual damage or rust, good paint, good interior, no damage from add-on equipment, no body modification, good drive train.
2	Minor imperfections in body and paint, interior fair (no rips, tears, burns), good drive train, minor body modification.
3	Noticeable imperfections in body and paint surface, some minor rust, fair interior, weak/fair drive train, minor body modification, minor damage from add-on equipment.
4	Previous accident damage, poor paint & body condition, major rust/corrosion, poor interior, damage from add-on equip., moderate body modification evidence, 1 drive train component bad.
5	Previous accident damage, poor paint & body condition, bad interior, drive train damaged or inoperative, major body modifications, major damage from add-on equipment and attachments.

Points	Description	Number of Notable Accidents:	<u>0</u> (list number)
1	Good condition, fully functional.	Paint / Body:	<u>Good</u> comment
2	Fair body, functional.	Interior:	<u>Fair</u> comment
3	Minor body damage, weak operating system.	Drive Train:	<u>Good</u> comment
4	Severe damage, component not functional.	General Condition:	<u>3</u> (pick number from table)
5	Extreme damage, inoperable.		

Score: 3

Overall:	Total Score:	<u>27</u>
0 - 17	Excellent	Do not replace.
18 - 22	Good	Re-evaluate for future budget(s).
23 - 27	Fair	Qualifies for replacement if budget allows.
28+	Poor	Needs priority replacement.

Prepared By: Sean P. Ballantine Date: 12/21/2021

City of Madison Heights**Disposition: Auction****Vehicle Replacement Guidelines & Evaluation Worksheet**

(Only those fields shaded in yellow need to be completed.)

Date of Evaluation: 12/21/2021
 Vehicle #: **109**
 Department / Division: PD-Patrol
 Year / Make / Model: 2016 Ford Interceptor

Vehicle Type: **B**
 Type A = Sedans / Light Trucks \leq 1 Ton
 Type B = Medium / Heavy Duty $>$ 1 Ton
 Type C = Off Road Equipment

Age: One point for each year of chronological age beginning with in-service date

In Service Date: 1/1/2017 Age in Months: 59
 Age in Years (rounded): 5 **Score:** 5

Usage: Type A = 1 point per 10,000 miles; Type B = 1 point per 5,000 miles; Type C = 1 point per 250 hours used

Actual Mileage: 76,447
 Actual Hours: (N/A) **Score:** 15

Service Type:

Type A		Type C	
Points	Description	Points	Description
1	Standard sedans and light pickups.	1	Standard duties as equipped.
2	Standard vehicles with occasional off-road usage.	2	Standard duties when used with attachments (sickle bar, backhoes, rear bushhogs).
3	Any vehicle that pulls trailers, hauls heavy loads, continued off-road usage.	3	Multiple duties based on seasons (snow, mowing, leaf).
4	Any vehicle involved in snow removal.	4	Extreme duties in harmful atmosphere (dust, salt, water).
5	Police, Fire, and Rescue service vehicles.	5	Heavy construction work including snow removal.

Type B	
Points	Description
1	Standard use including basic job site duties, some light duty hauling.
2	Standard use with attachments (compressors, lights, etc.) including job site duties, standard load hauling, some towing.
3	Above standard use including job site duties that include idling, standard load hauling, light trailer/equipment towing, leaf collection.
4	Above standard use including job site idling and hauling above standard loads, towing equipment and heavy trailers, light snow removal.
5	Extreme service, high job site idling and duties with attachments, heavy load hauling, heavy trailer/equipment towing, major snow removal duties, refuse collection, etc. (Examples: Sign Truck, Tandem or Single Dump Truck, Snow Removal Truck).

Score: 5**Reliability:** *Note: Based on current conditions. Preventative Maintenance work is not included.*

Points	Description
1	In shop 0 or 1 time within the last 3 months, and no major breakdowns or road calls.
2	In shop 1 time within the last 3 months, and 1 breakdown/road call within the last 3 months.
3	In shop more than twice within the last month, and no major breakdowns or road calls.
4	In shop more than once within the last month, and 2 or more breakdowns/road calls within the last month.
5	In shop more than twice monthly within the last 3 months, and 2 or more breakdowns within the last month.

Number of times in shop within the last month:	<u>1</u>
Number of times in shop within the last 3 months:	<u>2</u>
Any Road Calls or Breakdowns (Y or N):	<u>N</u>
Road Calls / Breakdowns within the last month:	<u>0</u>
Road Calls / Breakdowns within the last 3 months:	<u>0</u>
In shop more than twice monthly within the last 3 months (Y or N):	<u>N</u>

Score: 1**Maintenance & Replacement Costs:**

Points	Description
1	Maintenance costs are less than or equal to 20% of replacement cost.
2	Maintenance costs are 21-40% of replacement cost.
3	Maintenance costs are 41-60% of replacement cost.
4	Maintenance costs are 61-80% of replacement cost.
5	Maintenance costs are greater than or equal to 81% of replacement cost.

Total Maintenance Cost : \$6,072 as of 12/21/2021
 Estimated Purchase Price - New Veh. : \$38,000 as of 12/21/2021
 Est. Resale Value of Car to be sold : \$5,000 as of 12/21/2021
 Estimated Net Replacement Cost : \$33,000 as of 12/21/2021
 Maintenance Cost as % of Replacement Cost: 18.4% as of 12/21/2021

Score: 1**Condition:**

Type A	
Points	Description
1	No visual damage or rust and a good drive train
2	Minor imperfections in body and paint, interior fair (no rips, tears, burns), and a good drive train.
3	Noticeable imperfections in body and paint surface, some minor rust, minor damage from add-on equipment, worn interior (one or more rips, tears, burns), and a weak or noisy drive train.
4	Previous accident damage, poor paint and body condition, rust (holes), bad interior (tears, rips, cracked dash), major damage from add-on equipment, and one drive train component bad.
5	Previous accident damage, poor paint, bad interior, drive train that is damaged or inoperative, and major damage from add-on equipment

Type B	
Points	Description
1	No visual damage or rust, good paint, good interior, no damage from add-on equipment, no body modification, good drive train.
2	Minor imperfections in body and paint, interior fair (no rips, tears, burns), good drive train, minor body modification.
3	Noticeable imperfections in body and paint surface, some minor rust, fair interior, weak/fair drive train, minor body modification, minor damage from add-on equipment.
4	Previous accident damage, poor paint & body condition, major rust/corrosion, poor interior, damage from add-on equip., moderate body modification evidence, 1 drive train component bad.
5	Previous accident damage, poor paint & body condition, bad interior, drive train damaged or inoperative, major body modifications, major damage from add-on equipment and attachments.

Points	Description	Number of Notable Accidents:	<u>0</u> (list number)
1	Good condition, fully functional.	Paint / Body:	<u>Fair</u> comment
2	Fair body, functional.	Interior:	<u>Fair</u> comment
3	Minor body damage, weak operating system.	Drive Train:	<u>Fair</u> comment
4	Severe damage, component not functional.	General Condition:	<u>3</u> (pick number from table)
5	Extreme damage, inoperable.		

Score: 3

Overall:	Total Score:		
0 - 17	Excellent	Do not replace.	
18 - 22	Good	Re-evaluate for future budget(s).	
23 - 27	Fair	Qualifies for replacement if budget allows.	
28+	Poor	Needs priority replacement.	

Prepared By: Sean P. Ballantine Date: 12/21/2021

City of Madison Heights**Disposition: Auction/Reserves****Vehicle Replacement Guidelines & Evaluation Worksheet**

(Only those fields shaded in yellow need to be completed.)

Date of Evaluation: 12/21/2021
 Vehicle #: **114**
 Department / Division: PD-Patrol
 Year / Make / Model: 2019 Ford Interceptor Utility

Vehicle Type: **B**
 Type A = Sedans / Light Trucks \leq 1 Ton
 Type B = Medium / Heavy Duty $>$ 1 Ton
 Type C = Off Road Equipment

Age: One point for each year of chronological age beginning with in-service date

In Service Date: 10/1/2018 Age in Months: 38
 Age in Years (rounded): 3 **Score:** 3

Usage: Type A = 1 point per 10,000 miles; Type B = 1 point per 5,000 miles; Type C = 1 point per 250 hours used

Actual Mileage: 65,477
 Actual Hours: (N/A) **Score:** 13

Service Type:

Type A		Type C	
Points	Description	Points	Description
1	Standard sedans and light pickups.	1	Standard duties as equipped.
2	Standard vehicles with occasional off-road usage.	2	Standard duties when used with attachments (sickle bar, backhoes, rear bushhogs).
3	Any vehicle that pulls trailers, hauls heavy loads, continued off-road usage.	3	Multiple duties based on seasons (snow, mowing, leaf).
4	Any vehicle involved in snow removal.	4	Extreme duties in harmful atmosphere (dust, salt, water).
5	Police, Fire, and Rescue service vehicles.	5	Heavy construction work including snow removal.

Type B	
Points	Description
1	Standard use including basic job site duties, some light duty hauling.
2	Standard use with attachments (compressors, lights, etc.) including job site duties, standard load hauling, some towing.
3	Above standard use including job site duties that include idling, standard load hauling, light trailer/equipment towing, leaf collection.
4	Above standard use including job site idling and hauling above standard loads, towing equipment and heavy trailers, light snow removal.
5	Extreme service, high job site idling and duties with attachments, heavy load hauling, heavy trailer/equipment towing, major snow removal duties, refuse collection, etc. (Examples: Sign Truck, Tandem or Single Dump Truck, Snow Removal Truck).

Score: 5**Reliability:** *Note: Based on current conditions. Preventative Maintenance work is not included.*

Points	Description
1	In shop 0 or 1 time within the last 3 months, and no major breakdowns or road calls.
2	In shop 1 time within the last 3 months, and 1 breakdown/road call within the last 3 months.
3	In shop more than twice within the last month, and no major breakdowns or road calls.
4	In shop more than once within the last month, and 2 or more breakdowns/road calls within the last month.
5	In shop more than twice monthly within the last 3 months, and 2 or more breakdowns within the last month.

Number of times in shop within the last month:	<u>0</u>
Number of times in shop within the last 3 months:	<u>1</u>
Any Road Calls or Breakdowns (Y or N):	<u>N</u>
Road Calls / Breakdowns within the last month:	<u>0</u>
Road Calls / Breakdowns within the last 3 months:	<u>0</u>
In shop more than twice monthly within the last 3 months (Y or N):	<u>N</u>

Score: 1**Maintenance & Replacement Costs:**

Points	Description
1	Maintenance costs are less than or equal to 20% of replacement cost.
2	Maintenance costs are 21-40% of replacement cost.
3	Maintenance costs are 41-60% of replacement cost.
4	Maintenance costs are 61-80% of replacement cost.
5	Maintenance costs are greater than or equal to 81% of replacement cost.

Total Maintenance Cost :	<u>\$5,380</u>	as of <u>12/21/2021</u>
Estimated Purchase Price - New Veh. :	<u>\$38,000</u>	as of <u>12/21/2021</u>
Est. Resale Value of Car to be sold :	<u>\$5,000</u>	as of <u>12/21/2021</u>
Estimated Net Replacement Cost :	<u>\$33,000</u>	as of <u>12/21/2021</u>
Maintenance Cost as % of Replacement Cost:	<u>16.3%</u>	as of <u>12/21/2021</u>

Score: 1**Condition:**

Type A	
Points	Description
1	No visual damage or rust and a good drive train
2	Minor imperfections in body and paint, interior fair (no rips, tears, burns), and a good drive train.
3	Noticeable imperfections in body and paint surface, some minor rust, minor damage from add-on equipment, worn interior (one or more rips, tears, burns), and a weak or noisy drive train.
4	Previous accident damage, poor paint and body condition, rust (holes), bad interior (tears, rips, cracked dash), major damage from add-on equipment, and one drive train component bad.
5	Previous accident damage, poor paint, bad interior, drive train that is damaged or inoperative, and major damage from add-on equipment

Type B	
Points	Description
1	No visual damage or rust, good paint, good interior, no damage from add-on equipment, no body modification, good drive train.
2	Minor imperfections in body and paint, interior fair (no rips, tears, burns), good drive train, minor body modification.
3	Noticeable imperfections in body and paint surface, some minor rust, fair interior, weak/fair drive train, minor body modification, minor damage from add-on equipment.
4	Previous accident damage, poor paint & body condition, major rust/corrosion, poor interior, damage from add-on equip., moderate body modification evidence, 1 drive train component bad.
5	Previous accident damage, poor paint & body condition, bad interior, drive train damaged or inoperative, major body modifications, major damage from add-on equipment and attachments.

Type C			
Points	Description	Number of Notable Accidents:	(list number)
1	Good condition, fully functional.	Paint / Body:	Good
2	Fair body, functional.	Interior:	Fair
3	Minor body damage, weak operating system.	Drive Train:	Good
4	Severe damage, component not functional.	General Condition:	3 (pick number from table)
5	Extreme damage, inoperable.		

Score: 3

Overall:	Total Score:		
0 - 17	Excellent	Do not replace.	
18 - 22	Good	Re-evaluate for future budget(s).	
23 - 27	Fair	Qualifies for replacement if budget allows.	
28+	Poor	Needs priority replacement.	

Prepared By: Sean P. Ballantine Date: 12/21/2021

CITY OF MADISON HEIGHTS
ELECTRONIC COUNCIL AGENDA REQUEST FORM

SUBMITTED TO: _____

SUBMITTED BY: _____ DATE: _____

FOR CONSIDERATION AT THE COUNCIL MEETING OF: _____

ACTION REQUESTED

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	OLD BUSINESS	_____

DESCRIPTION OF ITEM

IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS

POLICY CONSIDERATION

FINANCIAL IMPACT

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 nd Acct.	_____		
Other Comments	_____		

REVIEW CHECKLIST

DEPARTMENT _____ DATE _____

DEPARTMENT _____ DATE _____

CITY MANAGER _____ DATE _____

To: Honorable Mayor and City Council

From: Melissa R. Marsh, City Manager

Date: January 3, 2022

RE: Sale of Property at 29022 Stephenson Highway

The City of Madison Heights owns parcel 25-11-377-019, a small strip of land in front of Col's Place Restaurant entrance located at 29022 Stephenson Highway. We have been in a lease agreement with the property owners since 1974. In mid- 2020, we approached the owner of Col's Place Restaurant, located at 29022 Stephenson Highway, to discuss the expiring lease agreement (see below). At that time, the owner requested that the City sell this strip of land owned by the City required for entrance to the property.

History

In October 1973, Denny's Restaurant proposed developing the site located at 29022 Stephenson Highway; however, the City of Madison Heights owned a strip of land to prevent access. Therefore in June 1974, the City of Madison Heights entered a lease agreement for \$1.00 per year for ten years. This lease was extended until in 2006 City Council approved a new 10-year lease agreement for \$5,000 for the use with an option to extend for five more years for \$500 per year adjusted for the CIP.

Consideration

As noted above, the property owner has requested to purchase parcel 25-11-377-019 to combine with the other lot parcels (25-11-377-016 and 25-11-377-015) and sell for redevelopment. The City has researched this idea and agrees that the City no longer has use for this parcel, and the best use is redevelopment. Therefore, we have tentatively agreed to sell the parcel for the current taxable value of \$18,370 plus all associated costs, including engineering and legal services. We will reserve an easement for underground utilities and the right for the City and utility companies to perform any necessary maintenance and repairs. The owner will be required to continue to pay all taxes until the closing and ownership transfer, and the parcel will be required to be combined with parcel 25-11-377-016.

Following our City Charter section 12-1 Purchase or Sale of Property. The City Manager shall be responsible for the purchase and sale of all city property. The City Council, by ordinance, required five (5) affirmative votes, shall provide for conditions and amounts in which all sales or purchases will be made without Council approval. The Charter section requires comparative prices for the sale; however, this parcel has no value to any other party.

If Council concurs, appropriate action would be for City Council to authorize the sale of 29022 Stephenson Highway parcel 25-11-377-019 for the above-listed conditions and amount and authorize the City Manager and City Clerk to sign the purchase agreement on behalf of the City.



Larry H. Sherman
Sherman & Sherman, P.C.
30700 Telegraph Rd, Suite 3420
Bingham Farms, MI 48025

Re: 29022 Stephenson Hwy
Madison Heights
Parcel # 25-11-377-019

Dear Mr. Sherman,

This is a follow up to our telephone conference this morning. Let me summarize the transaction for the sale of the sliver of land at the intersection of 12 Mile Rd. and Stephenson Hwy. identified above (parcel #-019).

I represent Edwin Alanouf, the fee simple owner of the principal property which includes a restaurant. The property is identified as 29022 Stephenson Hwy, Parcel # 25-11-377-016 (parcel #-016). The real estate was sold by Edwin Alanouf as a land contract transaction to Sokol and Angjelina Ndrejaj in 2017.

I also represent Sokol and Angjelina Ndrejaj. They operate the restaurant known as Col's Place. Mr. and Mrs. Ndrejaj are seeking to pay off the land contract and concurrently purchase the sliver of land owned by the City of Madison Heights (parcel-019). By having the closings held concurrently, the Ndrejaj's will be able to acquire the restaurant property by way of a Warranty Deed (parcel #-016) as well as ownership to the City's parcel (parcel #-019).

We are requesting that this sale of parcel #-019 be given favorable consideration.

Respectfully submitted,



January 4, 2022

Peter Abbo

AGREEMENT OF PURCHASE AND SALE OF COMMERCIAL REAL ESTATE

This Agreement of Purchase and Sale of Commercial Real Estate ("Agreement") is entered into as of _____, 2022, ("Effective Date") by and between City of Madison Heights, whose address is 300 West Thirteen Mile Road, Madison Heights, Michigan 48306 (hereinafter referred to as the "Seller"), and Sokol & Angjelina Ndrejaj whose address is 29022 Stephenson Hwy, Madison Heights, MI 48071 (hereinafter referred to as the "Purchaser").

RECITALS

A. WHEREAS, the Purchaser is desirous of purchasing, and the Seller is desirous of selling improved real estate located in the City of Madison Heights, County of Oakland, State of Michigan 48071, described as follows:

Address: **29022 Stephenson Hwy** ("Premises")

Tax I.D. No.: 25-11-377-019 (this parcel is adjacent to the principal parcel whose Tax I.D. No. is 25-11-377-016)

See Exhibit A attached for legal description. The land is identified as Parcel 2.

Subject to easements and restrictions of record.

B. WHEREAS, the Seller and the Purchaser, by executing this Agreement, have agreed to this Agreement subject to the conditions and limitations set forth herein.

NOW THEREFORE, in consideration of the mutual promises, covenants and conditions the parties agree as follows:

1. **SALE AND PURCHASE.** The Purchaser agrees to purchase, and the Seller agrees to sell the above described land, subject to building and use restrictions of record, zoning ordinances, and easements of record (as described in the Title Commitment), if any, and in accordance to the conditions stated herein:.

2. **PURCHASE PRICE.** The purchase price shall be Eighteen Thousand Three Hundred Seventy and 00/100 (\$18,370.00) Dollars.

2.1 **DEPOSIT.** A deposit of \$1,000 shall be held by the title company and applied toward the purchase price. Disbursements shall be according to (a) the terms hereof; (b) by mutual release; (c) or as ordered by a court of competent jurisdiction.

2.2 CLOSING FEES. At closing, Purchaser shall reimburse Seller the following fees incurred by Seller in this transaction:

- City Attorney legal fees
- Engineering fees of Nowak & Fraus Engineers
- Closing fees

3. PAYMENT OF PURCHASE PRICE. At closing, the Purchaser shall pay the purchase price, plus or minus closing adjustments as provided herein, by wire transfer or funds acceptable to the title company.

4. CLOSING ADJUSTMENTS AND PRORATIONS OF PROPERTY TAXES. Current year property taxes shall be prorated to the date of closing on a due date basis as if paid in advance, and all special assessments and all taxes other than current taxes which are a lien against the land on the date of closing shall be paid by the Seller at closing.

5. CONTINGENCIES. This Agreement and the obligations of the parties are expressly contingent upon the following:

- a. City of Madison Heights Council approval.
- b. A deed restriction in which the real property owner shall maintain the parking area and driveway.
- c. A deed restriction in which public utility companies shall have access to the real property for maintenance and repairs as is reasonably needed.
- d. **MARKETABLE TITLE.** The Seller shall convey title in the condition required hereunder. In the event Seller is unable to provide the required marketable title, then Purchaser may, at its option, either waive the title defect and enforce the terms hereof or demand and be entitled to immediate refund of its deposit and full termination of this Agreement.

6. CLOSING. The transaction herein shall be closed _____ days after satisfaction of Purchaser's contingencies or upon waiver thereof. Closing shall be at the offices of the title company.

7. WARRANTIES OF SELLER. The Seller makes the following representations and warranties, all of which shall survive closing:

- a. **TITLE.** Seller shall warrant title subject to building and use restrictions and easements of record.

b. ENVIRONMENTAL CONDITIONS: The Seller represents that to the best of its/his knowledge and belief, it has no knowledge of any hazardous wastes, hazardous substances, toxic substances, pollutants, or contaminants having been released into or deposited upon or below the surface of the Premises or into any water system on or below the surface of the Premises.

8. By proceeding to a closing, the Purchaser is acknowledging that it is accepting the Premises in "AS IS" condition, except as provided herein, and that the Seller has made no warranties with respect to the physical condition or environmental condition of the Premises.

9. DEED. At closing, the Seller shall execute a warranty deed evidencing marketable title. The Seller shall provide, at Purchaser's expense, an owner's policy of title insurance which shall insure marketable fee title as provided herein.

10. COSTS. Except as otherwise provided herein, closing costs shall be shared by the parties as is customary.

11. EVIDENCE OF TITLE – TITLE INSURANCE AND OBJECTIONS TO TITLE. The Seller shall provide to the Purchaser, within fifteen (15) days of acceptance hereof, a commitment of title insurance without standard exceptions in an amount of the purchase price insuring marketable title. Purchaser shall accept title subject only to building and use restrictions and easements of record which do not adversely affect the Purchaser's intended use of the Premises. If title is deemed defective based upon an attorney's written opinion, the Seller shall have thirty (30) days to remedy the title defect or obtain title insurance specifically insuring against the defects in question. In the event that the Seller is unable to remedy the defects to the title, the Purchaser may accept the title as is or terminate this Agreement and demand and have the Deposit refunded. Seller shall not be obligated to provide a new survey of the Premises.

12. DEFAULT. In the event of default by the Seller, the Purchaser may at its option elect to enforce the terms hereof and be entitled to specific performance or demand immediate refund of its/his entire Deposit and full termination of this Agreement.

12.1 In the event of default by Purchaser, Seller may at its option elect to enforce the terms of this Agreement and be entitled to specific performance or have the deposit made herewith forfeited as liquidated damages, same being deemed reasonable.

13. POSSESSION. The Seller shall deliver, and the Purchaser shall accept possession of said Premises at closing.

14. EXPENSES AND DELIVERY OF DOCUMENTS. At closing, the Purchaser shall pay all premiums payable with respect to the owner's policy of title insurance and the fees/charges of

its/his own representatives, agents or contractors. The following documents shall be executed and delivered:

- a. Warranty Deed.
- b. Closing Statement indicating closing adjustments as provided herein and as customary.
- c. Seller shall deliver a policy or commitment of title insurance as provided for herein, with premium paid.
- d. Internal Revenue Service Forms as appropriate.
- e. Property Transfer Affidavit (PA 415 of 1994).
- f. Non-Foreign Affidavit of the Seller as required by Internal Revenue Service regulations.
- h. Both Seller and Purchaser shall execute, acknowledge and deliver such other instruments, documents, and other takings in customary form reasonably acceptable to Seller and Purchaser as shall be reasonably necessary in order to fully consummate this Agreement and to bring it into its full intent and purpose.

15. EFFECTIVE DATE. The Effective Date of this Agreement is the date of Seller's acceptance.

16. SURVIVAL, AMENDMENT AND LAW. The terms and conditions of this Agreement shall survive closing, and this Agreement shall be subject to Michigan law. This Agreement represents the entire agreement between the parties and shall not be modified, *except by writing signed by all parties.*

17. ENTIRE AGREEMENT. This Agreement embodies the entire Agreement between the parties, shall insure to the benefit, and bind the parties and their respective heirs, legal representative, successors, assigns and third parties claiming under the contract between Seller and Purchaser.

(Signatures on the following page)

IN WITNESS WHEREOF, the parties hereto have executed this Agreement effective as of the date of acceptance as indicated above.

Date: _____

PURCHASER:

by: _____
SOKOL NDREJAJ

by: _____
ANGJELINA NDREJAJ

Date: _____

SELLER: City of Madison Heights, a
municipal corporation

by: _____
, Its Authorized Agent

EXHIBIT A

Legal Description: The Easterly 40 feet of Stephenson Highway right of way adjacent to that part of the Southwest 1/4 of Section 11, Town 1 North, Range 11 East, described as beginning at a point distant South 88 degrees 11 minutes 35 seconds West 544.34 feet and North 01 degree 48 minutes 25 seconds West 75.00 feet from the South 1/4 corner; thence North 52 degrees 16 minutes 00 seconds East 265.16 feet; thence North 17 degrees 41 minutes 59 seconds East 106.98 feet; thence South 87 degrees 15 minutes 35 seconds West 59.00 feet; thence South 08 degrees 02 minutes 22 seconds West 61.31 feet; thence South 87 degrees 15 minutes 25 seconds West 180.99 feet; thence South 01 degree 48 minutes 25 seconds East 192.10 feet to the beginning.

Tax ID No.: 25-11-377-019 (this parcel is adjacent to the principal parcel whose Tax I.D. No. is 25-11-377-016)

Commonly known as: 29022 Stephenson Hwy, Madison Heights, MI 48071

CITY OF MADISON HEIGHTS
ELECTRONIC COUNCIL AGENDA REQUEST FORM

SUBMITTED TO: _____

SUBMITTED BY: _____ DATE: _____

FOR CONSIDERATION AT THE COUNCIL MEETING OF: _____

ACTION REQUESTED

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	OLD BUSINESS	_____

DESCRIPTION OF ITEM

IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS

POLICY CONSIDERATION

FINANCIAL IMPACT

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 nd Acct.	_____		_____
Other Comments	_____		_____

REVIEW CHECKLIST

DEPARTMENT _____ DATE _____

DEPARTMENT _____ DATE _____

CITY MANAGER _____ DATE _____

To: **Honorable Mayor and City Council**
From: **Melissa R. Marsh, City Manager**
Date: **December 31, 2021**
Subject: **2022 Region 10a Minigrants Arts Project Round 2**

Michigan Council for Arts & Cultural Affairs (MCACA) provides grants to encourage initiate and facilitate an enriched artistic, cultural and creative environment in Michigan. Funds are appropriated each year in the state budget. This year the MCACA has partnered with Regional Services Agencies throughout the state within fifteen (15) regions determined by county(ies) to offer minigrants for projects upto \$4,000.

These minigrant Arts Projects provide up to **\$4,000** for special opportunities to address arts and cultural needs locally. These projects should connect communities with the world by exploring, sharing and supporting creative expression, and by doing, so they promote the health and well-being of communities and citizens throughout our state. The Arts Projects Minigrant program is a competitive grant program that provides support for production, presentation and creation of arts and culture that promotes public engagement, diverse and excellent art, lifelong learning in the arts, and the strengthening or livability of communities through locally developed arts and culture.

This grant program was forwarded to the Art's Board and Human Relations and Equity Commission. The HREC has asked to request funding to support this year's Juneteenth program. The application was completed by Nickole Fox, Cemone Moy and myself through the City on behalf of the City HREC. The grant application is attached and has been submitted ahead of the January 15 deadline with review pending approval of the City Council.

Therefore, the HREC recommends City Council approve the attached resolution supporting the application to the Michigan Council for Arts and Cultural Affairs for \$4,000 to support the 2022 Juneteenth Event to be held June 18, 2022.

A RESOLUTION SUPPORTING THE GRANT APPLICATION FOR 2022 JUNETEENTH CELEBRATION GRANT FROM MICHIGAN COUNCIL FOR ARTS AND CULTURAL AFFAIRS MINIGRANT ARTS PROJECT ROUND 2 REGION 10a.

WHEREAS, the City of Madison Heights Human Relations and Equity Commission is requesting \$4,000 from the Michigan Council for Arts and Cultural Affairs Minigrant Arts Project Round 2 for Region 10a to support the 2022 Juneteenth Celebration to be held June 18th at Civic Center Park.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MADISON HEIGHTS, MICHIGAN THAT:

1. The City Council of Madison Heights strongly supports the application to Michigan Council for Arts and Cultural Affairs Minigrant Project program,
2. The City Council of Madison Heights encourages approval of this grant application in order to continue to cultural event that brings unity and awareness not only to Madison Heights residents but to the region.

CITY OF MADISON HEIGHTS
ELECTRONIC COUNCIL AGENDA REQUEST FORM

SUBMITTED TO: _____

SUBMITTED BY: _____ DATE: _____

FOR CONSIDERATION AT THE COUNCIL MEETING OF: _____

ACTION REQUESTED

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	OLD BUSINESS	_____

DESCRIPTION OF ITEM

IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS

POLICY CONSIDERATION

FINANCIAL IMPACT

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 nd Acct.	_____		_____
Other Comments	_____		_____

REVIEW CHECKLIST

DEPARTMENT _____ DATE _____

DEPARTMENT _____ DATE _____

CITY MANAGER _____ DATE _____

MEMORANDUM

DATE: **January 3, 2022**

TO: **Melissa R. Marsh, City Manager**

FROM: **Sean P. Ballantine, Public Works Supervisor**
R. Corey Almas, Director of Public Services

SUBJECT: **Bid Award – Police Department Sanitary Plumbing Replacement**

The FY 2020-2021 Budget includes funding carried-forward for the replacement of the suspended sanitary plumbing in the lower level of the Police Department. This project was identified some time ago by the former Director after a failure of a cast iron trap caused a severe sewage leak. The primary issue with such a failure is that this plumbing is suspended in the ceiling of the lower level, which means sewage would be raining down on offices, property, or the training area when this happens. Several other issues are also manifesting themselves, including a transient odor of sewage in the lower level and west stairwell and hallway, and an ongoing backup issue, which is due partly to disgruntled prisoners flushing inappropriate items, but equally attributable to the overall condition of the plumbing itself. Regarding the sewage odor issue, multiple attempts have been made to identify and correct this issue, to no avail. The Police Department unfortunately has a long history of plumbing issues, which have required significant maintenance and replacement costs over the years.

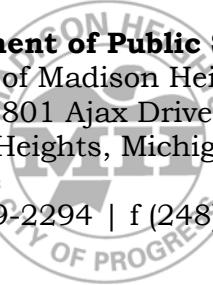
Because this would be such an involved, and presumably expensive project, Staff felt that further due diligence was required before considering a wholesale replacement of the plumbing system. The bid documents were therefore prepared with a “Phase 1” which would involve a thorough test of the sanitary system, and the preparation of a recommendation to move forward. Invitation to Bid #MH 21-07 was issued with this in mind. The bid reached 326 vendors, of which 11 downloaded the bid specifications. Only one prospective bidder was in attendance at the mandatory pre-bid meeting, and submitted a bid by the deadline. The Phase 1 price provided was well within the means of the normal maintenance budget, and authorization was given to proceed, in order to determine the scope of work, and the overall cost of the project based on the unit prices.

This plumbing is original to the building, and consists of no-hub cast iron, which binds each 10 foot segment, fitting, and fixture with a rubber and steel band. The smoke test inspection determined that nearly every one of these bands is dry-rotted, which is causing the odor, leakage, and misalignment issues. Additionally, several segments of pipe are showing signs of rotting through. Although these bands could be

Department of Public Services

City of Madison Heights
801 Ajax Drive
Madison Heights, Michigan 48071

p (248) 589-2294 | f (248) 589-2679



MEMORANDUM

individually replaced, as well as the affected sections of pipe, the labor requirement to do so is not cost-effective when compared to a total replacement of the plumbing. It is also important to note that there is a very strong likelihood of further damage being created by disturbing the plumbing in this manner. Although the bid was written for a like-for-like replacement with no-hub cast-iron, an alternate bid was provided, and is preferred, to replace with solvent-welded PVC. This not only will provide a much more long-lasting and maintenance-free system, but is also over \$11,000 cheaper than the cast-iron option. Our Fire Marshal has also confirmed that this would be acceptable based on code.

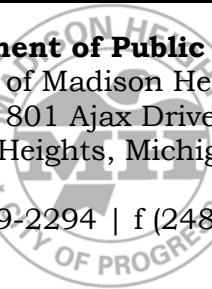
The sole responsive bidder is Allied Building Service Company, of Detroit, Michigan. This is a firm with extensive municipal experience, which provides all manner of turn-key building trade services. This proves beneficial for a project such as this, because there are multiple other trades involved in dropping the hallway ceiling, taking down ductwork, and so on. Because Allied is an all-in-one company, they would not need to subcontract these services in order to efficiently perform the project.

When considering the serious difficulty in sourcing contractors due to the labor shortage and supply chain issues, the additional due diligence performed to determine the necessity and scope of work, and the highly positive reference checks and experience of the vendor, Staff believes that this bid and vendor is in the best interest of the City, and will provide the most long-lasting and economical solution to this issue. Staff and I therefore recommend two motions. As this project is over the originally budgeted amount, we first request that Council consider a Budget Amendment in the amount of \$24,230 to account 101-301-9870-000. Second, we request that Council award the bid for the Police Department Sanitary Plumbing Replacement to Allied Building Service Company, of Detroit, Michigan, for a total project cost of \$37,360.

Department of Public Services

City of Madison Heights
801 Ajax Drive
Madison Heights, Michigan 48071

p (248) 589-2294 | f (248) 589-2679



V. PRICING PAGE:

City of Madison Heights RFP #MH 21-07:

Pricing and Warranty Page – Pricing is to be all-inclusive, and shall include all materials, installation and necessary labor.

Warranty Period – Materials honor manufacture warranty **Warranty Period – Labor** 1 year

INITIAL INSPECTION AND RECOMMENDATION IS TO COMPLETED NO LATER THAN 10 DAYS AFTER NOTICE TO PROCEED (ANTICIPATED SEPTEMBER 22, 2021)

PRICING OPTIONS (Please use this space to clearly define your proposal and pricing, Use additional sheets if necessary):

1. Initial Testing/Analysis – Suspended Plumbing:

Initial testing is \$1520.00 of suspended plumbing

2. Initial Testing/Analysis – Sanitary Pit:

Initial testing for sanitary pit \$350.00

3. Preparation of Assessment/Recommendation:

If approve onsite visit with Plumbing Project Lead is the only preparation needed

4. Unit Price per foot to replace existing 4" cast iron pipe (if needed):

4" Cast iron \$18.49/ft \$95 Labor rate per/hr. per/tech w/2 techs to make repairs

a. Estimated Quantity (linear feet):

Unknown till assessed

5. Unit Price per foot to replace existing 6" cast iron pipe (if needed):

6" Cast iron \$31.86/ft \$95 Labor rate per/hr. per/tech w/2 techs to make repairs

a. Estimated Quantity (linear feet):

Unknown till assessed

6. Unit Price (each) to replace existing cast iron traps, wyes, tees, and other fittings as necessary:

Please see top of next page - No room to list all info here.

7. Unit Price to repair/modify sanitary extractor pit (if needed):

Sanitary pit full replacement of pumps, panel and piping estimated cost \$24,400.00

ADDITIONAL INFORMATION:

1. Please be as detailed as possible in your description of your understanding of the existing conditions and issues, and proposal to address same.

Allied proposes to inspect lines and sewage pit

- Lines will be inspected by using a water test, we will block off outlet and fill
- Sewage pit will be inspected, pumps and panel all will be tested
- Recommendations will be made once testing is done
- Pricing is for cast iron, if code allows pvc will be used instead
- This is a estimate, materials price may change due to market costs
- 3 Year warranty on pumps/panel, One year labor warranty and no warranty on piping/fittings

-CONTINUED FROM PREVIOUS PAGE - LINE # 6 INFO - UNIT PRICE

--If approve onsite visit with Plumbing Project Lead is the only preparation needed
--4" Cast iron \$18.49/ft 2-couplings-\$14.68 \$95 Labor rate per/hr. per/tech w/2 techs to make repairs
--6" Cast iron \$31.86/ft 2-couplings-\$37.14 \$95 Labor rate per/hr. per/tech w/2 techs to make repairs
--4" fittings price per fitting 90 degree-\$31.41/fitting, 45degree-\$23.09/fitting, wye-\$45.31/fitting, Couplings-\$7.34/fitting
--6" fittings price per fitting 90 degree-\$78.52/fitting, 45degree-\$51.09/fitting, wye-\$120.48/fitting, Couplings-\$18.57/
fitting

COMPANY INFORMATION:

Company Name Allied Building Service Co. of Detroit Inc.

Printed Name/Title of Person Signing Bid Jake Mills

Signature Jake A. Mills

Address 1801 Howard St., Detroit, MI 48216

Phone: 313-230-0800 Fax: 313-230-0810

Email Address: jmills@teamallied.com Date: 9/17/21

****SUBMIT ORIGINAL PROPOSAL ALONG WITH THREE COPIES IN A SEALED ENVELOPE
MARKED ACCORDING TO SUBMITTAL GUIDELINES ALONG WITH QUALIFICATIONS
QUESTIONNAIRE AND NON-COLLUSION AFFIDAVIT TO THE CITY OF MADISON HEIGHTS
CLERK'S OFFICE BEFORE THE DEADLINE 11:00 A.M. ON SEPTEMBER 15, 2021.**

**ALL OTHER ITEMS – CONTRACT, INDEMNIFICATION DEFEND AND HOLD HARMLESS
AGREEMENT, PERFORMANCE BOND, LABOR & MATERIALS BOND – WILL BE SUBMITTED
AFTER APPROVAL OF THE CONTRACT.****

A BID BOND IS NOT REQUIRED TO SUBMIT YOUR PROPOSAL

VI. Additional Extension Option - MITN:

The City of Madison Heights is a member of the Michigan Intergovernmental Trade Network (MITN) Purchasing Cooperative. If your company is awarded an item or a completed contract, the cooperative entities may wish to use this contract and will use a purchase order or contract for any or all of the item(s) awarded following minimum order/contract requirements set forth in the bid documents. Each entity will provide its own purchase order or contract and must be invoiced separately to the address on the purchase order/contract.

Currently, there are more than 100 agencies participating in the MITN Cooperative.

() If an award is made to Type text here
(Company Name)

it is agreed that the contract will be extended to members of MITN Purchasing Cooperative under the same prices, terms, and conditions.

Signature of Company Representative

~OR~

() Our company Allied Building Service Co. of Detroit Inc. is NOT interested in extending this contract.
(Company Name)

Signature of Company Representative

(For more information on the MITN cooperative, including a list of participating agencies, please go to www/MITN.info.)

VII. CITY OF MADISON HEIGHTS
QUALIFICATION QUESTIONNAIRE

Failure to completely fill out this form or failure to supply adequate information could result in disqualification of bidder.

Name of Bidder: Allied Building Service Co. of Detroit Inc.

Address of Bidder: 1801 Howard St., Detroit, MI 48216

Type of Business Entity: Corporation
(Example: Corporation, Partnership, etc.)

How Long Established: 49 years

Names and Addresses of
All Principals of Bidder: Barbra Scappaticci (Owner) South Lyon Mi / Antonino Scappaticci (VP) South Lyon

1. List all other Corporations, Partnerships, Assumed Names, and/or Businesses in which the above listed principals have an interest in any way, including but not limited to, ownership stockholder, employment, principal, officer or other business relationship.

n/a

Type text here

2. List 3 current references from municipalities or public agencies familiar with the work performed by the Bidder and list the name, address and telephone number of a contact person.

Please see attached document

3. List 3 current references from private or non-public sources familiar with the work performed by the Bidder and list the name, address and telephone number of a contact person.

Please see attached document

4. List the names and address of all subcontractors the Bidder proposes to use on the project.

n/a

The undersigned verifies that the information contained herein is truthful and accurate and acknowledge that they are owners or agents of the Bidder.



**Bidder's or Authorized
Representative's Signature**

Director of Operation

Title of Signatory

Jake Mills

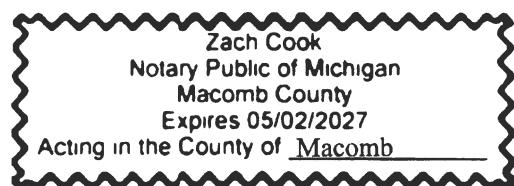
Bidder's Printed Name

Dated: 9/17/21

**Subscribed and sworn to before me on
This 13th day of September, 2021.**



Zach Cook Notary Public
Macomb County, Michigan



NON-COLLUSION AFFIDAVIT

Return this completed form with your sealed bid.

Jake Mills

being duly sworn deposes and says:

That he/she is Direct Of Operations
(state official capacity in firm)

The party making the foregoing proposal or bid, that such bid is genuine and not collusion or sham; that said bidder has not colluded, conspired, connived, or agreed, directly or indirectly, with any bidder or person, to put in a sham bid or to refrain from bidding and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person, to fix the bid price of affiant or any other bidder, or to fix any overhead, profit, or cost element of said bid price or that of any other bidder, or to secure the advantage against the City of Madison Heights or any person interested in the proposed contract; and that all statements contained in said proposal or bid are true.

Jake Mills

(Signature of person submitting bid)

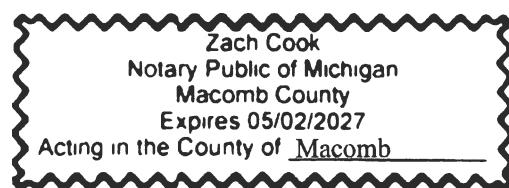
Subscribed and sworn this 13th day of September , 2021 before me, a Notary Public in and for said County.

Zach Cook

Notary Public

My Commission Expires:

5/2/27



Date: November 30, 2021

Attn: Sean Ballantine

CUSTOMER

City Of Madison Heights
801 Ajax Drive
Madison Heights MI 48071

LOCATION OF WORK

Police Dept (Madison Hgt)
280 West 13 Mile Road
Madison Heights MI 48071

SCOPE OF WORK

Allied proposes to replace all cast iron in basement with PVC. Due to multiple areas having cracks, almost all ferncos are deteriorating (these will soon cause more leaking issues). Also due to the sewer odor in the basement new lids and piping for the sewage pumps is highly recommended. Switching over to pvc is highly recommended. This will help with drainage due to old cast iron having pitting, lower cost due to future maintenance and lower up front cost than cast iron. This will be a multiple week job. Ceiling grid will need to be taken down and plastic laid down on carpet, due to rust and debris in piping.

- Take down ceiling grid, office and gym then lay out plastic to protect carpeting
- Replace cast iron piping in sections down hallway above ceiling grid
- Replace the next cast iron sections in next hallway
- Replace sections in gym and office
- Replace sections in mechanical room to pump pits and lid
- Test system when finished
- Reset ceiling grids and disposal of all cast

Note

Allied to supply dumpster unless city provides for cast iron and trash

All cast iron taken down will be set aside until each section is finished before starting new section cast iron will then be thrown into dumpster.

This will be done during normal business hours. Scheduling will be discussed by Sean and Plumbing Manger Anything beyond scope of work or any issues where an increase is needed to unforeseen circumstances will be addressed before moving forward

Total \$37,360

TERMS (Net 30)

Price is firm / fixed

A firm fixed price is a fixed price agreed upon by both parties for the scope of work outlined in the proposal.

Pricing is subject to change with a change in scope of work, delays out of control of the contractor or other such items that change the fundamental direction, scope and ability to complete such work.

Regular Straight Time Wages

Regular and Overtime wages DO NOT include any Prevailing Wage, Davis bacon or Service Contract Act wages. If required, pricing will increase.

If you should have any questions, please feel free to call or email me.

Sincerely,

Kurt Davis
kurtd@teamallied.com
313-230-0800

TO ACCEPT THIS PROPOSAL, please sign, date and return it, or you can forward an updated purchase order or work order.

CUSTOMER APPROVAL: _____ Printed Name: _____ Date: _____

CITY OF MADISON HEIGHTS
ELECTRONIC COUNCIL AGENDA REQUEST FORM

SUBMITTED TO: _____

SUBMITTED BY: _____ DATE: _____

FOR CONSIDERATION AT THE COUNCIL MEETING OF: _____

ACTION REQUESTED

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	OLD BUSINESS	_____

DESCRIPTION OF ITEM

IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS

POLICY CONSIDERATION

FINANCIAL IMPACT

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 nd Acct.	_____		_____
Other Comments	_____		_____

REVIEW CHECKLIST

DEPARTMENT _____ DATE _____

DEPARTMENT _____ DATE _____

CITY MANAGER _____ DATE _____



MEMORANDUM

Date: January 3rd, 2022
To: City of Madison Heights City Council
From: Matt Lonnerstater, AICP – City Planner
Subject: Rezoning Request PRZN 21-0001 – 26783 Lenox Ave. – R-3 to P-1 (Ordinance No. 2175)

Introduction

The applicant, Marusich Architecture, requests to rezone one (1) parcel of land at **26783 Lenox Avenue** (PIN Number 44-25-23-131-007) from **R-3, Residential, to P-1, Vehicular Parking district**. The property is located on the west side of Lenox Ave., south of 11 Mile Rd.

Background and Analysis

The subject property is approximately 0.15 acres in area and is currently improved with a 967 sq. ft. single-family residence and detached garage. The applicant requests the rezoning in order to accommodate additional off-street parking for a proposed commercial development. The applicant has provided conceptual plans for the proposed development, which include a restaurant and hotel. Please note that these conceptual plans are included for demonstrative purposes only and are not subject to this rezoning review.

Per the Zoning Ordinance, the P-1 zoning designation is, *“designed to accommodate the off-street parking for those nonresidential uses which are not able to provide adequate space within their own district boundaries.”* The only permitted uses in the P-1 district are off-street parking areas and residential buildings; existing residential uses are permitted as a conforming use. The P-1 district includes minimum parking lot setback, design, and screening requirements, which will need to be satisfied as part of site plan review.

When reviewing a rezoning request, the City Council should review the proposed district’s consistency and compatibility with adjacent land uses and the future land use map as laid out in the Master Plan.

Existing Land Use

Existing adjacent land uses and zoning designations are denoted in the table below:

	Existing Land Use	Existing Zoning
Site	Single-Family Residence	R-3, Residential
North	Parking associated with commercial/retail uses.	P-1, Vehicular Parking
South	Single-Family Residence	R-3, Residential
East (across Lenox Ave.)	Single-Family Residence	R-3, Residential
West	I-75	N/A

The subject site is immediately south of an existing parking lot that serves Boodles restaurant and a single-story retail/office building. Properties to the south and east (across Lenox Avenue) are occupied

by single-family residences. The proposed rezoning would enable an expansion of the existing parking lot.

The subject site is located immediately to the south of the DDA boundaries.

Existing Commercial along W. Eleven Mile Rd.



Existing Parking Lot and Residences along Lenox Ave.



Future Land Use

Adjacent future land uses, as envisioned by the 2021 Madison Heights Master Plan, are denoted in the table below:

	Future Land Use
Site	Single-Family
North	Single-Family/Commercial
South	Single-Family
East (across Lenox Ave.)	Single-Family
West	N/A (I-75)

The future land use designation of the subject site is “Single-Family Residential.” Per the Master Plan, the Single-Family designation is, *“intended to plan for single-family homes in largely built-out areas of the city. [...]. There may be certain areas at the edges of neighborhoods where duplex, triplex and quadplex homes may be an appropriate way to provide additional housing.”* While the proposed parking district does not fully comply with the future land use plan, the P-1 district does continue to permit existing single-family residential uses by-right and requires additional screening standards to buffer residential properties from commercial structures and activities.

While in support of the rezoning request, City staff encourages the applicant to explore innovative options to ultimately reduce the need to construct additional parking spaces, including, but not limited to, shared parking arrangements, off-site parking, and administrative parking space reductions.

Planning Commission Action

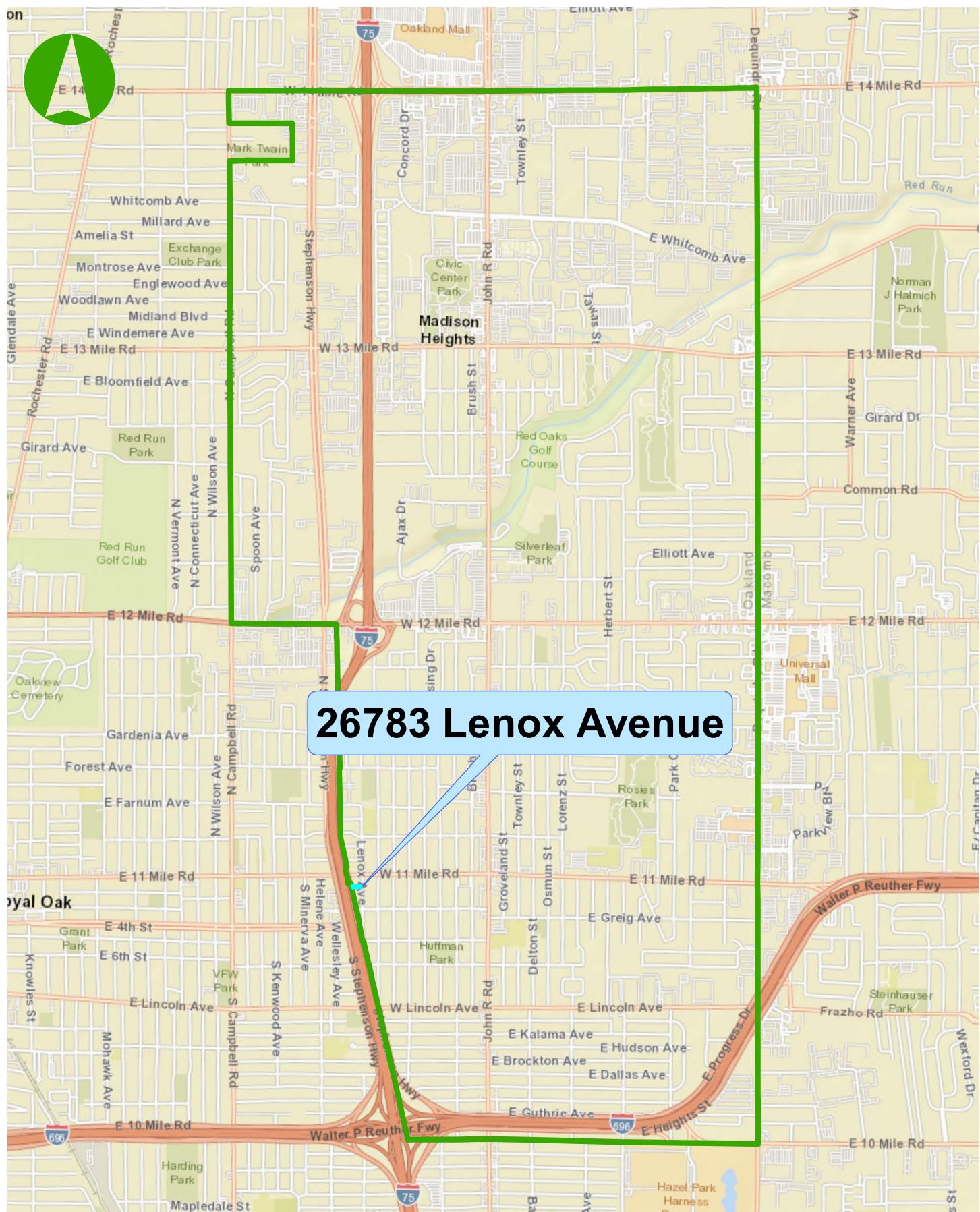
At their December 21st, 2021 meeting, the Planning Commission recommended approval of the requested rezoning based upon the following findings:

1. The applicant requests a rezoning from R-3, residential, to the P-1, Vehicular Parking district, to accommodate additional off-site parking for a proposed commercial development.
2. The applicant has provided conceptual plans for the proposed development, which are included for demonstrative purposes only and are not subject to this rezoning review. Additional action by City Council and the Zoning Board of Appeals may be required for the proposed uses and site design.
3. The proposed P-1 District is generally compatible with adjacent land uses in that it serves as a buffer between adjacent commercial and residential uses and contains minimum site design, setback and screening requirements. The subject site borders an existing P-1 district to the north.
4. The proposed P-1 District is partially compatible with the future land use designation in that the district continues to permit existing single-family residential uses by-right.
5. The Site Plan Review Committee (SPRC) reviewed the proposed rezoning request at their December 1st, 2021 meeting and did not express any objections. The SPRC will separately review additional applications relating to this project, if submitted, including any special land use and variance requests and site plans.

Staff Recommendation and Next Step

Based on the Planning Commission’s findings and recommendation, staff recommends that the City Council approve rezoning request PRZN 21-0001 upon first reading and schedule the public hearing for February 14th, 2022.

PRZN 21-0001

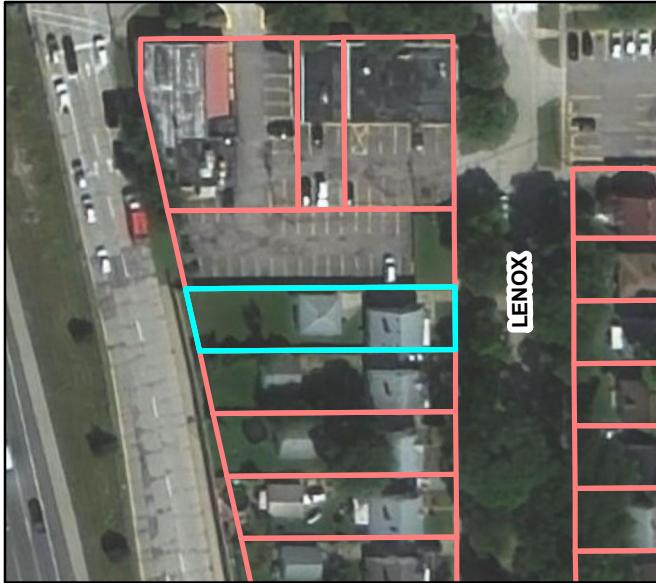


Site Address: 26783 Lenox Avenue



Click for maps

Aerial



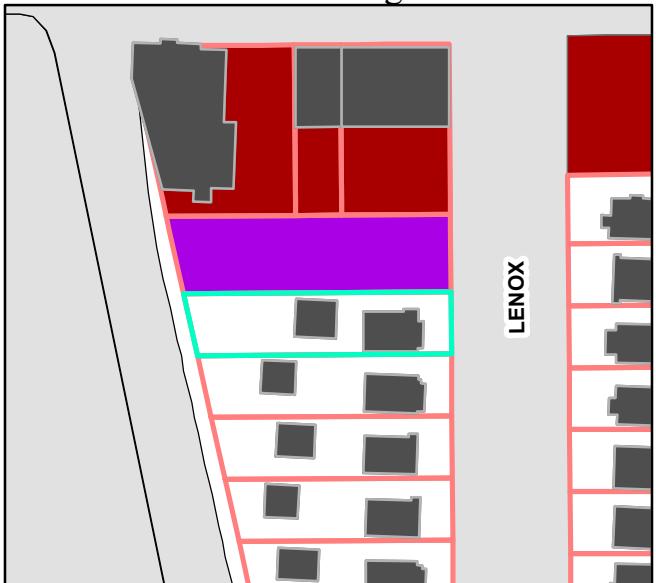
26783 Lenox Avenue
 Parcels

Existing Land Use



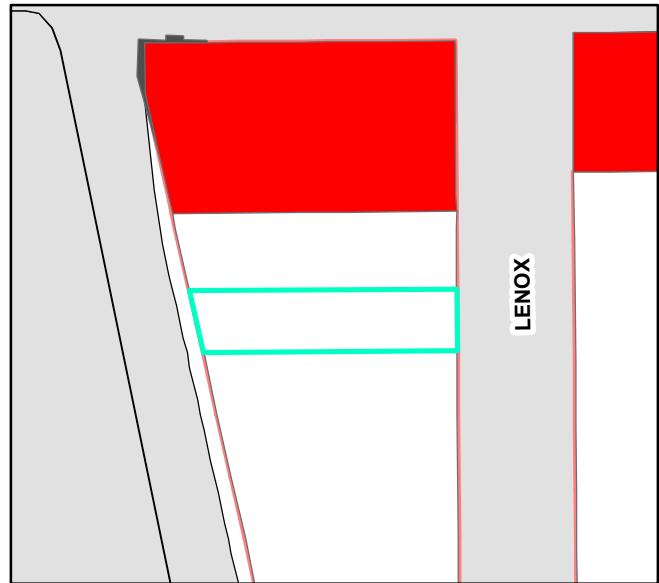
 26783 Lenox Avenue	 Single And Two Family
 Buildings	 Office
 Parcels	 Commercial

Zoning



- 26783 Lenox Avenue
- M-1 Light Industrial
- Buildings
- Parcels
- R-3 Residential

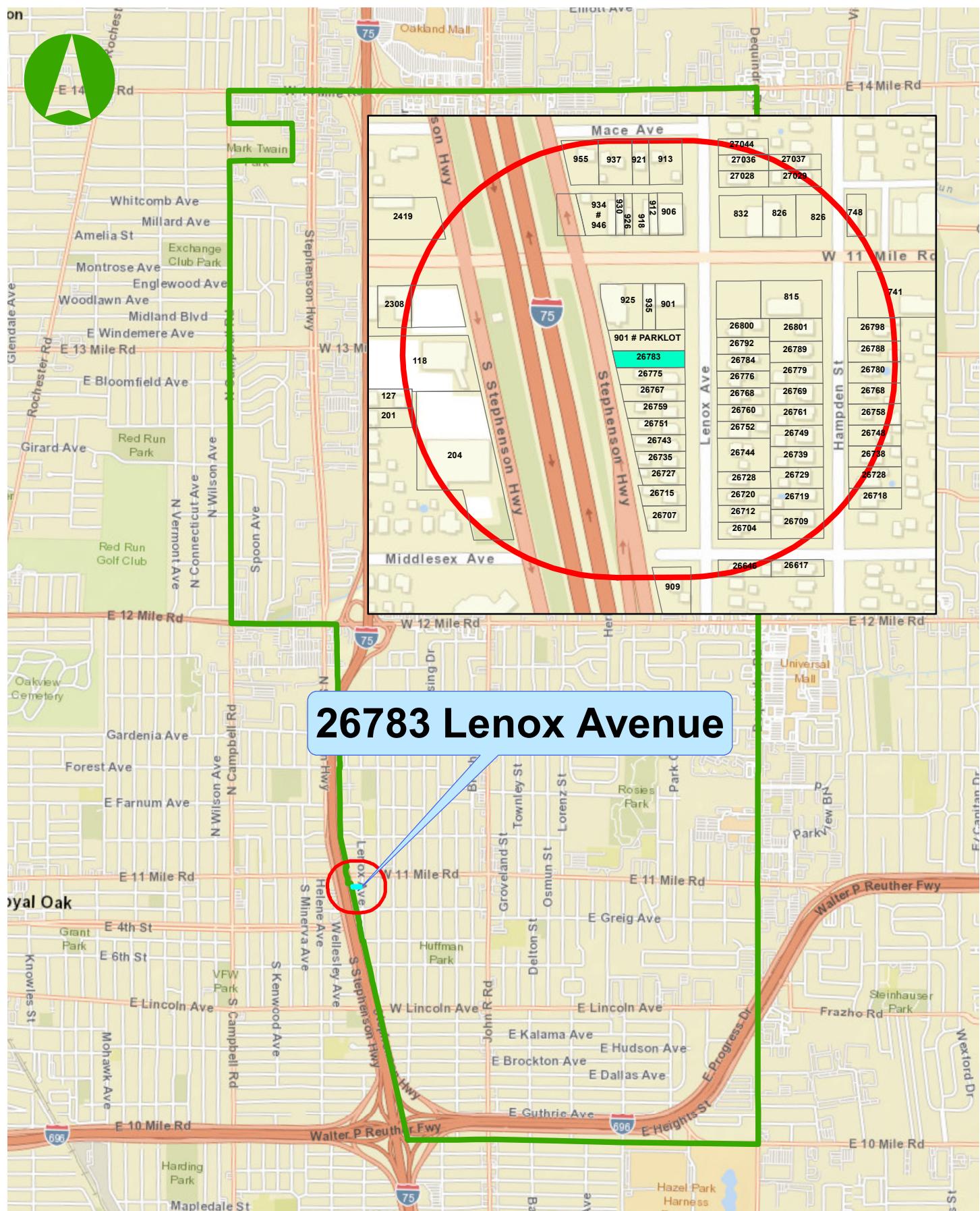
Future Land Use



	26783 Lenox Avenue		Industrial
	Single Family		Public and Schools
	Multiple Family		Recreation
	Office		Conservation
	Commercial		Mixed Use Innovation

PRZN 21-0001

Buffer 500 Ft



Notice of Public Hearing

Rezoning Request No. PRZN 21-0001

Notice is hereby given that the Madison Heights Planning Commission will hold a public hearing on Tuesday, December 21st, 2021 at 5:30 p.m. in City Hall Council Chambers, 300 West Thirteen Mile Road, Madison Heights, Michigan 48071.

Rezoning Request No. PRZN 21-0001 by Marusich Architecture to rezone a parcel of land described as T1N, R11E, SEC 23, STEPHENSON SUPER HWY SUB NO.3, LOT 1881, EXC W 11 FT TAKEN FOR HWY from R-3, Residential, to P-1, Vehicular Parking. The address of the request is 26783 Lenox Ave.

For further information, please contact the Community & Economic Development Department at (248) 583-0831.

CITY OF MADISON HEIGHTS



COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
300 W. THIRTEEN MILE RD.
MADISON HEIGHTS, MI 48071
(248) 583-0831

Application to Rezone Land

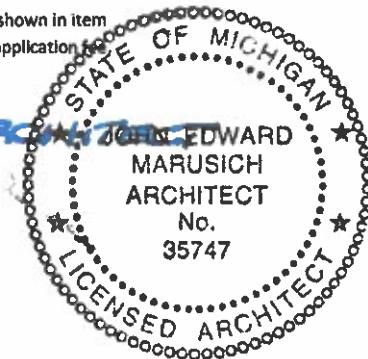
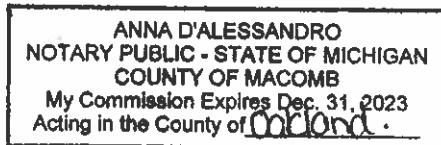
I (we) the undersigned do hereby respectfully apply and petition the City of Madison Heights to amend the Zoning Ordinance by changing the zoning map as hereinafter requested. As part of this application, the following facts are shown:

1. Request is hereby made that the following property be rezoned from R-3 to P-1.
2. The property address is 26783 LENOX and the parcel is located on the WEST side of LENOX street between 11 MILE ROAD (NORTH) and W GREIG (SOUTH) streets.
3. The legal description of said property is as follows: (attach separately if necessary)
TIN, RUE, SPC 23 STEPHENSON SUPER
Hwy Sub No. 3 LOT 1B1 EXC 11 FT
TAKEN FOR HWY
4. The sidwell number for the property is: 44 25 23 131 007
5. The owner of said property is: Bruno JAMES FERGUSON
Name: 55340 WHITNEY DR. Street: STEEL, Twp
Street Address: 55340 WHITNEY DR. City: MICH
City, State, Zip: (586) 992-1979 Email: 48315
Phone: (586) 206-6027
6. The Applicant is: John MARUSICH - MARUSICH ARCHITECTURE
Name: 16320 WOODWARD AVE Street: BLOOMFIELD HILLS MI 48304
Street Address: 16320 WOODWARD AVE City: BLOOMFIELD HILLS
City, State, Zip: 48304 Email: john.marusich
Phone: 313 482 0645 Email: architecture@gmail.com
7. The applicant is the:
 Owner Legal Representative Purchaser Other ARCHITECT
8. Description of proposed use:
PARKING FOR NEW DEVELOPMENT
ON 11 MILE (SEE ATTACHED PLANS)
9. Attached two (2) copies of the plot plan prepared in compliance with the requirements shown in item number three (3) of the "Procedure for Filing Rezoning Application" and the \$1,500.00 application fee.

Signature of Owner: Bruno James Jr, Jr.
Signature of Applicant: John Marusich - MARUSICH ARCHITECTURE
Date: 12/03/2021

Notary's Signature: Anna D'Alessandro
Notary's Print Name: Anna D'Alessandro
Notary Public, State of Michigan, County of: Macomb
My Commission Expires on: December 31 2023
Acting in the County of: Macomb

Note: All owners of the property must sign this application and all signatures must be notarized, or legal proof of authority to apply, such as a Power of Attorney, must be attached.





MARUSICH ARCHITECTURE

36880 WOODWARD AVENUE
BLOOMFIELD HILLS, MI 48304
SUITE 100

OFFICE: (248) 792-2949
CELL: (313) 482-0645

www.marusicharchitecture.com
johnm@marusicharchitecture.com

THE IDEAS AND DESIGN CONCEPT EXPRESSED
HERE IN AND THE GRAPHICALLY DISPLAYED
ARRANGEMENT OF THIS DRAWING HAVE BEEN
DEVELOPED FOR THE EXCLUSIVE USE OF THIS
SPECIFIED PROJECT AND LOCATION. THE
DRAWINGS ARE THE SOLE INTELLECTUAL
PROPERTY OF THE ARCHITECT. ANY
CONVEYANCE OR DISCLOSURE OF THE IDEAS
OR DESIGN CONCEPTS OR THE USE OF
THESE GRAPHICALLY DISPLAYED
ARRANGEMENTS OR THEIR COMPONENTS
SHALL BE AT THE DISCRETION OF AND ONLY
THROUGH THE EXPRESSED WRITTEN CONSENT
OF MARUSICH ARCHITECTURE LLC.

THE ABSENCE OF A WRITTEN AIA
CONTRACT ACCEPTANCE AND/OR USE OF
THESE DOCUMENTS BY THE OWNER/CLIENT
OR HIS AGENTS SHALL CONSTITUTE TO BE
A BINDING CONTRACT BETWEEN THE
OWNER/CLIENT AND THE ARCHITECT IN
ACCORDANCE TO ALL CONDITIONS CONTAINED
WITHIN AIA B151 AND B141 CONTRACTS. ALL
IDEAS, DESIGNS, ARRANGEMENTS, AND PLANS
INDICATED BY OR REPRESENTED BY THE
DRAWINGS AND WRITTEN MATERIAL APPEARING
HEREIN CONSTITUTES THE ORIGINAL AND
UNPUBLISHED WORK OF MARUSICH
ARCHITECTURE LLC. AND THE SAME MAY NOT
BE DUPLICATED, USED, TRANSFERRED, OR
DISCLOSED TO ANY PERSON, FIRM,
CORPORATION, OR AGENCY WITHOUT A
WRITTEN CONTRACT OR WRITTEN CONSENT OF
THE ARCHITECT AND MARUSICH ARCHITECTURE.

OWNER

PROJECT NAME

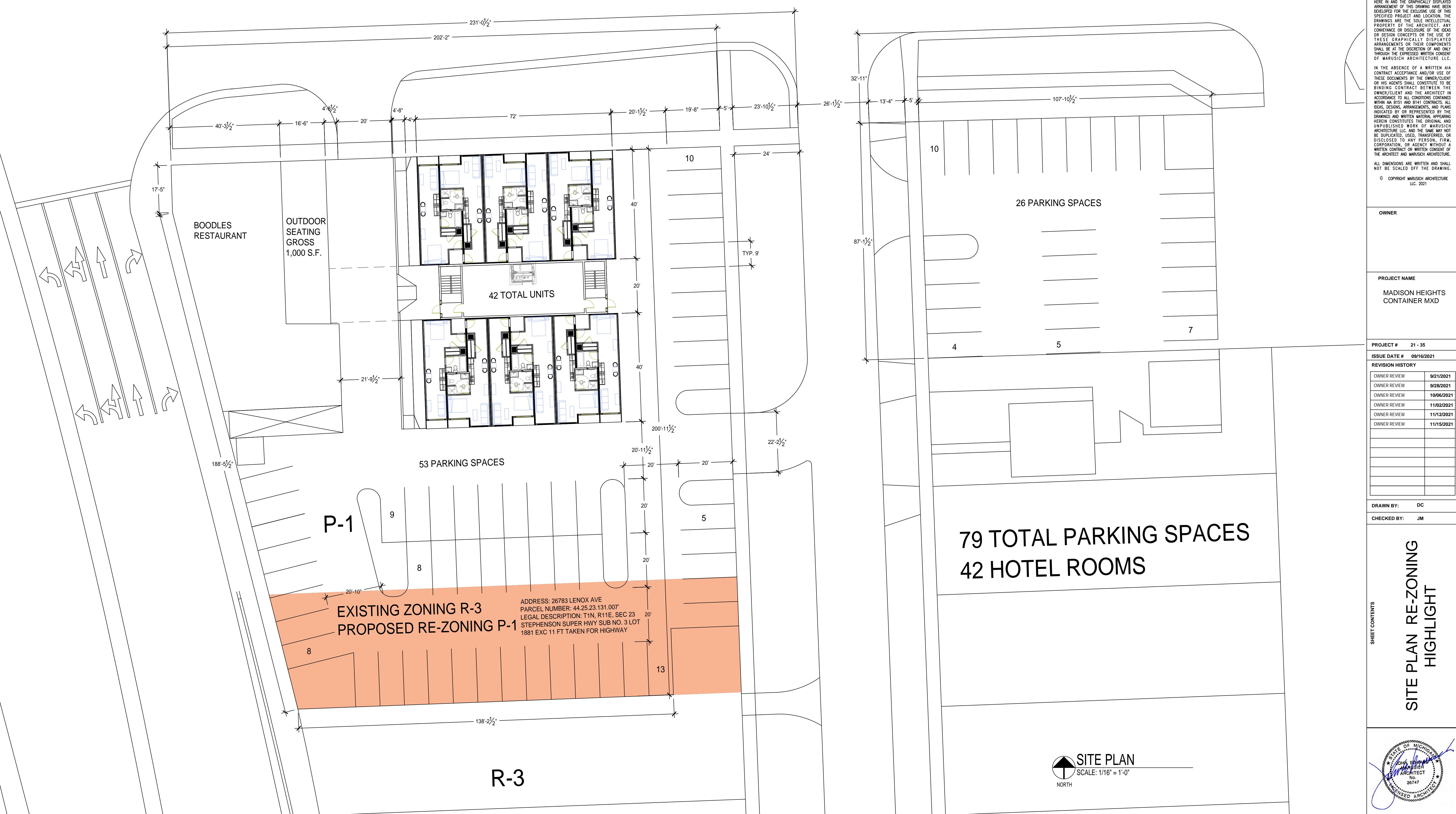
OBJECT # 21 - 35
SUE DATE # 09/16/2021

VISION HISTORY	
OWNER REVIEW	9/21/2021
OWNER REVIEW	9/28/2021
OWNER REVIEW	10/06/2021
OWNER REVIEW	11/02/2021
OWNER REVIEW	11/12/2021
OWNER REVIEW	11/15/2021

DRAWN BY: DC
CHECKED BY: JM

SITE PLAN RE-ZONING HIGHLIGHT

A circular seal for a Michigan architect. The outer ring contains the text "STATE OF MICHIGAN" at the top and "LICENSED ARCHITECT" at the bottom, separated by a dotted line. The inner circle contains "JOHN EDWARD KRUSICH" in the center, with "ARCHITECT" above and "No. 35747" below. The entire seal is handwritten in blue ink.







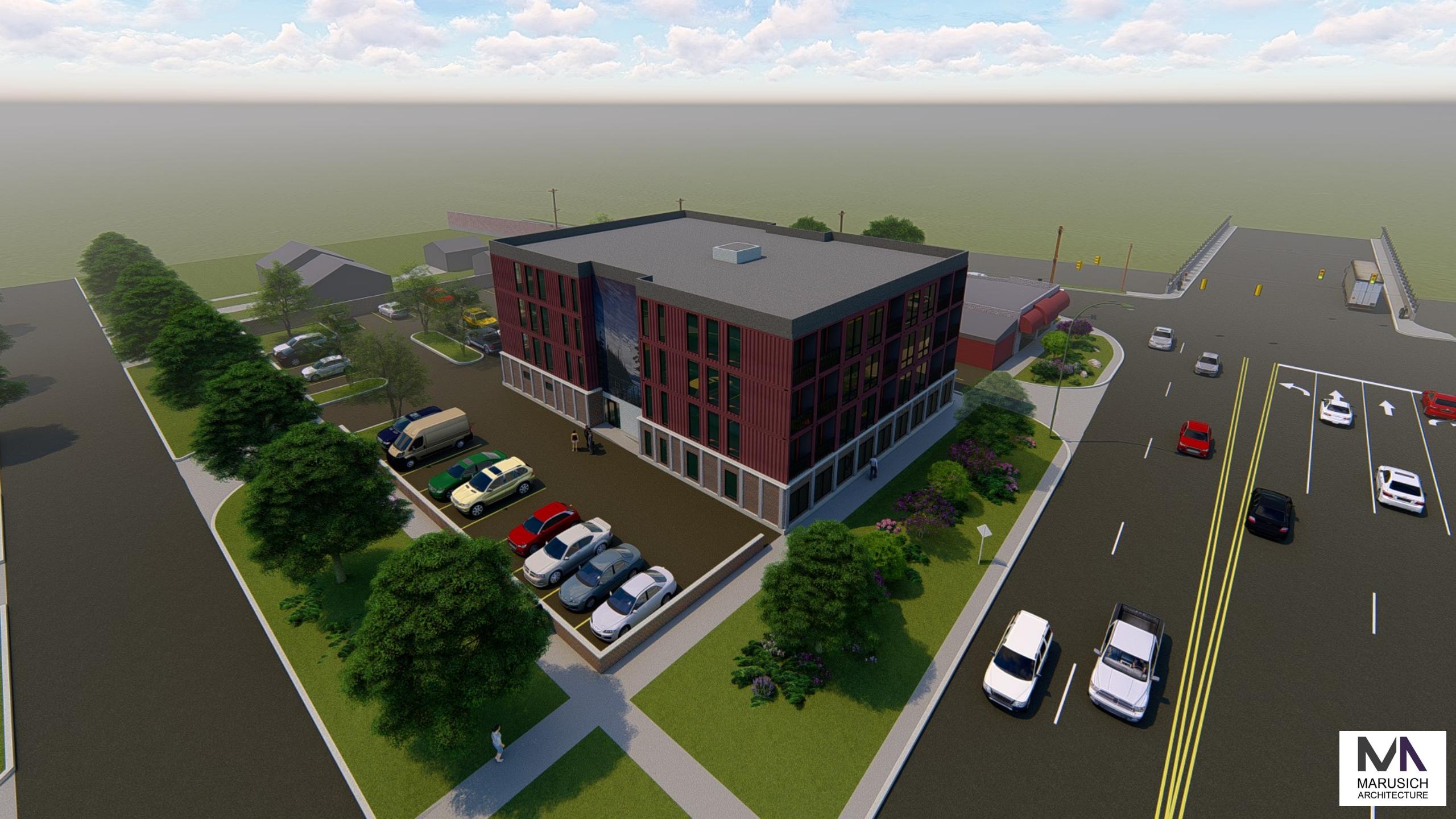
















CITY OF MADISON HEIGHTS

PLANNING COMMISSION MEETING MINUTES

December 21, 2021

Council Chambers – City Hall

300 W. 13 Mile, Madison Heights, MI 48071

1. CALL TO ORDER

Chair Champagne called the meeting of the Madison Heights Planning Commission to order at 5:33 p.m.

2. ROLL CALL

Present: Councilman Mark Bliss (arrived at 5:33 pm)
Chairperson Josh Champagne
Member Bruce Conn
Member Eric Graettinger
Mayor Roslyn Grafstein
City Manager Melissa Marsh
Member James Smith

Absent: Member Cliff Oglesby, Member Grant Sylvester,

Also Present: City Planner Matt Lonnerstater
Assistant City Attorney Tim Burns
Business Services Coordinator Mary Daley

Motion by Commissioner Grafstein, supported by Commissioner Marsh to excuse Members Bliss (arrived at 5:33 pm), Oglesby, and Sylvester.

Motion carried unanimously.

3. APPROVAL OF AGENDA

Motion by Commissioner Smith, Supported by Commissioner Graettinger, to approve the agenda for tonight's meeting.

Motion carried unanimously.

4. APPROVAL OF MINUTES

Motion by Commissioner Conn, supported by Commissioner Graettinger, to approve the minutes of the regular Planning Commission meeting of November 16, 2021.

Motion carries unanimously.

5. PUBLIC HEARING:

a. Rezoning (PRZN 21-01): 26783 Lenox Ave.

Planner Lonnerstater introduced the rezoning request from applicant Marusich Architecture. They have requested to rezone one parcel of land from R-3, Residential, to P-1, Vehicular Parking District. The property is located at 26783 Lenox Avenue, the west side of Lenox Avenue, south of 11 Mile Rd. south of Boodles Restaurant parking lot (11 Mile and Stephenson)

Per Planner Lonnerstater, the subject property is approximately 0.15 acres in area and is currently improved with a 967 sq. ft. single-family residence and detached garage. The applicant requests the rezoning in order to accommodate additional off-street parking for a proposed commercial development. The applicant has provided conceptual plans for the proposed development, which include a restaurant and hotel. Please note that these conceptual plans are included for demonstrative purposes only and are not subject to this rezoning review.

Per the Zoning Ordinance, the P-1 zoning designation is, “designed to accommodate the off-street parking for those nonresidential uses which are not able to provide adequate space within their own district boundaries.” The only permitted uses in the P-1 district are off-street parking areas and residential buildings; existing residential uses are permitted as a conforming use. The P-1 district includes minimum parking lot setback, design, and screening requirements, which will need to be satisfied as part of site plan review. The Planner also notes, this parcel is just outside of the DDA boundaries.

When making a recommendation to Council, Planner Lonnerstater suggests the Planning Commission note the following specific findings in their motion per the recommendation of Staff:

1. The applicant requests a rezoning from R-3, residential, to the P-1, Vehicular Parking district, to accommodate additional off-site parking for a proposed commercial development.
2. The applicant has provided conceptual plans for the proposed development, which are included for demonstrative purposes only and are not subject to this rezoning review. Additional action by City Council and the Zoning Board of Appeals may be required for the proposed uses and site design.
3. The proposed P-1 District is generally compatible with adjacent land uses in that it serves as a buffer between adjacent commercial and residential uses and contains minimum site design, setback and screening requirements. The subject site borders an existing P-1 district to the north.
4. The proposed P-1 District is partially compatible with the future land use designation in that the district continues to permit existing single-family residential uses by-right.
5. The Site Plan Review Committee (SPRC) reviewed the proposed rezoning request at their December 1st, 2021 meeting and did not express any objections. The SPRC will separately review additional applications relating to this project, if submitted, including any special land use and variance requests and site plans.
6. While in support of the rezoning request, City staff encourages the applicant to explore innovative options to ultimately reduce the need to construct additional parking spaces, including, but not limited to, shared parking arrangements, off-site parking, and administrative parking space reductions.

Based on these findings, staff recommends that the Planning Commission recommend to City Council **approval** of the requested rezoning from R-3 to P-1.

Chair Champagne opened the public hearing at 5:38 p.m. to hear comments on PRZN #21-01.

The applicant, John Marusich of Marusich Architecture, introduced himself and invited any questions from the Planning Commission.

Commissioner Marsh asks for clarification on the intended plan for the adjoining parcel and the expected timeframe. In response, Mr. Marusich explains his client's intent to purchase Boodles and redevelop the property into either an office, a residential development, or a boutique hotel. As for the timeframe, they would envision construction could begin as early as July.

Commissioner Grafstein asks for clarification on the boutique hotel concept. Mr. Marusich explains it is a small scale hotel around 40 rooms. This would be in conjunction with the adjacent property (boodles) which would act as the check in center, if this is the route they decide to take.

Chair Champagne invites discussion from the Planning Commission.

Motion by Marsh, supported by Grafstein, to postpone action on PRZN 21-01 until the petitioner comes back to the Planning Commission with the adjoining parcels and their plans for those parcels or at Staff's discretion to put it back on the agenda.

Planner Lonnerstater clarifies that they will be required to come back to City Council for Special Approval depending on what the proposed use will be and at this time it is still under the development stages. If the developer decides to propose a Hotel, then yes they would have to submit an additional Special Land use application. Commissioner Marsh suggests concern about taking action if the applicant has not identified a plan for the development.

Commissioner Bliss asks when their intent is to decide on the type of development for this project. Mr. Marusich explains that he has met with City staff and has determined that requesting the rezoning for this parking was the proper first step for any development that would happen at this location. Therefore, no matter what development his client intends to proceed with, if they do not get the additional parking, a new development would not progress further.

Commissioner Grafstein expresses concern about taking action without knowing what the development plan for the property would be. Applicant Marusich expresses his desire to move forward only with a project that the Planning Commission would support.

In response to the Chair's question, Assistant City Attorney Burns notes that if the Commission and City Council move forward and approve the applicant's request, once the zoning takes place, no matter who owns the land they have the parking right as a matter of right.

Mr. Marusich requests a moment to confer with his client and expresses that his client has decided to proceed with a boutique hotel. In response, Planner Lonnerstater notes that a hotel involves a special land use request which has different criteria or analyses and we haven't done that analysis yet.

Substitute motion:

Motion by Bliss, supported by Conn to recommend to City Council approval of the requested rezoning from R-3 to P-1, based on the findings and recommendations presented by Staff

Roll Call Vote:

Yea:

**Bliss, Conn, Graettinger, Grafstein, Marsh, Smith
Champagne**

Nay:

Motion Carried.

b. Rezoning (PRZN 21-02): 26744 Osmun Street.

Planner Lonnerstater introduced the rezoning request from applicant, Woodpile BBQ, requests to rezone one (1) parcel of land at 26744 Osmun St. from R-3, Residential, to B-3, General Business district. The property is located at the southeast corner of E. 11 Mile Road and Osmun Street.

The subject property is approximately 0.20 acres in area and is currently improved with a 910 sq. ft. single-family residence and detached garage. The applicant requests the rezoning in order to accommodate additional off-street parking for Woodpile BBQ, located immediately to the east of the subject site. The applicant has provided conceptual plans for the proposed parking lot. Please note that these conceptual plans are included for demonstrative purposes only and are not subject to this rezoning review.

When making a recommendation to Council, Planner Lonnerstater suggests the Planning Commission note the following specific findings in their motion per the recommendation of Staff:

- 1) The applicant requests a rezoning from R-3, residential, to the B-3, General Commercial district, to accommodate additional off-site parking for an existing adjacent restaurant. The B-3 District permits a range of commercial and office uses.
- 2) The applicant has provided conceptual plans for the proposed development, which are included for demonstrative purposes only and are not subject to this rezoning review.
- 3) The proposed B-3 District is generally compatible and consistent with adjacent commercial land uses along E. 11 Mile Rd.
- 4) The proposed B-3 District is consistent with adjacent B-3 zoned properties along E. 11 Mile Rd.
- 5) The proposed B-3 District is compatible and consistent with the Commercial future land use designation for the site as envisioned by the 2021 Master Plan.
- 6) The Site Plan Review Committee (SPRC) reviewed the proposed rezoning request at their December 1st, 2021 meeting and did not express any objections. The SPRC will separately review additional applications relating to this project, if submitted, including site plan submittal.

Also to be noted, this property is within the DDA.

Chair Champagne opened the public hearing at 6:31 p.m. to hear comments on PRZN #21-02. Jennifer Rude, resident at 26718 Lorenz, speaks to the Commission. She is a resident directly across from Woodpile and strongly approves this request and expresses her desire for the Commission to approve this recommendation. Traffic on Lorenz is a "mess." She feels it will get worse once the pandemic is over.

Public comment was closed at 6:33 pm.

Chair Champagne invites the applicant Tim Idzikowski, owner of Woodpile, to address the Planning Commission. He expresses the desire for the additional parking for future growth. He has attempted a shared parking with the High School but unfortunately, clients will not utilize it for various reasons. Woodpile aggressively pursued this house to provide the additional parking and not cause issues within the neighborhood.

Planning Commission discussion continues. The applicant confirms the property is currently empty.

Motion by Conn, supported by Smith, to approve PR 21-02 and recommend to Council, based on the findings and recommendations presented by Staff.

Roll Call Vote:

Yea: Bliss, Conn, Graettinger, Grafstein, Marsh, Smith, Champagne

Nay: None.

Motion carries unanimously.

6. MATTERS FOR CONSIDERATION

a. Zoning Text Amendment (21-11) – Temporary Certificates of Occupancy

City staff proposes the attached text amendment to extend the length in which temporary certificates of occupancy can remain effective. The current Zoning Ordinance limits a temporary certificate of occupancy to six (6) months. As proposed, the text amendment will allow the City to grant a temporary certificate of occupancy for up to one (1) year. Staff believes that this amendment will give property owners and tenants adequate time to properly meet all building and zoning code requirements and site plan conditions without risking TCO expiration.

Motion by Marsh, supported by Conn to set a public hearing date for the January 18th, 2022 regular Planning Meeting.

Roll Call Vote:

Yea: Bliss, Conn, Graettinger, Grafstein, Marsh, Smith, Champagne

Nay: None.

Motion carries unanimously.

7. PUBLIC COMMENT - For items not listed on the agenda

No public comment.

8. MEMBER UPDATES

No member updates.

9. PLANNER UPDATES

Planner Lonnerstater wishes everyone a Happy Holiday and Happy New Year.

10. ADJOURNMENT OF MEETING

Meeting adjourned by the Chair at 6:47 p.m.

CITY OF MADISON HEIGHTS
ELECTRONIC COUNCIL AGENDA REQUEST FORM

SUBMITTED TO: _____

SUBMITTED BY: _____ DATE: _____

FOR CONSIDERATION AT THE COUNCIL MEETING OF: _____

ACTION REQUESTED

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	OLD BUSINESS	_____

DESCRIPTION OF ITEM

IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS

POLICY CONSIDERATION

FINANCIAL IMPACT

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 nd Acct.	_____		_____
Other Comments	_____		_____

REVIEW CHECKLIST

DEPARTMENT _____ DATE _____

DEPARTMENT _____ DATE _____

CITY MANAGER _____ DATE _____



MEMORANDUM

Date: January 3rd, 2022
To: City of Madison Heights City Council
From: Matt Lonnerstater, AICP – City Planner
Subject: Rezoning Request PRZN 21-0002 – 26744 Osmun St. – R-3 to B-3 (Ordinance No. 2176)

Introduction

The applicant, Woodpile BBQ, requests to rezone one (1) parcel of land at **26744 Osmun St.** (PIN Number 44-25-24-105-002) from **R-3, Residential, to B-3, General Business** district. The property is located at the southeast corner of E. 11 Mile Road and Osmun Street.

Background and Analysis

The subject property is approximately 0.20 acres in area and is currently improved with a 910 sq. ft. single-family residence and detached garage. The applicant requests the rezoning in order to accommodate additional off-street parking for Woodpile BBQ, located immediately to the east of the subject site. The applicant has provided conceptual plans for the proposed parking lot. Please note that these conceptual plans are included for demonstrative purposes only and are not subject to this rezoning review.

Per the Zoning Ordinance, the B-3 zoning designation is, *“designed to provide sites for more diversified business types and are often located also so as to serve the passer-by traffic.”* Uses permitted by right within the B-3 district include, but are not limited to, retail/service establishments, restaurants, new car auto sales and showrooms, professional offices, and assembly halls.

When reviewing a rezoning request, the City Council should review the proposed district’s consistency and compatibility with adjacent land uses and the future land use map as laid out in the Master Plan.

Existing Land Use

Existing adjacent land uses and zoning designations are denoted in the table below:

	Existing Land Use	Existing Zoning
Site	Single-Family Residence	R-3, Residential
North (across E. 11 Mile Rd.)	Retail/Restaurant	B-3, General Business
South	Single-Family Residence	R-3, Residential
East	Restaurant	B-3, General Business
West (across Osmun St.)	Professional Office	B-3, General Business

The subject site is located immediately to the west of Woodpile BBQ, which is zoned B-3. Properties immediately to the east, north and west are zoned B-3 and improved with commercial uses, while the property to the south is zoned R-3 and improved with a single-family residence.

The subject site is located within the boundaries of the DDA.

Existing Conditions along E. 11 Mile Rd.



Existing Conditions along Osmun St.



Future Land Use

Adjacent future land uses, as envisioned by the 2021 Madison Heights Master Plan, are denoted in the table below:

	Future Land Use
Site	Commercial
North (across E. 11 Mile Rd.)	Commercial
South	Single-Family
East	Commercial
West (across Osmun St.)	Commercial

The future land use designation of the subject site is “Commercial.” Per the Master Plan, the Commercial designation is intended to accommodate, *“a broad range of goods and services.”* The B-3 zoning district aligns with the future land use plan and vision of the Master Plan.

If the B-3 rezoning request is approved, any commercial development on the subject parcel, including parking, will be subject to screening, buffering and site development requirements per the Zoning Ordinance.

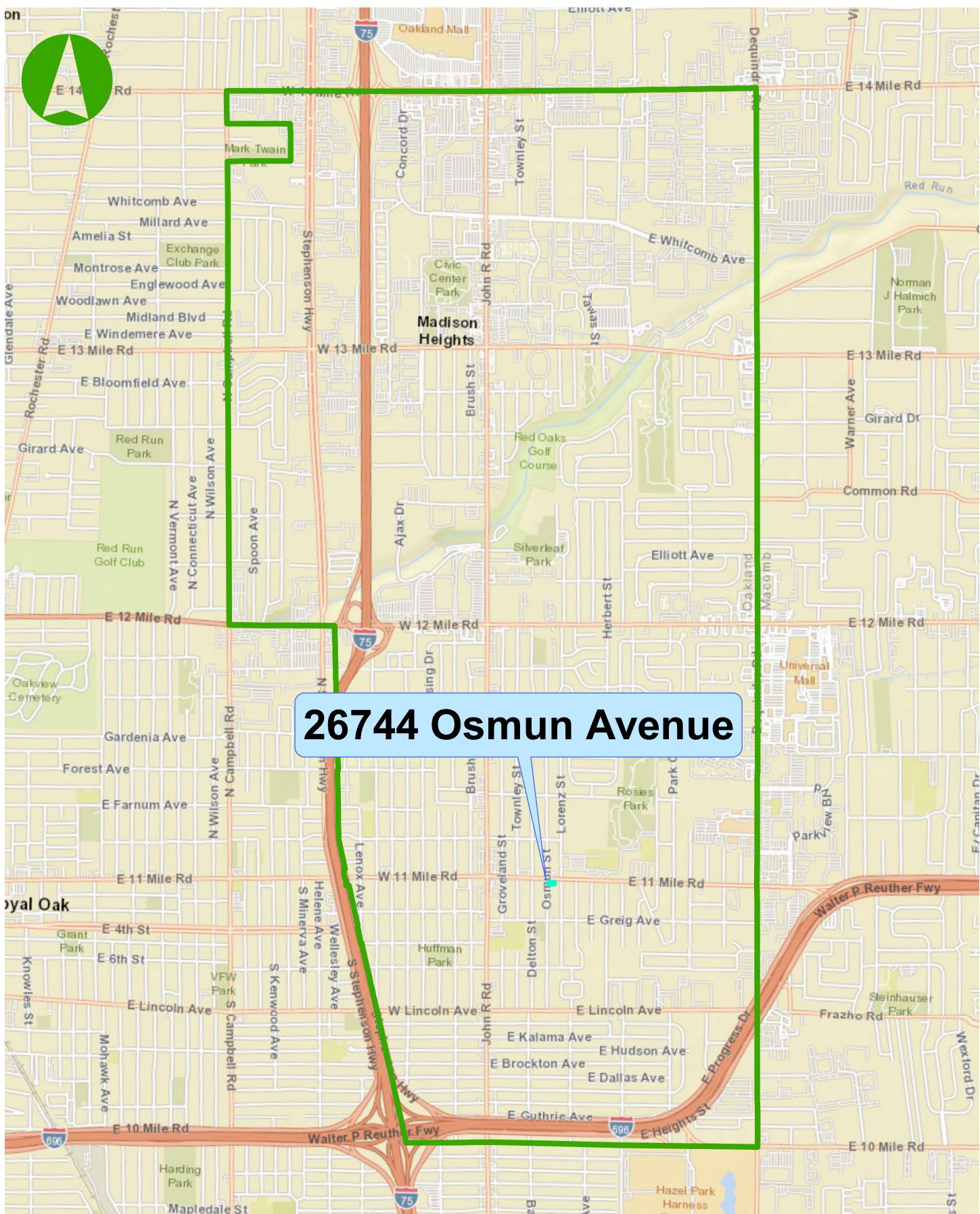
Planning Commission Action

At their December 21st, 2021 meeting, the Planning Commission recommended approval of the requested rezoning based upon the following findings:

1. The applicant requests a rezoning from R-3, residential, to the B-3, General Commercial district, to accommodate additional off-site parking for an existing adjacent restaurant. The B-3 District permits a range of commercial and office uses.
2. The applicant has provided conceptual plans for the proposed development, which are included for demonstrative purposes only and are not subject to this rezoning review.
3. The proposed B-3 District is generally compatible and consistent with adjacent commercial land uses along E. 11 Mile Rd.
4. The proposed B-3 District is consistent with adjacent B-3 zoned properties along E. 11 Mile Rd.
5. The proposed B-3 District is compatible and consistent with the Commercial future land use designation for the site as envisioned by the 2021 Master Plan.
6. The Site Plan Review Committee (SPRC) reviewed the proposed rezoning request at their December 1st, 2021 meeting and did not express any objections. The SPRC will separately review additional applications relating to this project, if submitted, including site plan submittal.

Staff Recommendation and Next Step

Based on the Planning Commission's findings and recommendation, staff recommends that the City Council approve rezoning request PRZN 21-0002 upon first reading and schedule the public hearing for February 14th, 2022.



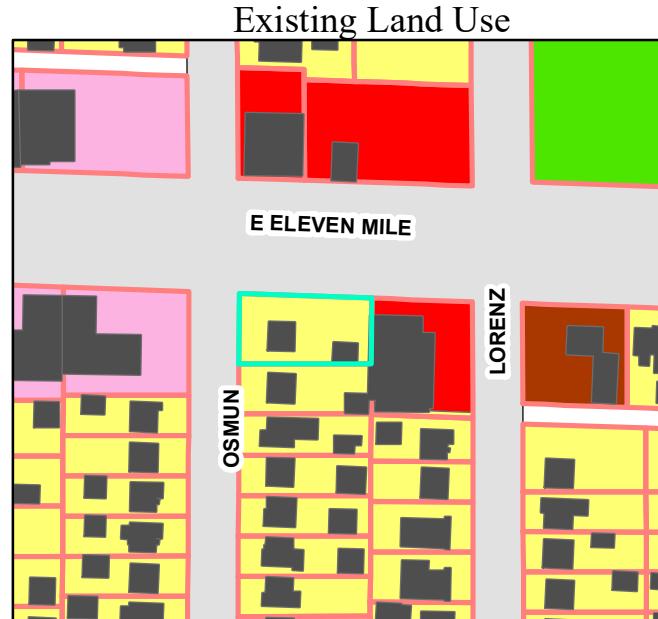
Site Address: 26744 Osmun Avenue



Click for maps

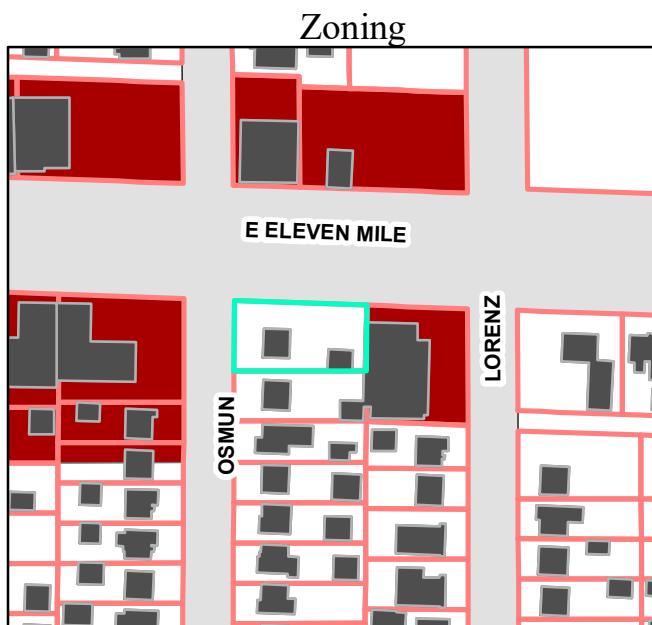


 26744 Osmun Avenue
 Parcels



 26744 Osmun Avenue
 Buildings
 Parcels

 Single And Two Family
 Multiple Family
 Office
 Commercial
 School



 26744 Osmun Avenue
 Buildings
 Parcels
 R-3 Residential

 M-1 Light Industrial

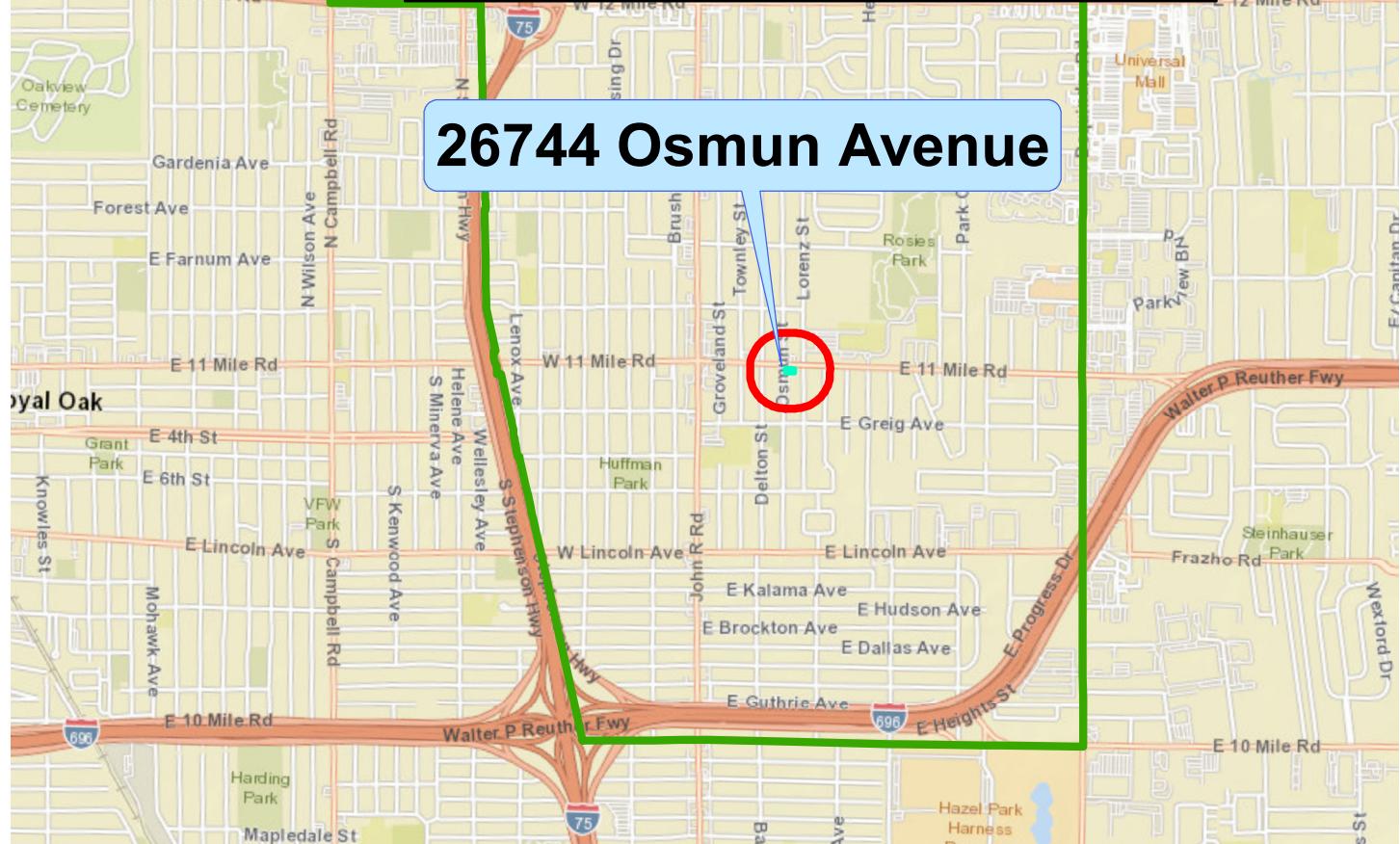
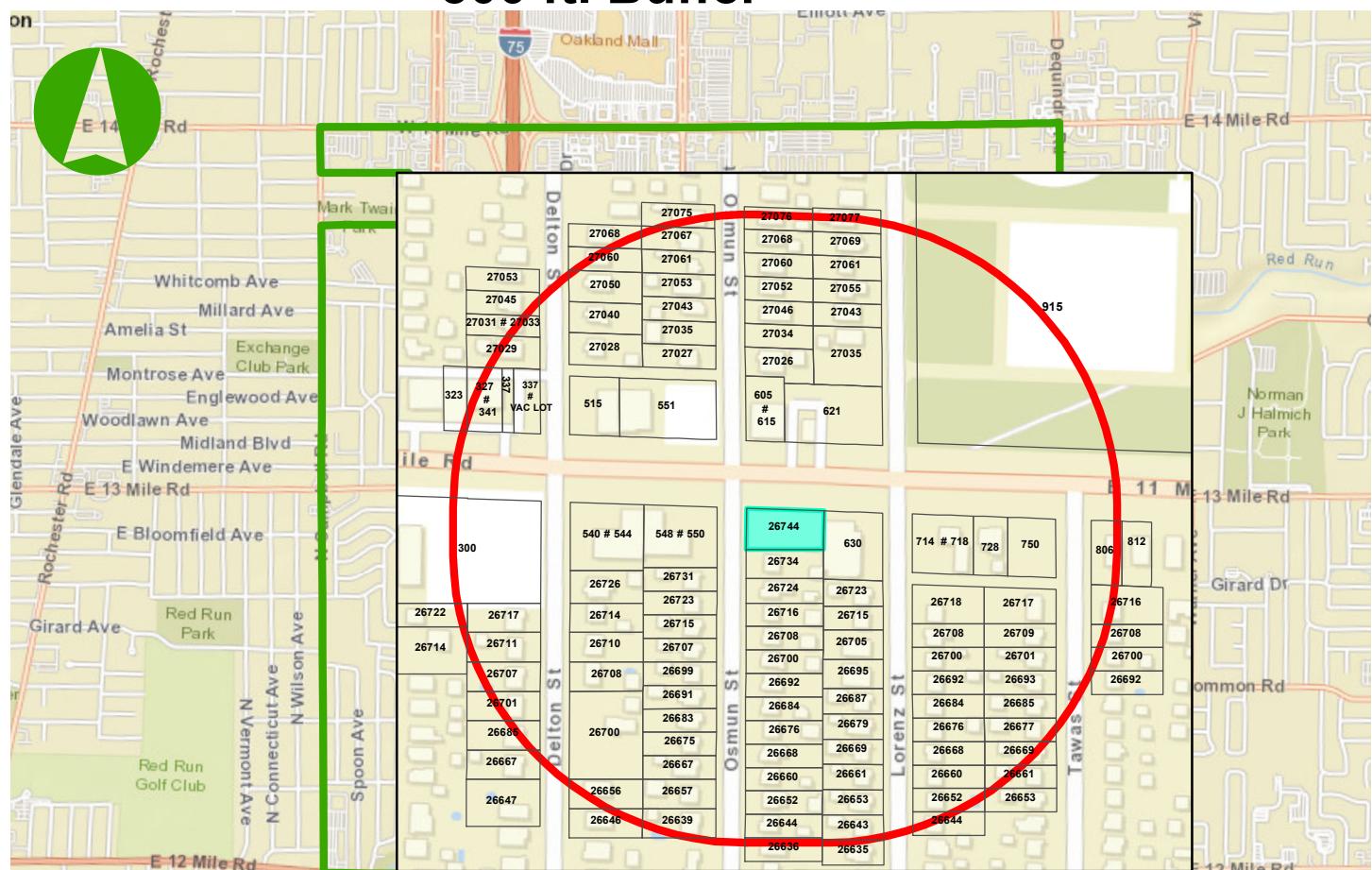


 26744 Osmun Avenue
 Buildings
 Parcels
 R-3 Residential

 Industrial
 Public and Schools
 Recreation
 Conservation
 Commercial
 Mixed Use Innovation

PRZN 21-002

500 ft. Buffer



Notice of Public Hearing

Rezoning Request No. PRZN 21-0002

Notice is hereby given that the Madison Heights Planning Commission will hold a public hearing on Tuesday, December 21st, 2021 at 5:30 p.m. in City Hall Council Chambers, 300 West Thirteen Mile Road, Madison Heights, Michigan 48071.

Rezoning Request No. PRZN 21-0002 by Woodpile BBQ and Madison Heights BBQ Real Estate, LLC to rezone a parcel of land described as T1N, R11E, SEC 24, GROVELAND SUBDIVISION SOUTH 70 FEET OF THE NORTH 97 FEET OF LOT 253 from R-3, Residential, to B-3, General Business. The address of the request is 26744 Osmun St.

For further information, please contact the Community & Economic Development Department at (248) 583-0831.

CITY OF MADISON HEIGHTS



COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
300 W. THIRTEEN MILE RD.
MADISON HEIGHTS, MI 48071
(248) 583-0831

Application to Rezone Land

I (we) the undersigned do hereby respectfully apply and petition the City of Madison Heights to amend the Zoning Ordinance by changing the zoning map as hereinafter requested. As part of this application, the following facts are shown:

1. Request is hereby made that the following property be rezoned from RESIDENTIAL to COMMERCIAL
2. The property address is 26744 OSMUN ST. and the parcel is located on the EAST side of OSMUN street between LORENZ ST and DELTON ST streets.
3. The legal description of said property is as follows: (attach separately if necessary)
ATTACHED
4. The sidwell number for the property is: 44-25-24-105-002
5. The owner of said property is:
Name: WOODPILE BBQ / MADISON HEIGHTS BBQ REAL ESTATE LLC
Street Address: 630 E. 11 MILE RD
City, State, Zip: MADISON HEIGHTS MI 48071
Phone: 248-761-6148 Email: IDZIKOWSKI.Tim@gmail.com LLC
6. The Applicant is:
Name: WOODPILE BBQ / MADISON HEIGHTS BBQ REAL ESTATE
Street Address: 630 E. 11 MILE RD
City, State, Zip: MADISON HEIGHTS MI 48071
Phone: 248-761-6148 Email: _____
7. The applicant is the:
 Owner Legal Representative Purchaser Other _____
8. Description of proposed use:
PARKING LOT
9. Attached two (2) copies of the plot plan prepared in compliance with the requirements shown in item number three (3) of the "Procedure for Filing Rezoning Application" and the \$1,500.00 application fee.

Signature of Owner: Timothy Dzikiowski

Signature of Applicant: Timothy Dzikiowski

Date: 11-15-2021

Brandon Hennish

Scott McDooley

Notary's Signature: Duanna K. Wilson

Notary's Print Name: Duanna K. Wilson

Notary Public, State of Michigan, County of: WAYNE

My Commission Expires on: June 25, 2026

Acting in the County of: WAYNE

ZACHARY IDZIKOWSKI

Note: All owners of the property must sign this application and all signatures must be notarized, or legal proof of authority to apply, such as a Power of Attorney, must be attached.

DUANNA K. WILSON
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Jun 25, 2026
ACTING IN COUNTY OF

WARRANTY DEED

The Grantor(s), John Younan fka Khairi Alyunan, whose address is 26744 Osmun Street, Madison Heights, MI 48071-3762.

Conveys and warrants to, Madison Heights BBQ Real Estate, LLC, whose address is 26744 Osmun Street, Madison Heights, MI 48071-3762, the following described premises situated in the City of Madison Heights, Oakland County and State of Michigan:

Situated in the City of Madison Heights, County of Oakland, State of Michigan

The South 70 feet of the North 97 feet of Lot 253, Groveland Subdivision, according to the plat thereof as recorded in Liber 18 of Plats, Page 10, Oakland County Records.

More commonly known as: 26744 Osmun Street, Madison Heights, MI 48071-3762

Tax Parcel No.: 44-25-24-105-002

For the full consideration of One Hundred Seventy-Five Thousand And No/100 (\$175,000.00) subject to building and use restrictions, easements, and zoning ordinances of record, if any.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining thereto.

SUBJECT to easements and restrictions of record, zoning laws and ordinances affecting the premises, and rights of the public and of any governmental entity in any part thereof taken, used or deeded for street, road, right of way, or highway purposes, and subject to taxes and future installments of special assessments payable hereafter.

Dated this 6th day of August, 2021

State of Michigan

County of _____



Signed:



John Younan fka Khairi Alyunan

On this 6th day of August, 2021, before me personally appeared John Younan fka Khairi Alyunan to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

AMY WALLACE
Notary Public, State of Michigan
County of Oakland
My Commission Expires Oct. 04, 2024
Acting in the County of _____

Amy Wallace

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

Drafted by:

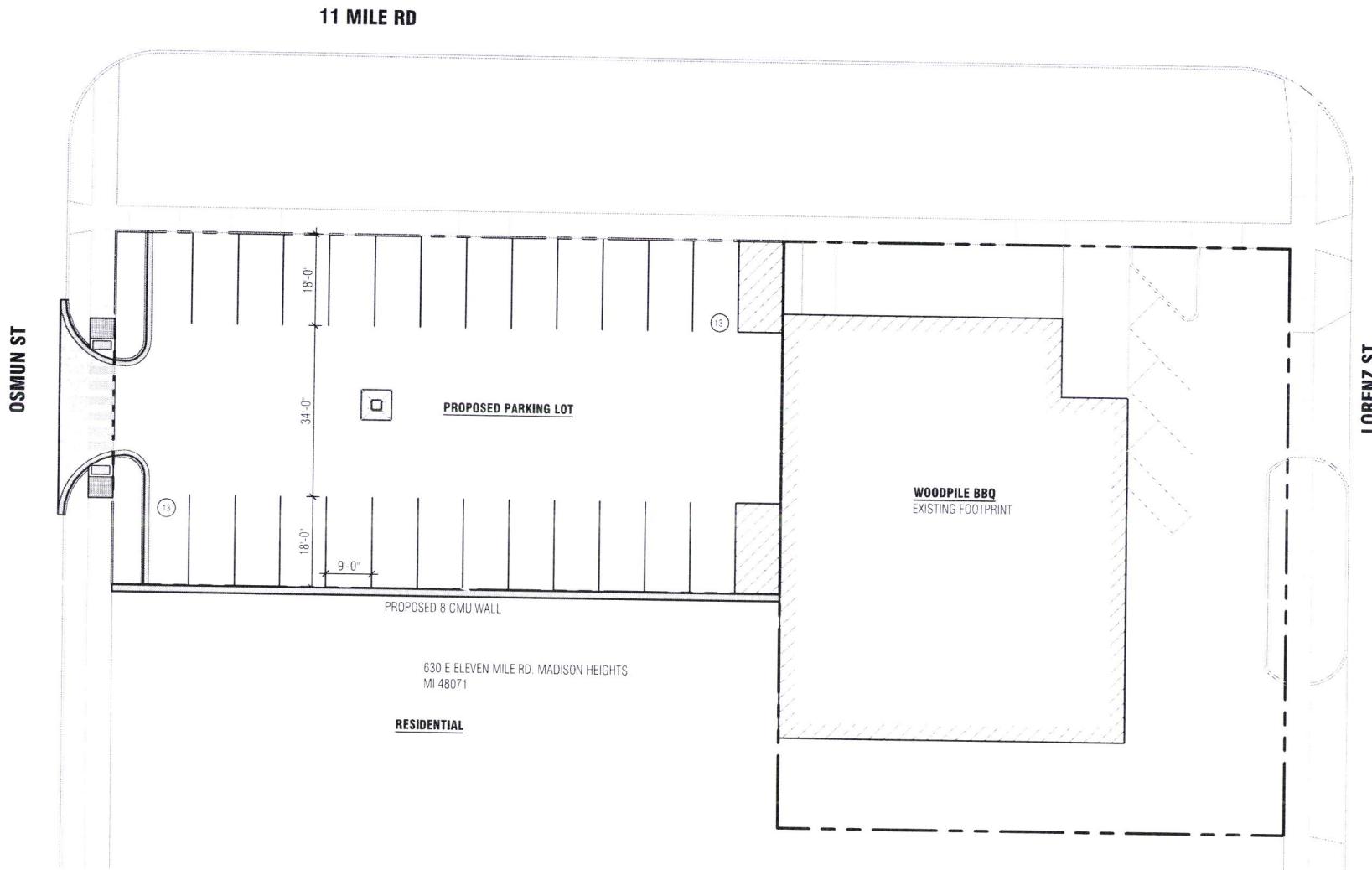
John Younan
26744 Osmun Street
Madison Heights, MI 48071-3762

When recorded return to:

Brandon Hannish
26744 Osmun Street
Madison Heights, MI 48071-3762

PROPOSED SITE PLAN

SCALE: 1/8" - 1'-0"



1



KA DESIGNS

royal oak on 48 Mile
1-866-215-8770
royaldesigns@gmail.com

PROJECT NAME:
WOODPILE BBQ
630 E ELEVEN MILE RD
MADISON HEIGHTS, MI 48071

DATE	ISSUED FOR
DRAWING DATE	
8.6.21	
PROJECT NUMBER	
21034	
SHEET NUMBER	
C-1	



CITY OF MADISON HEIGHTS

PLANNING COMMISSION MEETING MINUTES

December 21, 2021

Council Chambers – City Hall

300 W. 13 Mile, Madison Heights, MI 48071

1. CALL TO ORDER

Chair Champagne called the meeting of the Madison Heights Planning Commission to order at 5:33 p.m.

2. ROLL CALL

Present: Councilman Mark Bliss (arrived at 5:33 pm)
Chairperson Josh Champagne
Member Bruce Conn
Member Eric Graettinger
Mayor Roslyn Grafstein
City Manager Melissa Marsh
Member James Smith

Absent: Member Cliff Oglesby, Member Grant Sylvester,

Also Present: City Planner Matt Lonnerstater
Assistant City Attorney Tim Burns
Business Services Coordinator Mary Daley

Motion by Commissioner Grafstein, supported by Commissioner Marsh to excuse Members Bliss (arrived at 5:33 pm), Oglesby, and Sylvester.

Motion carried unanimously.

3. APPROVAL OF AGENDA

Motion by Commissioner Smith, Supported by Commissioner Graettinger, to approve the agenda for tonight's meeting.

Motion carried unanimously.

4. APPROVAL OF MINUTES

Motion by Commissioner Conn, supported by Commissioner Graettinger, to approve the minutes of the regular Planning Commission meeting of November 16, 2021.

Motion carries unanimously.

5. PUBLIC HEARING:

a. Rezoning (PRZN 21-01): 26783 Lenox Ave.

Planner Lonnerstater introduced the rezoning request from applicant Marusich Architecture. They have requested to rezone one parcel of land from R-3, Residential, to P-1, Vehicular Parking District. The property is located at 26783 Lenox Avenue, the west side of Lenox Avenue, south of 11 Mile Rd. south of Boodles Restaurant parking lot (11 Mile and Stephenson)

Per Planner Lonnerstater, the subject property is approximately 0.15 acres in area and is currently improved with a 967 sq. ft. single-family residence and detached garage. The applicant requests the rezoning in order to accommodate additional off-street parking for a proposed commercial development. The applicant has provided conceptual plans for the proposed development, which include a restaurant and hotel. Please note that these conceptual plans are included for demonstrative purposes only and are not subject to this rezoning review.

Per the Zoning Ordinance, the P-1 zoning designation is, “designed to accommodate the off-street parking for those nonresidential uses which are not able to provide adequate space within their own district boundaries.” The only permitted uses in the P-1 district are off-street parking areas and residential buildings; existing residential uses are permitted as a conforming use. The P-1 district includes minimum parking lot setback, design, and screening requirements, which will need to be satisfied as part of site plan review. The Planner also notes, this parcel is just outside of the DDA boundaries.

When making a recommendation to Council, Planner Lonnerstater suggests the Planning Commission note the following specific findings in their motion per the recommendation of Staff:

1. The applicant requests a rezoning from R-3, residential, to the P-1, Vehicular Parking district, to accommodate additional off-site parking for a proposed commercial development.
2. The applicant has provided conceptual plans for the proposed development, which are included for demonstrative purposes only and are not subject to this rezoning review. Additional action by City Council and the Zoning Board of Appeals may be required for the proposed uses and site design.
3. The proposed P-1 District is generally compatible with adjacent land uses in that it serves as a buffer between adjacent commercial and residential uses and contains minimum site design, setback and screening requirements. The subject site borders an existing P-1 district to the north.
4. The proposed P-1 District is partially compatible with the future land use designation in that the district continues to permit existing single-family residential uses by-right.
5. The Site Plan Review Committee (SPRC) reviewed the proposed rezoning request at their December 1st, 2021 meeting and did not express any objections. The SPRC will separately review additional applications relating to this project, if submitted, including any special land use and variance requests and site plans.
6. While in support of the rezoning request, City staff encourages the applicant to explore innovative options to ultimately reduce the need to construct additional parking spaces, including, but not limited to, shared parking arrangements, off-site parking, and administrative parking space reductions.

Based on these findings, staff recommends that the Planning Commission recommend to City Council **approval** of the requested rezoning from R-3 to P-1.

Chair Champagne opened the public hearing at 5:38 p.m. to hear comments on PRZN #21-01.

The applicant, John Marusich of Marusich Architecture, introduced himself and invited any questions from the Planning Commission.

Commissioner Marsh asks for clarification on the intended plan for the adjoining parcel and the expected timeframe. In response, Mr. Marusich explains his client's intent to purchase Boodles and redevelop the property into either an office, a residential development, or a boutique hotel. As for the timeframe, they would envision construction could begin as early as July.

Commissioner Grafstein asks for clarification on the boutique hotel concept. Mr. Marusich explains it is a small scale hotel around 40 rooms. This would be in conjunction with the adjacent property (boodles) which would act as the check in center, if this is the route they decide to take.

Chair Champagne invites discussion from the Planning Commission.

Motion by Marsh, supported by Grafstein, to postpone action on PRZN 21-01 until the petitioner comes back to the Planning Commission with the adjoining parcels and their plans for those parcels or at Staff's discretion to put it back on the agenda.

Planner Lonnerstater clarifies that they will be required to come back to City Council for Special Approval depending on what the proposed use will be and at this time it is still under the development stages. If the developer decides to propose a Hotel, then yes they would have to submit an additional Special Land use application. Commissioner Marsh suggests concern about taking action if the applicant has not identified a plan for the development.

Commissioner Bliss asks when their intent is to decide on the type of development for this project. Mr. Marusich explains that he has met with City staff and has determined that requesting the rezoning for this parking was the proper first step for any development that would happen at this location. Therefore, no matter what development his client intends to proceed with, if they do not get the additional parking, a new development would not progress further.

Commissioner Grafstein expresses concern about taking action without knowing what the development plan for the property would be. Applicant Marusich expresses his desire to move forward only with a project that the Planning Commission would support.

In response to the Chair's question, Assistant City Attorney Burns notes that if the Commission and City Council move forward and approve the applicant's request, once the zoning takes place, no matter who owns the land they have the parking right as a matter of right.

Mr. Marusich requests a moment to confer with his client and expresses that his client has decided to proceed with a boutique hotel. In response, Planner Lonnerstater notes that a hotel involves a special land use request which has different criteria or analyses and we haven't done that analysis yet.

Substitute motion:

Motion by Bliss, supported by Conn to recommend to City Council approval of the requested rezoning from R-3 to P-1, based on the findings and recommendations presented by Staff

Roll Call Vote:

Yea:

**Bliss, Conn, Graettinger, Grafstein, Marsh, Smith
Champagne**

Nay:

Motion Carried.

b. Rezoning (PRZN 21-02): 26744 Osmun Street.

Planner Lonnerstater introduced the rezoning request from applicant, Woodpile BBQ, requests to rezone one (1) parcel of land at 26744 Osmun St. from R-3, Residential, to B-3, General Business district. The property is located at the southeast corner of E. 11 Mile Road and Osmun Street.

The subject property is approximately 0.20 acres in area and is currently improved with a 910 sq. ft. single-family residence and detached garage. The applicant requests the rezoning in order to accommodate additional off-street parking for Woodpile BBQ, located immediately to the east of the subject site. The applicant has provided conceptual plans for the proposed parking lot. Please note that these conceptual plans are included for demonstrative purposes only and are not subject to this rezoning review.

When making a recommendation to Council, Planner Lonnerstater suggests the Planning Commission note the following specific findings in their motion per the recommendation of Staff:

- 1) The applicant requests a rezoning from R-3, residential, to the B-3, General Commercial district, to accommodate additional off-site parking for an existing adjacent restaurant. The B-3 District permits a range of commercial and office uses.
- 2) The applicant has provided conceptual plans for the proposed development, which are included for demonstrative purposes only and are not subject to this rezoning review.
- 3) The proposed B-3 District is generally compatible and consistent with adjacent commercial land uses along E. 11 Mile Rd.
- 4) The proposed B-3 District is consistent with adjacent B-3 zoned properties along E. 11 Mile Rd.
- 5) The proposed B-3 District is compatible and consistent with the Commercial future land use designation for the site as envisioned by the 2021 Master Plan.
- 6) The Site Plan Review Committee (SPRC) reviewed the proposed rezoning request at their December 1st, 2021 meeting and did not express any objections. The SPRC will separately review additional applications relating to this project, if submitted, including site plan submittal.

Also to be noted, this property is within the DDA.

Chair Champagne opened the public hearing at 6:31 p.m. to hear comments on PRZN #21-02. Jennifer Rude, resident at 26718 Lorenz, speaks to the Commission. She is a resident directly across from Woodpile and strongly approves this request and expresses her desire for the Commission to approve this recommendation. Traffic on Lorenz is a "mess." She feels it will get worse once the pandemic is over.

Public comment was closed at 6:33 pm.

Chair Champagne invites the applicant Tim Idzikowski, owner of Woodpile, to address the Planning Commission. He expresses the desire for the additional parking for future growth. He has attempted a shared parking with the High School but unfortunately, clients will not utilize it for various reasons. Woodpile aggressively pursued this house to provide the additional parking and not cause issues within the neighborhood.

Planning Commission discussion continues. The applicant confirms the property is currently empty.

Motion by Conn, supported by Smith, to approve PR 21-02 and recommend to Council, based on the findings and recommendations presented by Staff.

Roll Call Vote:

Yea: Bliss, Conn, Graettinger, Grafstein, Marsh, Smith, Champagne

Nay: None.

Motion carries unanimously.

6. MATTERS FOR CONSIDERATION

a. Zoning Text Amendment (21-11) – Temporary Certificates of Occupancy

City staff proposes the attached text amendment to extend the length in which temporary certificates of occupancy can remain effective. The current Zoning Ordinance limits a temporary certificate of occupancy to six (6) months. As proposed, the text amendment will allow the City to grant a temporary certificate of occupancy for up to one (1) year. Staff believes that this amendment will give property owners and tenants adequate time to properly meet all building and zoning code requirements and site plan conditions without risking TCO expiration.

Motion by Marsh, supported by Conn to set a public hearing date for the January 18th, 2022 regular Planning Meeting.

Roll Call Vote:

Yea: Bliss, Conn, Graettinger, Grafstein, Marsh, Smith, Champagne

Nay: None.

Motion carries unanimously.

7. PUBLIC COMMENT - For items not listed on the agenda

No public comment.

8. MEMBER UPDATES

No member updates.

9. PLANNER UPDATES

Planner Lonnerstater wishes everyone a Happy Holiday and Happy New Year.

10. ADJOURNMENT OF MEETING

Meeting adjourned by the Chair at 6:47 p.m.

CITY OF MADISON HEIGHTS
ELECTRONIC COUNCIL AGENDA REQUEST FORM

SUBMITTED TO: _____

SUBMITTED BY: _____ DATE: _____

FOR CONSIDERATION AT THE COUNCIL MEETING OF: _____

ACTION REQUESTED

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	UNFINISHED BUSINESS	_____

DESCRIPTION OF ITEM

IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS

POLICY CONSIDERATION

FINANCIAL IMPACT

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 nd Acct.	_____		
Other Comments	_____		

REVIEW CHECKLIST

DEPARTMENT _____ DATE _____

DEPARTMENT _____ DATE _____

CITY MANAGER _____ DATE _____



MEMORANDUM

Date: December 15th, 2021
To: City of Madison Heights City Council
From: Matt Lonnerstater, AICP – City Planner
Subject: Zoning Text Amendment (21-09) – Off-Street Parking Standards and Requirements

Introduction

City staff proposes the attached text amendments to modernize minimum parking space requirements and parking design standards. The proposed amendments introduce new use definitions, modify minimum parking space requirements for individual uses, provide for administrative flexibility in reducing minimum space requirements, and provide clarification on alternative parking plans (e.g. remote parking and shared parking). Further, the proposed amendments strengthen parking lot design and screening standards.

Background

The Zoning Ordinance sets minimum parking requirements for specific use types, often presented as ratios based on building area or maximum occupancy rates. Many of these minimum parking ratios were originally adopted to satisfy peak demand for the individual use rather than average demand. As a result, many properties within the City have been developed with an oversupply of parking, leading to large expanses of unused impervious surface.

The proposed amendments aim to reduce minimum parking space requirements to more appropriately align them with average parking demand. Staff additionally proposes several parking waiver options, such as reductions within the Downtown Development Authority (DDA) district or reductions for adaptive reuse projects, to provide further flexibility. New provisions for off-site (remote) parking and shared parking aim to give property owners and developers the option to utilize existing lots to meet minimum requirements as opposed to installing new impervious surface.

Proposed Amendments and Modifications from Previous Version

As proposed, the draft text amendments modify Section 10.200 (*Definitions*) and replace the following sections in their entirety:

- Section 10.505 – *Parking Requirements*
- Section 10.506 – *Off-Street Parking Space Layout, Standards, Construction and Maintenance*.
- Section 10.507 – *Off-Street Loading and Unloading*

A summary of changes proposed to minimum parking space standards is provided below:

Type of Use	Minimum required (proposed)	Notes regarding changes from existing
Housing		
Convalescent Homes	1 per each 4 beds plus 1 per employee	Definition added
Independent Senior Living	1 per each unit plus 1 per each employee; for detached units, requirements for one-family residential shall apply	Definition added
Congregate Senior Facility	3 per each 4 units + 1 per each employee	Definition added
Mobile home park	1 per unit + 1 per 10 units for guest parking	Changed from 2 for each unit
Residential, one-family and two-family	2 for each dwelling	No change
Residential, multiple family	1 per each one bedroom-unit, 1.5 spaces per each two or more bedroom units	Reduced from 2 per one-br unit and 2.5 per two-br unit
Assembly		
Places of Assembly (Stadiums, banquet halls, etc.)	1 per each 4 seats (Sec. 10.505.D.1.e. for unit measurement) or in case of no seating, 4 persons allowed within the maximum occupancy load as established by the fire marshal.	Reduced from 1 for each three seats
Places of Worship	1 for each 4 seats (Sec. 10.505.D.1.e. for unit measurement) or in case of no seating, 4 persons allowed within the maximum occupancy load as established by the fire marshal.	Reduced from 1 for each three seats
Office		
General Office	1 per each 300 sq. ft. UFA	Changed from gross floor area to usable floor area
Medical Office	1 per each 200 sq. ft. UFA	Changed from gross floor area to usable floor area
Institutional		
High schools	1 per employee + 1 per each ten students, in addition to the requirements of any auditorium	No change
Higher education; trade or technical; all other adult education	1 per employee + 1 per each ten students, in addition to the requirements of any auditorium	Reduced from 1 per each two students
Hospitals	1 per each bed + as required for accessory uses	Reduced from 2 per each bed
Pre-school and Daycare	1 per 350 sf of usable floor area + 1 per each employee	No change
Elementary and junior high schools	1 per employee + 1 per each ten students, in addition to the requirements of any auditorium	No change

Type of Use	Minimum required (proposed)	Notes regarding changes from existing
Commercial		
Financial Institutions (Banks/credit unions)	1 for each 200 square feet of usable floor area	Changed from gross floor area to usable floor area
Personal Service Uses	1 per each chair/booth or 1 per 250 sq. ft. UFA, whichever is greater	New
Hotel, motel or other commercial lodging establishment	1 per each sleeping unit + 1 per employee.	No change
Major Retail with display (similar to furniture and appliance sales)	1 per 250 sq. ft. UFA + 1 per 700 sq. ft. UFA for areas used for storage and processing	Changed to reduce requirements for storage spaces
Retail Shopping Center	1 per each 250 square feet of usable floor area + 700 sq. ft. of storage area	New
Self-storage	<i>Indoor unit access:</i> 5 per office plus 1 per every 50 units spread throughout (indoor access) <i>Outdoor unit access:</i> 5 per office + adequate space in front of exterior unit as long as access is not blocked	Reduced from 1 per 4 units.
Pet Boarding Facilities	1 for each 700 sq. ft. of UFA	New
Restaurants		
Fast-food restaurants	1 per 2 seats plus 1 per 2 employees	Definition added
Sit-down Restaurants/Bars and lounges	1 per 70 sq. ft. UFA excluding kitchen areas + 1 per each employee	Definition added
Fast-food carry out only	1 per 2 persons allowed per maximum occupancy	Definition added
Recreational		
Private fitness facilities	1 per 250 sq. ft. UFA	New
Bowling Alleys	5 for each bowling lane	No Change
Indoor/Outdoor Recreational Facilities	To be determined by the site plan review committee based on parking demand data provided by the applicant	New
Auto related		
Gasoline service stations which may include minor repair or retail	1 space at each pump plus 2 spaces for each service bay; 1 additional space at each service bay if towing service is offered; Retail is subject to retail standards listed in this section	Modified from 1 space per 800 sq. ft. of floor area + 1 per each employee + 2 per service bay.
Motor vehicle sales and service establishments	1 per each 300 sq. ft. Usable Floor Area plus 2 per each service bay	Changed from gross floor area to usable
Auto wash Facilities	Two plus 1 per each employee	New
Industrial		

Type of Use	Minimum required (proposed)	Notes regarding changes from existing
Marihuana Caregiver	1 for each 550 sq. ft. of UFA. A minimum of four spaces shall be provided	New
Industrial Uses	1 per 300 sq. ft. of usable area for office uses plus 1 per 1,000 sq. ft. warehouse, storage, data. For speculative uses 1 per 550 GFA	Changed to reduce requirements for storage spaces

Site Plan Review Committee (SPRC) and Planning Commission Review

The SPRC reviewed the draft language at their November 10th, 2021 meeting. The SPRC recommended minor modifications which have been incorporated into the draft for City Council review.

The Planning Commission held a public hearing and reviewed the proposed amendments at their November 16th meeting. After the public hearing, the Planning Commission recommended approval of the proposed amendments with minor modifications to the remote parking section, as recommended by the City Attorney. These modifications have been incorporated into the draft for City Council review.

Next Step

Staff recommends that City Council adopt the text amendment upon second reading at the January 10th, 2022 meeting.

Ordinance No. 2173
City of Madison Heights,
Oakland County, Michigan
Zoning Text Amendment 21-09

An ordinance to amend Ordinance 571, being an ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights, by amending Appendix A, to regulate off-street parking, bicycle parking and loading and unloading standards by replacing the following sections in their entirety, except for section 10.200 which is amended.

Sec. 10.200. - Definitions

Sec. 10.505. - Parking requirements and Section

Sec. 10.506. - Off-street parking space layout, standards, construction and maintenance.

Sec. 10.507. - Off-street loading and unloading.

The City of Madison Heights ordains:

Section 1. Sec. 10.200 (Definitions) is hereby amended as follows:

[...]

(25) *Floor area, usable:* ~~For the purposes of computing parking requirements, shall mean the gross floor area used or intended to be used for services to the public as customers, patrons, clients, or patients or as tenants, including areas occupied for fixtures and equipment used for display or sale of merchandise.~~ That area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways, or utilities and sanitary facilities, shall be excluded from this computation of "Usable Floor Area." Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls. Floor space to be used for servicing vehicles in automobile service establishments and public garages shall be considered as usable floor area.

[...]

(30) *Housing for the Elderly:* A planned housing development or facility for elderly residents, defined for purposes of this ordinance as individuals who have attained the age of fifty (50) years or couples of which either spouse has attained the age of fifty (50) years, except as may be otherwise provided for in any applicable state or federal laws or regulations.

(a) *Congregate Elderly Living Units:* Housing for the elderly that consists of dwelling units containing kitchen, sanitary, sleeping and living spaces in

addition to common service areas, including, but not limited to, central dining room(s), recreational room(s) and central lounge(s).

- (b) *Convalescent Home: A structure with sleeping rooms, where persons are housed or lodged and are furnished with meals, nursing and limited medical care.*
- (c) *Independent Elderly Living Units: Housing for the elderly that includes attached or detached cottage-type dwellings, townhouses, or apartments.*

[...]

- (54) *Personal Service Establishment: An establishment primarily engaged in providing services involving the care of a person or his or her goods or apparel, but not including those regulated uses as listed in Section 10.502(A). Personal service establishments may include, but are not limited to, barber shops, beauty shops, copy centers, florist shops, locksmiths, home furnishings, photo finishing services, stationers and shoe repair shops.*

[...]

- (57) *Restaurant: An establishment whose principal business is the sale of food and beverages to the customer in a ready-to-consume state, and whose method of operation is characteristic of a fast food restaurant, sit-down restaurant, bar/lounge, or combination thereof, as defined below:*

- (a) *Restaurant, Fast Food: A business establishment in which a patron purchases food or beverages, which may have been previously prepared, and which is served in disposable containers or wrappers and in which the patron consumes while seated in the restaurant or off the premises. Fast food restaurants may include drive-through and take-out establishments.*
- (b) *Restaurant, Sit-Down: A business establishment in which a patron purchases food or beverages, which is then prepared after the patrons order, on the premises and which is thereafter served to the patron and is consumed by the patron while seated in the restaurant.*
- (c) *Bar/lounge: An establishment which is operated primarily for the dispensing of alcoholic beverages with the ancillary sale of prepared food or snacks.*

[...]

Section 2. Sec. 10.505 (Parking Requirements) is hereby replaced in its entirety as follows:

(A) Intent.

The purpose of this article is to ensure the provision of off-street parking facilities that are sufficient in number, adequately sized and properly designed to meet the range of parking needs and demands that are associated with land uses now in place in the City or with land uses allowed by this chapter.

(B) General Provisions

There shall be provided in all districts at the time of erection or enlargement of any main building or structure, or at the time of change of use, an off-street vehicle parking area with adequate access to all spaces. The number of off-street parking spaces, in conjunction with all land or building uses, shall be provided prior to the issuance of a certificate of occupancy, as hereinafter prescribed.

1. Use. Except as specifically permitted in the P-1 and P-2 district, off-street parking or off-street parking lots shall not be permitted as the sole or principal permitted use in any zoning district.
2. Use of parking spaces. The use of required parking spaces for material storage, refuse storage and containers, storage and display of vehicles and/or other merchandise, or for vehicle or machinery repair or maintenance is expressly prohibited.
3. Remote (off-site) parking facilities for non-residential uses. Required off-street parking facilities, for other than residential use, shall be located on the same lot as the principal building, or on a lot within 300 feet thereof, measured from the nearest point of the property lines to the nearest point of the off-site parking lot.

Where parking is proposed to be located off-site, a remote parking agreement shall be submitted to the Community and Economic Development Department and shall be subject to approval by the City Planner and City Attorney. Pedestrian access between the remote parking facility and the served use(s) shall be provided in a safe and convenient manner. If remote parking becomes unavailable and minimum parking is not able to be accommodated, the served use(s) shall be discontinued.

The shared parking agreement shall, at minimum, contain the following, and shall be recorded for the properties where the parking and served use(s) are located:

- a. A term of at least five (5) years to protect the City's interest in providing long-term, stable parking for the served use.
- b. Maintenance requirements.
- c. Termination, violation and enforcement provisions.

4. Off-street parking facilities for residential uses. Residential off-street parking spaces shall occur on a driveway, private parking area, or in a garage, or any combination thereof. A driveway must be at least nine feet wide. Both the driveway and the garage shall be located on the premises they are intended to serve and be

subject to the provisions of section 10.504 of this Ordinance. All driveways or approaches within the public right-of-way shall be paved with concrete and all other driveways shall be paved with asphalt or concrete and drained in accordance with the requirements of, and upon approval of, the city engineer. Outdoor devices which facilitate the vertical stacking of vehicles shall be prohibited.

5. **Modifications to existing parking.** Changes to a previously approved parking area or changes in tenants or land uses may be reviewed and approved administratively by the City Planner provided the resulting parking changes meet ordinance requirements, unless otherwise noted in section 10.505.E. Such changes shall satisfy all the requirements of the zoning ordinance and shall not otherwise warrant additional public hearings or other significant changes in the approved site plan. Any area once designated as required off-street parking shall not be changed to any other use unless equal parking facilities are provided elsewhere.

(C) Other Vehicle Parking Requirements

1. **Parking of motor vehicles in residential districts.**
 - a. Such parking shall be limited to passenger vehicles and commercial vehicles of the light delivery type, such as a van or pick-up truck, not to exceed a three-quarter ton manufacturers rating.
 - b. Not more than one commercial vehicle shall be permitted per dwelling unit. Parking of commercial vehicle, trailer or truck over three-fourths-ton on private property within the R-1, R-2 and R-3 residential zoning districts, may be permitted as a special land use subject to the use-specific standards contained in section 10.307. - Principal uses permitted.
 - c. The parking of any other type of commercial vehicle, limousine, taxi or bus, except for school or church owned vehicles parked on the school or church's property, is prohibited in a residential zone. Parking spaces for all types of uses may be provided either in garages or parking areas conforming with the provisions of this Ordinance.
2. **Commercial Vehicles in General.**
 - a. Unless otherwise permitted in this ordinance, the storage or parking of motor vehicles (licensed or unlicensed), including, but not limited to, automobiles, trucks, recreational vehicles and limousines for periods of longer than 24 hours is prohibited.
 - b. Parking or storage of any motor vehicle, including, but not limited to, automobiles, trucks, recreational vehicles and limousines, that is not on pavement having an asphaltic or Portland cement binder as approved by the city engineer is strictly prohibited. This paragraph shall apply to all districts other than residential and shall apply to all parking areas at all times. Residential districts are governed by other provisions in this Ordinance.
 - c. Trucks over three-quarters ton manufacturers rating, trailers and semi-trailers, licensed or unlicensed, may not be parked for periods of longer than four hours. Such parking, when associated with the primary use in the building, may be

permitted in industrial districts in areas designated for such purpose on an approved site plan or as permitted elsewhere in this Ordinance.

- d. Detached semi-trailers may not be stored or parked at any time except at an approved loading dock or storage area designated on an approved site plan in industrial districts.
e. The Site Plan Review Committee or any approving body may modify the minimum standards of this section related to outside storage if it finds that the proposed use will be compatible with, and will not have a material negative impact upon, existing and planned uses located on adjacent and surrounding properties, taking into consideration the size and configuration of the site and any other relevant aspects of the site.
3. **Fleet and Company Vehicles.** For the purpose this section, Fleet and Company Vehicles shall include vehicles of a similar nature which are also of a type commonly used by electrical, plumbing, heating and cooling, and other construction-oriented contractors and may also include taxicabs and other rental passenger vehicles.
 - a. Such vehicles which are over eight (8) feet in width and/or nineteen (19) feet in length shall not be located in the front yard or in any required off-street parking, loading/unloading spaces or stacking spaces. Such vehicles shall be parked or stored in areas designated for such purpose on an approved site plan to the rear or interior side of the principal building when not in use or during non-business hours.
 - b. In case of a corner lot or lots with no available space to park in rear or interior side yard, the approving body may permit parking in alternate locations. The approving body shall have the right to impose other restrictions such as, but not limited to landscape buffer or screen wall as it may deem advisable for the welfare of the surrounding area.
 - c. Parking or storage areas for such vehicles shall be hard surfaced, paved with asphalt or concrete. Such areas shall comply with all applicable standards for regular parking areas, unless otherwise approved by the approving body.
 - d. Such parking shall be screened from adjoining properties by an enclosure consisting of a wall not less than the height of the equipment, vehicles and all materials to be stored. A fence or alternative screening options such as landscape buffer that comply with related standards in section 10.510 Landscape and screening, may be permitted if the subject property is surrounded by similar non-residential uses.
4. **Delivery Vehicles.** For the purpose this section, delivery vehicles shall include commonly used vehicles for the delivery of ice cream, milk, bread, fruit or similar vending supply or delivery trucks. Parking of such vehicles is permitted subject to the following conditions listed below
 - a. Delivery vehicles for uses such as retail and restaurants may be permitted in the front yard during business hours in parking areas that are not directly adjacent to the public right-of-way.

(D) Minimum off-street parking requirements.

1. **General Standards.**

- a. **For those uses not specifically mentioned.** The requirements for off-street parking facilities for such uses shall be in accordance with a use which the approving body considers is similar in type. If no use is deemed to be similar, the applicant shall propose a minimum count based on a parking study or another acceptable alternative, subject to the approval of the approving body.
- b. **Units and methods of measurement.** For the purpose of determining off-street parking requirements, the following units of measurement shall apply:
 - i. **Floor area.** Where floor area is the unit for determining the required number of off-street parking spaces, said unit shall mean the usable floor area ('UFA'; see section 10.200 for definition), unless otherwise noted herein. For purposes of minimum parking calculations, when a floor plan is not available, usable floor area shall be considered 75% of total gross floor area.
 - ii. **Occupancy.** For requirements stated in terms of occupancy, the calculation shall be based upon the maximum permitted occupancy determined by the City Fire Marshal.
 - iii. **Places of assembly.** In stadiums, sports arenas, places of worship, theaters, auditoriums, and other places of assembly in which those in attendance occupy benches, pews, or other similar seating facilities, each 24 inches of such shall be counted as one seat. In cases where a place of assembly has both fixed seats and open assembly area, requirements shall be computed separately for each type and added together.
 - iv. **Number of Employees.** For requirements stated in terms of number of employees, the calculation shall be based on the number of employees in the largest working shift.
- c. **Accessible Parking.** Parking spaces for those with physical disabilities shall be provided as part of the minimum number of parking spaces required by this Ordinance, and shall be designed, constructed and marked in accordance with Title III of the Americans with Disabilities Act, Public Law 101-336 (ADA) and Section of Act 230 of the Public Acts of 1972, as amended (Michigan Barrier Free Design Standards).
- c. **Temporary Construction Parking.** Such parking shall be exclusive of any rights-of-way shall be provided for all construction workers during periods of construction.

2. **Off-street Parking Minimum Requirements.** The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule. Requirements for accessory uses associated with the primary use shall also be met as established for such uses in the table below.

Type of Use	Minimum spaces required
a. <u>Housing</u>	
<u>Convalescent Homes</u>	<u>1 per each 4 beds + 1 per employee</u>
<u>Independent Senior Living</u>	<u>1 per each unit + 1 per each employee; for detached units, requirements for one-family residential shall apply</u>
<u>Congregate Senior Facility</u>	<u>3 per each 4 units + 1 per each employee</u>
<u>Mobile home park</u>	<u>1 per unit + 1 per 10 units for guest parking</u>
<u>Residential, one-family and two-family</u>	<u>2 per dwelling</u>
<u>Residential, multiple family</u>	<u>1 per each one bedroom unit; 1.5 spaces for each two or more-bedroom units</u>
b. <u>Assembly</u>	
<u>Places of Assembly (Stadiums, banquet halls, etc.)</u>	<u>1 per each 4 seats (Sec. 10.505.D.1.e. for unit measurement) or in case of no seating, 1 per each 4 persons allowed within the maximum occupancy load as established by the fire marshal.</u>
<u>Places of Worship</u>	<u>1 per each 4 seats (Sec. 10.505.D.1.e. for unit measurement) or in case of no seating, 1 per each 4 persons allowed within the maximum occupancy load as established by the fire marshal.</u>
c. <u>Office</u>	
<u>General Office</u>	<u>1 per each 300 sq. ft. UFA</u>
<u>Medical Office</u>	<u>1 per each 200 sq. ft. UFA</u>
d. <u>Institutional</u>	
<u>High schools</u>	<u>1 per employee + 1 per each ten students, in addition to the requirements of any auditorium.</u>
<u>Higher education; trade or technical; all other adult education</u>	<u>1 per employee + 1 per each ten students, in addition to the requirements of any auditorium.</u>
<u>Hospitals</u>	<u>1 per each bed, plus as required for accessory uses</u>
<u>Pre-school and Daycare</u>	<u>1 per 350 sf of UFA + 1 per employee</u>
<u>Elementary and junior high schools</u>	<u>1 per employee + 1 per each ten students, in addition to the requirements of any auditorium.</u>
e. <u>Commercial</u>	
<u>Financial Institutions (Banks/credit unions)</u>	<u>1 per each 200 sq. ft. UFA</u>
<u>Personal Service Use</u>	<u>1 per each chair/booth or 1 per 250 sq. ft. UFA,</u>

Type of Use	Minimum spaces required
	<u>whichever is greater.</u>
<u>Hotel, motel or other commercial lodging establishment</u>	<u>1 per each sleeping unit + 1 per employee.</u>
<u>Major Retail with display (similar to furniture and appliance sales)</u>	<u>1 per 250 sq. ft. UFA + 1 per 700 sq. ft. UFA for areas used for storage and processing.</u>
<u>Retail Shopping Center</u>	<u>1 per each 250 sq. ft. UFA + 1 per 700 sq. ft. of storage area</u>
<u>Self-storage</u>	<u>Indoor unit access: 5 per office plus 1 per every 50 units spread throughout (indoor access).</u> <u>Outdoor unit access: 5 per office + adequate space in front of exterior unit as long as access is not blocked</u>
<u>Pet Boarding Facilities</u>	<u>1 per 700 sq. ft. UFA</u>
f. Restaurants	
<u>Fast-food restaurants</u>	<u>1 per 2 seats + 1 per 2 employees</u>
<u>Sit-down Restaurants/Bars and Lounges</u>	<u>1 per 70 sq. ft. UFA (excluding kitchen areas) + 1 per each employee.</u>
<u>Fast-food carry out only</u>	<u>1 per 2 persons allowed per maximum occupancy</u>
g. Recreational	
<u>Private fitness facilities</u>	<u>1 per 250 sq. ft. UFA</u>
<u>Bowling Alleys</u>	<u>5 for each bowling lane</u>
<u>Indoor/Outdoor Recreational Facilities</u>	<u>To be determined by the site plan review committee based on parking demand data provided by the applicant.</u>
h. Auto related	
<u>Gasoline service stations which may include minor repair or retail</u>	<u>1 space at each pump + 2 spaces per service bay; 1 additional space at each service bay if towing service is offered; Retail is subject to retail standards listed in this section</u>
<u>Motor vehicle sales and service establishments</u>	<u>1 per 300 sq. ft. UFA + 2 per each service bay</u>
<u>Auto Wash Facilities</u>	<u>Two + 1 per each employee</u>
i. Industrial	
<u>Industrial Uses</u>	<u>1 per 300 sq. ft. UFA for office uses + 1 per 1,000 sq. ft. warehouse, storage, data. For speculative uses 1 per 550 sq. ft. GFA.</u>
<u>Medical Marihuana Caregiver</u>	<u>1 per 550 sq. ft. of UFA. A minimum of four spaces shall be provided.</u>

(E) Reduction from minimum off-street parking standards.

It is the intent of this subsection to recognize that, based on site-specific conditions, certain uses may function with less off-street parking than required in the table above. As such, reductions in the requirement for minimum parking spaces may be permitted as follows:

1. Parking Reduction Waivers

- a. **Administrative Waiver.** The Site Plan Review Committee may grant up to a 15% reduction in the minimum required number of parking spaces where the applicant can demonstrate that the project can satisfy the standards listed in subsection 10.505(E)(2), below.
- b. **DDA Waiver:** The Site Plan Review Committee may grant up to a 25% parking reduction for properties located within the boundaries of the Southend Downtown Development Authority (DDA) where the applicant can demonstrate that the project can satisfy the standards listed in subsection 10.505(E)(2), below.
- c. **Planning Commission Waiver.** As part of the site plan review process outlined in Section 10.514, the Planning Commission may grant up to a 30% reduction in the minimum required number of parking spaces where the applicant can demonstrate that the project can satisfy the standards listed in subsection 10.505(E)(2), below.
- d. **Adaptive Reuse Waiver**
 - i. **Eligibility.** To qualify for a parking reduction, adaptive reuse projects shall satisfy the following criteria:
 - (a) The existing building(s) shall be at least twenty-five (25) years old and constructed in accordance with building and zoning codes in effect at the time of construction; and
 - (b) A minimum of 50% of the total building area shall be converted to a land use category other than the land use category for which the building was originally designed.
 - ii. **Parking Reduction:**
 - (a) Where the applicant can demonstrate that the project can satisfy the standards listed in subsection 10.505(E)(2), below, the Site Plan Review Committee/approving body may reduce the minimum number of parking spaces by up to 25% for eligible adaptive reuse projects. Where a mix of uses is proposed, the 25% reduction shall be applied to the minimum parking requirement for each individual land use type.

- (b) Shared parking arrangements are encouraged for adaptive reuse projects pursuant to 10.505(E)(3), below. Shared parking studies for eligible adaptive reuse projects may apply the 25% reduction offered under this sub-section to determine minimum parking requirements for each land use type.
- (c) Expansions/additions to the floor area of a building(s) associated with an eligible adaptive reuse project shall comply with minimum parking requirements and shall not be included within the 25% parking reduction.

2. **Standards for Parking Reductions.** As permitted by Section 10.505(E), the approving body may reduce minimum parking requirements where the applicant can demonstrate that all of the following standards can be satisfied:

- a. The applicant has demonstrated through substantial evidence that the specified occupant or building use would require less parking than what would typically be required by this Section; and
- b. Parking will not occur on any street or driveway; and
- c. Parking will not occur on any area not approved and developed for parking; and
- d. The requested parking reduction shall not create traffic or circulation problems on or off site; and
- e. The approved waivers shall apply only to the proposed site use and shall not be carried over to another use or occupant of the site. Any substantial changes to the use mix or parking demand from the original approval shall require approval from the approving body prior to the issuance of a certificate of occupancy.

3. **Shared Parking.** Where multiple land uses occupy a single property, or properties in close proximity, the City of Madison Heights encourages the use of shared parking arrangements. Approval of shared parking shall be subject to the following conditions.

- a. **Parking Computation.** The number of shared spaces for two (2) or more distinguishable land uses shall be determined by the following procedure:
 - i. Multiply the minimum parking required for each individual use, as set forth in Section 10.505(D)(2), by the appropriate percentage indicated in the Shared Parking Calculations table (below) for each of the six (6) designated time periods.
 - ii. Add the resulting sums for each of the six (6) columns.

iii. The minimum parking requirement shall be the highest sum among the six (6) columns resulting from the above calculations.

Shared Parking Calculations						
General Land Use classification	Weekdays			Weekends		
	<u>2:00 a.m.—7:00 a.m.</u>	<u>7:00 a.m.—6:00 p.m.</u>	<u>6:00 p.m.—2:00 a.m.</u>	<u>2:00 a.m.—7:00 a.m.</u>	<u>7:00 a.m.—6:00 p.m.</u>	<u>6:00 p.m.—2:00 a.m.</u>
<u>Office</u>	<u>5%</u>	<u>100%</u>	<u>5%</u>	<u>0%</u>	<u>10%</u>	<u>0%</u>
<u>Retail sales and services</u>	<u>0%</u>	<u>90%</u>	<u>80%</u>	<u>0%</u>	<u>100%</u>	<u>60%</u>
<u>Restaurant</u>	<u>10%</u>	<u>70%</u>	<u>100%</u>	<u>20%</u>	<u>70%</u>	<u>100%</u>
<u>Residential</u>	<u>100%</u>	<u>60%</u>	<u>100%</u>	<u>100%</u>	<u>75%</u>	<u>90%</u>
<u>Theater</u>	<u>0%</u>	<u>40%</u>	<u>90%</u>	<u>0%</u>	<u>80%</u>	<u>100%</u>
<u>Hotel</u>						
<u>Guest rooms</u>	<u>100%</u>	<u>55%</u>	<u>100%</u>	<u>100%</u>	<u>55%</u>	<u>100%</u>
<u>Restaurant/lounge</u>	<u>40%</u>	<u>60%</u>	<u>100%</u>	<u>50%</u>	<u>45%</u>	<u>100%</u>
<u>Conference rooms</u>	<u>0%</u>	<u>100%</u>	<u>100%</u>	<u>0%</u>	<u>100%</u>	<u>100%</u>
<u>Religious institution</u>	<u>0%</u>	<u>25%</u>	<u>50%</u>	<u>0%</u>	<u>100%</u>	<u>50%</u>
<u>Reception or meeting hall</u>	<u>0%</u>	<u>70%</u>	<u>90%</u>	<u>0%</u>	<u>70%</u>	<u>100%</u>
<u>Museum</u>	<u>0%</u>	<u>100%</u>	<u>80%</u>	<u>0%</u>	<u>100%</u>	<u>80%</u>
<u>School, grades K—12</u>	<u>0%</u>	<u>100%</u>	<u>25%</u>	<u>0%</u>	<u>30%</u>	<u>10%</u>

b. **Other uses.** If one (1) or all of the land uses proposing to make use of shared parking facilities do not conform to the general land use classifications in the Shared Parking Calculations table, as determined by the approving body, then the applicant shall submit sufficient data to indicate the principal operating hours of the uses. Based upon this information, the approving body shall determine the appropriate shared parking requirement, if any, for such uses.

c. **Shared Parking Waivers.** The applicant may request an additional reduction of minimum shared parking requirements by employing one or more of the parking reduction waivers outlined in Section 10.505(E)(1), above. The applicant shall demonstrate that the project can satisfy the standards listed in subsection 10.505(E)(2), above.

d. **Remote Shared Parking.** The approving body may consider off-site (remote) parking for shared parking arrangements, subject to the standards of Section 10.505(B)(3), above.

(F) Bicycle parking facilities general requirements.

At the time of erection or enlargement of any principal building or structure, or at the time of change of use, a bicycle parking facility shall be required and be provided as part of site plan review in accordance with the following requirements:

1. Minimum count. A minimum of two bicycle parking spaces shall be provided. Auto wash uses and single-family and two-family uses are exempt from this requirement. Any use that requires bicycle parking and has more than forty (40) off-street vehicle parking spaces shall provide one additional bicycle parking space for each twenty vehicle parking spaces.
2. Location. Bicycle parking facilities shall be no greater than one hundred fifty (150) feet from the entrance being served.
3. Minimum required bicycle parking spaces shall not be replaced by any other use unless and until equal facilities are provided elsewhere.
4. Layout and Design standards. All bicycle parking spaces shall be paved and shall feature a bicycle rack of the inverted "U" design that is permanently affixed to the ground. Alternative installations and designs may be considered if the proposed rack design functions similar to the inverted "U" design and is easily visible and accessible.
5. Access. All bicycle parking facilities shall be accessible from adjacent street(s) and pathway(s) via a paved route that has a minimum width of five (5) feet.
6. Waiver. Upon the written request of an applicant, the approving body may waive or modify the bicycle parking facility layout, location, and design requirements in this subsection upon a satisfactory showing by the applicant of a practical difficulty with complying with the requirement due to site constraints or other factors, and that the applicant's proposed plan will adequately serve the needs of the site and the bicycling public.

Section 3. Sec. 10.506 (Off-Street Parking Space Layout, Standards, Construction and Maintenance) is hereby replaced in its entirety as follows:

Wherever the off-street parking requirements in section 10.505 above require the building of an off-street parking facility, or where P-1 or P-2 Vehicular Parking Districts are provided, such off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations.

- (A) No parking lot shall be constructed unless, and until, all required permits are issued by the building official after site plan review and approval.
- (B) Adequate ingress and egress to the parking lot shall be provided. All traffic directional signs and controls required by the approved site plan shall be established and maintained by the owner or lessee of the parking lot.
- (C) All drives and parking spaces shall be surfaced in a manner equivalent to that which is provided for the parking areas under section 10.340. Permeable asphaltic or concrete pavement or pavers may be permitted after review and approval of the design by the city engineer for conformance with city standards.

- (D) All spaces shall be provided adequate access by means of on-site maneuvering lanes.
- (E) Each off-street parking space shall be in accordance with the following table and shall be of usable shape and condition. Access drives shall be a minimum of 12 feet in width and where a turning radius is necessary it will be of an arc of sufficient size to reasonably allow an unobstructed flow of vehicles.

<u>Parking Pattern</u>	<u>Minimum Maneuvering Lane Width (b,c)</u>	<u>Minimum Parking Space Width</u>	<u>Minimum Parking Space Length (c,d)</u>	<u>Minimum Total Width of One Tier of Spaces Plus Maneuvering Lane</u>	<u>Minimum Total Width of Two Tiers of Spaces Plus Maneuvering Lane</u>
90°	<u>22 ft.</u>	<u>9 ft.</u>	<u>20 ft.</u>	<u>42 ft.</u>	<u>62 ft.</u>
60°	<u>18 ft.</u>	<u>9 ft.</u>	<u>20 ft.</u>	<u>37 ft.</u>	<u>56 ft.</u>
45°	<u>15 ft.</u>	<u>9 ft.</u>	<u>20 ft.</u>	<u>30 ft.</u>	<u>53 ft.</u>
Parallel	<u>12 ft.</u>	<u>9 ft.</u>	<u>20 ft.</u>	<u>31 ft.</u>	
45° Herringbone	<u>12 ft.</u>	<u>9 ft.</u>	<u>20 ft.</u>		<u>50 ft.</u>
<ul style="list-style-type: none"> a. <u>All above dimensions are measured from back of curb to back of curb.</u> b. <u>The minimum maneuvering lane width shall be increased to a minimum of 24 feet, if the lane is determined to be a fire lane by the City Fire Marshal.</u> c. <u>The City Engineer may require the maneuvering lane widths to be increased to 24 feet, when it is warranted to allow safe turning movements for larger vehicles. When the maneuvering lane width is proposed at a minimum of 24 feet, the parking space length can be reduced by 2 feet.</u> d. <u>Two feet of the minimum parking space length may overhang a landscaped area or a sidewalk, where the walk is a minimum seven feet wide.</u> 					

- (F) All maneuvering lane traffic shall permit only one-way movement, with the exception of the 90° and parallel patterns where two-way movement may be permitted.
- (G) Screening Wall. On all sides where the adjacent zoning district is designated as a residential district, off-street parking areas shall be provided with a continuous and completely obscuring wall in accordance with the specifications of section 10.513.
- (H) Sidewalk. All principal uses shall be connected to the adjacent public sidewalk system with 5' wide concrete sidewalk(s) meeting the city's public sidewalk standards. Existing uses shall incorporate this requirement into any development or expansion that requires site plan review. The internal sidewalk design shall be designed to permit safe ingress and egress of pedestrians and encourage walkability and non-motorized access.
- (I) Drainage. Off-street parking areas shall be drained so as to dispose of all surface water accumulated in the parking area in such a way as to preclude drainage of water onto adjacent property or toward buildings.

(J) **End Islands.** In order to delineate on-site circulation, improve sight distance at the intersection of parking aisles, ring roads, and private roads, protect the vehicle at the end of a parking bay, and define the geometry of internal intersections, end islands (landscaped with raised curb) shall be required at the end of all parking bays that abut traffic circulation aisles in off-street parking lots. End islands with raised curbs and landscaping shall not be required in parking structures; however, painted islands must be provided. For surface lots where internal traffic circulation is forecast to be low or where the raised islands would not be appropriate, the Site Plan Review Committee or the approving body may waive the requirement for raised end islands and may allow for painted islands only. The end islands, whether raised or painted, shall generally be at least ten (10) feet wide, have an outside radius of fifteen (15) feet, and be constructed three (3) feet shorter than the adjacent parking stall.

(K) **Landscaping.** Right-of-way screening and parking lot landscaping shall be provided in accordance with Section 10.510.

Section 4. Sec. 10.507 (Off-Street Loading and Unloading) is hereby replaced in its entirety as follows:

On the same premises with every building, structure or part thereof, involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading in order to avoid undue interference with public use of dedicated streets or alleys. Such loading space(s) shall be subject to the following standards:

(A) Loading dock approaches shall be provided with a pavement having an asphaltic or Portland cement binder so as to provide a permanent, durable and dustless surface.

(B) Loading and unloading of freight shall be on those sides of the building which do not face on any street or proposed street.

(C) Loading areas shall be designed so that maneuvering of vehicles will take place off the public right-of-way.

(D) **Minimum requirements.** Such loading and unloading space(s), unless completely and adequately provided for within a building, shall be an area 12 feet by 50 feet, with clearance of 14 feet high, and shall be provided according to the following schedule:

<u>Gross Floor Area of Building (square feet)</u>	<u>Required Loading and Unloading Spaces</u>
<u>First 2,000</u>	<u>None</u>
<u>2,000-20,000</u>	<u>1</u>
<u>20,000-100,000</u>	<u>1 + 1 for each 20,000 square feet in excess of 20,000 square feet</u>
<u>100,000-500,000</u>	<u>5 + 1 for each 40,000 square feet in excess of 100,000 square feet.</u>
<u>Over 500,000</u>	<u>10 + 1 for each 80,000 square feet in excess of 500,000 square feet</u>

- a. **Double count.** Off-street loading space areas shall not be counted as off-street parking spaces, nor shall they conflict with the maneuvering lanes required to access off-street parking.
- b. **Waiver.** In cases where the applicant has sufficiently demonstrated that the minimum loading and unloading requirements of this section are excessive for their use, the approving body may grant a waiver from the minimum standards listed in this subsection. The approved waiver shall apply only to the current site use and shall not be carried over to another use or occupant of the site.

Section 5. Repealer

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Section 6. Severability

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

Section 7. Savings

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 8. Effective Date

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

Section 9. Enactment

A copy of this ordinance may be inspected or purchased at the City Clerk's office between the hours of 8:00 a.m. and 11:30 a.m. and 12:30 p.m. and 4:30 p.m. on regular business days.

Roslyn Grafstein, Mayor

Cheryl Rottmann, City Clerk

CERTIFICATION:

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on _____, 2022.

Cheryl Rottmann, City Clerk

ZOTXT 21-09 (Ordinance 2173)

Planning Commission Introduction and Discussion: September 21st, 2021

Planning Commission Discussion: October 19, 2021

Planning Commission Public Hearing: November 16th, 2021

City Council First Reading: December 13th, 2021

City Council Second Reading: January 10th, 2022

Adopted: TBD

Published: TBD

Effective: TBD

Ordinance No. 2173
City of Madison Heights,
Oakland County, Michigan
Zoning Text Amendment 21-09

An ordinance to amend Ordinance 571, being an ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights, by amending Appendix A, to regulate off-street parking, bicycle parking and loading and unloading standards by replacing the following sections in their entirety, except for section 10.200 which is amended.

Sec. 10.200. - Definitions

Sec. 10.505. - Parking requirements and Section

Sec. 10.506. - Off-street parking space layout, standards, construction and maintenance.

Sec. 10.507. - Off-street loading and unloading.

The City of Madison Heights ordains:

Section 1. Sec. 10.200 (Definitions) is hereby amended as follows:

[...]

(25) *Floor area, usable:* That area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways, or utilities and sanitary facilities, shall be excluded from this computation of "Usable Floor Area." Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls. Floor space to be used for servicing vehicles in automobile service establishments and public garages shall be considered as usable floor area.

[...]

(30) *Housing for the Elderly:* A planned housing development or facility for elderly residents, defined for purposes of this ordinance as individuals who have attained the age of fifty (50) years or couples of which either spouse has attained the age of fifty (50) years, except as may be otherwise provided for in any applicable state or federal laws or regulations.

(a) *Congregate Elderly Living Units:* Housing for the elderly that consists of dwelling units containing kitchen, sanitary, sleeping and living spaces in addition to common service areas, including, but not limited to, central dining room(s), recreational room(s) and central lounge(s).

(b) *Convalescent Home*: A structure with sleeping rooms, where persons are housed or lodged and are furnished with meals, nursing and limited medical care.

(c) *Independent Elderly Living Units*: Housing for the elderly that includes attached or detached cottage-type dwellings, townhouses, or apartments.

[...]

(54) *Personal Service Establishment*: An establishment primarily engaged in providing services involving the care of a person or his or her goods or apparel, but not including those regulated uses as listed in Section 10.502(A). Personal service establishments may include, but are not limited to, barber shops, beauty shops, copy centers, florist shops, locksmiths, home furnishings, photo finishing services, stationers and shoe repair shops.

[...]

(57) *Restaurant*: An establishment whose principal business is the sale of food and beverages to the customer in a ready-to-consume state, and whose method of operation is characteristic of a fast food restaurant, sit-down restaurant, bar/lounge, or combination thereof, as defined below:

(a) *Restaurant, Fast Food*: A business establishment in which a patron purchases food or beverages, which may have been previously prepared, and which is served in disposable containers or wrappers and in which the patron consumes while seated in the restaurant or off the premises. Fast food restaurants may include drive-through and take-out establishments.

(b) *Restaurant, Sit-Down*: A business establishment in which a patron purchases food or beverages, which is then prepared after the patrons order, on the premises and which is thereafter served to the patron and is consumed by the patron while seated in the restaurant.

(c) *Bar/lounge*: An establishment which is operated primarily for the dispensing of alcoholic beverages with the ancillary sale of prepared food or snacks.

[...]

Section 2. Sec. 10.505 (Parking Requirements) is hereby replaced in its entirety as follows:

(A) Intent.

The purpose of this article is to ensure the provision of off-street parking facilities that are sufficient in number, adequately sized and properly designed to meet the range of parking needs and demands that are associated with land uses now in place in the City or with land uses allowed by this chapter.

(B) General Provisions

There shall be provided in all districts at the time of erection or enlargement of any main building or structure, or at the time of change of use, an off-street vehicle parking area with adequate access to all spaces. The number of off-street parking spaces, in conjunction with all land or building uses, shall be provided prior to the issuance of a certificate of occupancy, as hereinafter prescribed.

1. **Use.** Except as specifically permitted in the P-1 and P-2 district, off-street parking or off-street parking lots shall not be permitted as the sole or principal permitted use in any zoning district.
2. **Use of parking spaces.** The use of required parking spaces for material storage, refuse storage and containers, storage and display of vehicles and/or other merchandise, or for vehicle or machinery repair or maintenance is expressly prohibited.
3. **Remote (off-site) parking facilities for non-residential uses.** Required off-street parking facilities, for other than residential use, shall be located on the same lot as the principal building, or on a lot within 300 feet thereof, measured from the nearest point of the property lines to the nearest point of the off-site parking lot.

Where parking is proposed to be located off-site, a remote parking agreement shall be submitted to the Community and Economic Development Department and shall be subject to approval by the City Planner and City Attorney. Pedestrian access between the remote parking facility and the served use(s) shall be provided in a safe and convenient manner. If remote parking becomes unavailable and minimum parking is not able to be accommodated, the served use(s) shall be discontinued.

The shared parking agreement shall, at minimum, contain the following, and shall be recorded for the properties where the parking and served use(s) are located:

- a. A term of at least five (5) years to protect the City's interest in providing long-term, stable parking for the served use.
- b. Maintenance requirements.
- c. Termination, violation and enforcement provisions.

4. **Off-street parking facilities for residential uses.** Residential off-street parking spaces shall occur on a driveway or in a garage, private parking area, or any combination thereof. A driveway must be at least nine feet wide. Both the driveway and the garage shall be located on the premises they are intended to serve and be

subject to the provisions of section 10.504 of this Ordinance. All driveways or approaches within the public right-of-way shall be paved with concrete and all other driveways shall be paved with asphalt or concrete and drained in accordance with the requirements of, and upon approval of, the city engineer. Outdoor devices which facilitate the vertical stacking of vehicles shall be prohibited.

5. **Modifications to existing parking.** Changes to a previously approved parking area or changes in tenants or land uses may be reviewed and approved administratively by the City Planner provided the resulting parking changes meet ordinance requirements, unless otherwise noted in section 10.505.E. Such changes shall satisfy all the requirements of the zoning ordinance and shall not otherwise warrant additional public hearings or other significant changes in the approved site plan. Any area once designated as required off-street parking shall not be changed to any other use unless equal parking facilities are provided elsewhere.

(C) Other Vehicle Parking Requirements

1. **Parking of motor vehicles in residential districts.**
 - a. Such parking shall be limited to passenger vehicles and commercial vehicles of the light delivery type, such as a van or pick-up truck, not to exceed a three-quarter ton manufacturers rating.
 - b. Not more than one commercial vehicle shall be permitted per dwelling unit. Parking of commercial vehicle, trailer or truck over three-fourths-ton on private property within the R-1, R-2 and R-3 residential zoning districts, may be permitted as a special land use subject to the use-specific standards contained in section 10.307. - Principal uses permitted.
 - c. The parking of any other type of commercial vehicle, limousine, taxi or bus, except for school or church owned vehicles parked on the school or church's property, is prohibited in a residential zone. Parking spaces for all types of uses may be provided either in garages or parking areas conforming with the provisions of this Ordinance.
2. **Commercial Vehicles in General.**
 - a. Unless otherwise permitted in this ordinance, the storage or parking of motor vehicles (licensed or unlicensed), including, but not limited to, automobiles, trucks, recreational vehicles and limousines for periods of longer than 24 hours is prohibited.
 - b. Parking or storage of any motor vehicle, including, but not limited to, automobiles, trucks, recreational vehicles and limousines, that is not on pavement having an asphaltic or Portland cement binder as approved by the city engineer is strictly prohibited. This paragraph shall apply to all districts other than residential and shall apply to all parking areas at all times. Residential districts are governed by other provisions in this Ordinance.
 - c. Trucks over three-quarters ton manufacturers rating, trailers and semi-trailers, licensed or unlicensed, may not be parked for periods of longer than four hours. Such parking, when associated with the primary use in the building, may be

permitted in industrial districts in areas designated for such purpose on an approved site plan or as permitted elsewhere in this Ordinance.

- d. Detached semi-trailers may not be stored or parked at any time except at an approved loading dock or storage area designated on an approved site plan in industrial districts.
- e. The Site Plan Review Committee or any approving body may modify the minimum standards of this section related to outside storage if it finds that the proposed use will be compatible with, and will not have a material negative impact upon, existing and planned uses located on adjacent and surrounding properties, taking into consideration the size and configuration of the site and any other relevant aspects of the site.

3. **Fleet and Company Vehicles.** For the purpose this section, Fleet and Company Vehicles shall include vehicles of a similar nature which are also of a type commonly used by electrical, plumbing, heating and cooling, and other construction-oriented contractors and may also include taxicabs and other rental passenger vehicles.

- a. Such vehicles which are over eight (8) feet in width and/or nineteen (19) feet in length shall not be located in the front yard or in any required off-street parking, loading/unloading spaces or stacking spaces. Such vehicles shall be parked or stored in areas designated for such purpose on an approved site plan to the rear or interior side of the principal building when not in use or during non-business hours.
- b. In case of a corner lot or lots with no available space to park in rear or interior side yard, the approving body may permit parking in alternate locations. The approving body shall have the right to impose other restrictions such as, but not limited to landscape buffer or screen wall as it may deem advisable for the welfare of the surrounding area.
- c. Parking or storage areas for such vehicles shall be hard surfaced, paved with asphalt or concrete. Such areas shall comply with all applicable standards for regular parking areas, unless otherwise approved by the approving body.
- d. Such parking shall be screened from adjoining properties by an enclosure consisting of a wall not less than the height of the equipment, vehicles and all materials to be stored. A fence or alternative screening options such as landscape buffer that comply with related standards in section 10.510 Landscape and screening, may be permitted if the subject property is surrounded by similar non-residential uses.

4. **Delivery Vehicles.** For the purpose this section, delivery vehicles shall include commonly used vehicles for the delivery of ice cream, milk, bread, fruit or similar vending supply or delivery trucks. Parking of such vehicles is permitted subject to the following conditions listed below

- a. Delivery vehicles for uses such as retail and restaurants may be permitted in the front yard during business hours in parking areas that are not directly adjacent to the public right-of-way.

(D) Minimum off-street parking requirements.

1. **General Standards.**

- a. **For those uses not specifically mentioned.** The requirements for off-street parking facilities for such uses shall be in accordance with a use which the approving body considers is similar in type. If no use is deemed to be similar, the applicant shall propose a minimum count based on a parking study or another acceptable alternative, subject to the approval of the approving body.
- b. **Units and methods of measurement.** For the purpose of determining off-street parking requirements, the following units of measurement shall apply:
 - i. **Floor area.** Where floor area is the unit for determining the required number of off-street parking spaces, said unit shall mean the usable floor area ('UFA'; see section 10.200 for definition), unless otherwise noted herein. For purposes of minimum parking calculations, when a floor plan is not available, usable floor area shall be considered 75% of total gross floor area.
 - ii. **Occupancy.** For requirements stated in terms of occupancy, the calculation shall be based upon the maximum permitted occupancy determined by the City Fire Marshal.
 - iii. **Places of assembly.** In stadiums, sports arenas, places of worship, theaters, auditoriums, and other places of assembly in which those in attendance occupy benches, pews, or other similar seating facilities, each 24 inches of such shall be counted as one seat. In cases where a place of assembly has both fixed seats and open assembly area, requirements shall be computed separately for each type and added together.
 - iv. **Number of Employees.** For requirements stated in terms of number of employees, the calculation shall be based on the number of employees in the largest working shift.
- c. **Accessible Parking.** Parking spaces for those with physical disabilities shall be provided as part of the minimum number of parking spaces required by this Ordinance, and shall be designed, constructed and marked in accordance with Title III of the Americans with Disabilities Act, Public Law 101-336 (ADA) and Section 230 of the Public Acts of 1972, as amended (Michigan Barrier Free Design Standards).
- c. **Temporary Construction Parking.** Such parking shall be exclusive of any rights-of-way shall be provided for all construction workers during periods of construction.

2. **Off-street Parking Minimum Requirements.** The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule. Requirements for accessory uses associated with the primary use shall also be met as established for such uses in the table below.

Type of Use	Minimum spaces required
a. Housing	
Convalescent Homes	1 per each 4 beds + 1 per employee
Independent Senior Living	1 per each unit + 1 per each employee; for detached units, requirements for one-family residential shall apply
Congregate Senior Facility	3 per each 4 units + 1 per each employee
Mobile home park	1 per unit + 1 per 10 units for guest parking
Residential, one-family and two-family	2 per dwelling
Residential, multiple family	1 per each one bedroom unit; 1.5 spaces for each two or more-bedroom units
b. Assembly	
Places of Assembly (Stadiums, banquet halls, etc.)	1 per each 4 seats (Sec. 10.505.D.1.e. for unit measurement) or in case of no seating, 1 per each 4 persons allowed within the maximum occupancy load as established by the fire marshal.
Places of Worship	1 per each 4 seats (Sec. 10.505.D.1.e. for unit measurement) or in case of no seating, 1 per each 4 persons allowed within the maximum occupancy load as established by the fire marshal.
c. Office	
General Office	1 per each 300 sq. ft. UFA
Medical Office	1 per each 200 sq. ft. UFA
d. Institutional	
High schools	1 per employee + 1 per each ten students, in addition to the requirements of any auditorium.
Higher education; trade or technical; all other adult education	1 per employee + 1 per each ten students, in addition to the requirements of any auditorium.
Hospitals	1 per each bed, plus as required for accessory uses
Pre-school and Daycare	1 per 350 sf of UFA + 1 per employee
Elementary and junior high schools	1 per employee + 1 per each ten students, in addition to the requirements of any auditorium.
e. Commercial	
Financial Institutions (Banks/credit unions)	1 per each 200 sq. ft. UFA
Personal Service Use	1 per each chair/booth or 1 per 250 sq. ft. UFA,

Type of Use	Minimum spaces required
	whichever is greater.
Hotel, motel or other commercial lodging establishment	1 per each sleeping unit + 1 per employee.
Major Retail with display (similar to furniture and appliance sales)	1 per 250 sq. ft. UFA + 1 per 700 sq. ft. UFA for areas used for storage and processing.
Retail Shopping Center	1 per each 250 sq. ft. UFA + 1 per 700 sq. ft. of storage area
Self-storage	<i>Indoor unit access:</i> 5 per office +1 per every 50 units spread throughout (indoor access). <i>Outdoor unit access:</i> 5 per office + adequate space in front of exterior unit as long as access is not blocked
Pet Boarding Facilities	1 per 700 sq. ft. UFA
f. Restaurants	
Fast-food restaurants	1 per 2 seats + 1 per 2 employees
Sit-down Restaurants/Bars and Lounges	1 per 70 sq. ft. UFA (excluding kitchen areas) + 1 per each employee.
Fast-food carry out only	1 per 2 persons allowed per maximum occupancy
g. Recreational	
Private fitness facilities	1 per 250 sq. ft. UFA
Bowling Alleys	5 for each bowling lane
Indoor/Outdoor Recreational Facilities	To be determined by the site plan review committee based on parking demand data provided by the applicant.
h. Auto related	
Gasoline service stations which may include minor repair or retail	1 space at each pump + 2 spaces per service bay; 1 additional space at each service bay if towing service is offered; Retail is subject to retail standards listed in this section
Motor vehicle sales and service establishments	1 per 300 sq. ft. UFA plus 2 per each service bay
Auto Wash Facilities	Two plus 1 per each employee
i. Industrial	
Industrial Uses	1 per 300 sq. ft. UFA for office uses + 1 per 1,000 sq. ft. warehouse, storage, data. For speculative uses 1 per 550 sq. ft. GFA.
Medical Marihuana Caregiver	1 per 550 sq. ft. of UFA. A minimum of four spaces shall be provided.

(E) Reduction from minimum off-street parking standards.

It is the intent of this subsection to recognize that, based on site-specific conditions, certain uses may function with less off-street parking than required in the table above. As such, reductions in the requirement for minimum parking spaces may be permitted as follows:

1. Parking Reduction Waivers

- a. **Administrative Waiver.** The Site Plan Review Committee may grant up to a 15% reduction in the minimum required number of parking spaces where the applicant can demonstrate that the project can satisfy the standards listed in subsection 10.505(E)(2), below.
- b. **DDA Waiver:** The Site Plan Review Committee may grant up to a 25% parking reduction for properties located within the boundaries of the Southend Downtown Development Authority (DDA) where the applicant can demonstrate that the project can satisfy the standards listed in subsection 10.505(E)(2), below.
- c. **Planning Commission Waiver.** As part of the site plan review process outlined in Section 10.514, the Planning Commission may grant up to a 30% reduction in the minimum required number of parking spaces where the applicant can demonstrate that the project can satisfy the standards listed in subsection 10.505(E)(2), below.
- d. **Adaptive Reuse Waiver**
 - i. **Eligibility.** To qualify for a parking reduction, adaptive reuse projects shall satisfy the following criteria:
 - (a) The existing building(s) shall be at least twenty-five (25) years old and constructed in accordance with building and zoning codes in effect at the time of construction; and
 - (b) A minimum of 50% of the total building area shall be converted to a land use category other than the land use category for which the building was originally designed.
 - ii. **Parking Reduction:**
 - (a) Where the applicant can demonstrate that the project can satisfy the standards listed in subsection 10.505(E)(2), below, the Site Plan Review Committee/approving body may reduce the minimum number of parking spaces by up to 25% for eligible adaptive reuse projects. Where a mix of uses is proposed, the 25% reduction shall be applied to the minimum parking requirement for each individual land use type.

- (b) Shared parking arrangements are encouraged for adaptive reuse projects pursuant to 10.505(E)(3), below. Shared parking studies for eligible adaptive reuse projects may apply the 25% reduction offered under this sub-section to determine minimum parking requirements for each land use type.
- (c) Expansions/additions to the floor area of a building(s) associated with an eligible adaptive reuse project shall comply with minimum parking requirements and shall not be included within the 25% parking reduction.

2. **Standards for Parking Reductions.** As permitted by Section 10.505(E), the approving body may reduce minimum parking requirements where the applicant can demonstrate that all of the following standards can be satisfied:

- a. The applicant has demonstrated through substantial evidence that the specified occupant or building use would require less parking than what would typically be required by this Section; and
- b. Parking will not occur on any street or driveway; and
- c. Parking will not occur on any area not approved and developed for parking; and
- d. The requested parking reduction shall not create traffic or circulation problems on or off site; and
- e. The approved waivers shall apply only to the proposed site use and shall not be carried over to another use or occupant of the site. Any substantial changes to the use mix or parking demand from the original approval shall require approval from the approving body prior to the issuance of a certificate of occupancy.

3. **Shared Parking.** Where multiple land uses occupy a single property, or properties in close proximity, the City of Madison Heights encourages the use of shared parking arrangements. Approval of shared parking shall be subject to the following conditions.

- a. **Parking Computation.** The number of shared spaces for two (2) or more distinguishable land uses shall be determined by the following procedure:
 - i. Multiply the minimum parking required for each individual use, as set forth in Section 10.505(D)(2), by the appropriate percentage indicated in the Shared Parking Calculations table (below) for each of the six (6) designated time periods.
 - ii. Add the resulting sums for each of the six (6) columns.

iii. The minimum parking requirement shall be the highest sum among the six (6) columns resulting from the above calculations.

Shared Parking Calculations						
General Land Use classification	Weekdays			Weekends		
	2:00 a.m.—7:00 a.m.	7:00 a.m.—6:00 p.m.	6:00 p.m.—2:00 a.m.	2:00 a.m.—7:00 a.m.	7:00 a.m.—6:00 p.m.	6:00 p.m.—2:00 a.m.
Office	5%	100%	5%	0%	10%	0%
Retail sales and services	0%	90%	80%	0%	100%	60%
Restaurant	10%	70%	100%	20%	70%	100%
Residential	100%	60%	100%	100%	75%	90%
Theater	0%	40%	90%	0%	80%	100%
Hotel						
Guest rooms	100%	55%	100%	100%	55%	100%
Restaurant/lounge	40%	60%	100%	50%	45%	100%
Conference rooms	0%	100%	100%	0%	100%	100%
Religious institution	0%	25%	50%	0%	100%	50%
Reception or meeting hall	0%	70%	90%	0%	70%	100%
Museum	0%	100%	80%	0%	100%	80%
School, grades K—12	0%	100%	25%	0%	30%	10%

b. **Other uses.** If one (1) or all of the land uses proposing to make use of shared parking facilities do not conform to the general land use classifications in the Shared Parking Calculations table, as determined by the approving body, then the applicant shall submit sufficient data to indicate the principal operating hours of the uses. Based upon this information, the approving body shall determine the appropriate shared parking requirement, if any, for such uses.

c. **Shared Parking Waivers.** The applicant may request an additional reduction of minimum shared parking requirements by employing one or more of the parking reduction waivers outlined in Section 10.505(E)(1), above. The applicant shall demonstrate that the project can satisfy the standards listed in subsection 10.505(E)(2), above.

d. **Remote Shared Parking.** The approving body may consider off-site (remote) parking for shared parking arrangements, subject to the standards of Section 10.505(B)(3), above.

(F) Bicycle parking facilities general requirements.

At the time of erection or enlargement of any principal building or structure, or at the time of change of use, a bicycle parking facility shall be required and be provided as part of site plan review in accordance with the following requirements:

1. **Minimum count.** A minimum of two bicycle parking spaces shall be provided. Auto wash uses and single-family and two-family uses are exempt from this requirement. Any use that requires bicycle parking and has more than forty (40) off-street vehicle parking spaces shall provide one additional bicycle parking space for each twenty vehicle parking spaces.
2. **Location.** Bicycle parking facilities shall be no greater than one hundred fifty (150) feet from the entrance being served.
3. Minimum required bicycle parking spaces shall not be replaced by any other use unless and until equal facilities are provided elsewhere.
4. **Layout and Design standards.** All bicycle parking spaces shall be paved and shall feature a bicycle rack of the inverted "U" design that is permanently affixed to the ground. Alternative installations and designs may be considered if the proposed rack design functions similar to the inverted "U" design and is easily visible and accessible.
5. **Access.** All bicycle parking facilities shall be accessible from adjacent street(s) and pathway(s) via a paved route that has a minimum width of five (5) feet.
6. **Waiver.** Upon the written request of an applicant, the approving body may waive or modify the bicycle parking facility layout, location, and design requirements in this subsection upon a satisfactory showing by the applicant of a practical difficulty with complying with the requirement due to site constraints or other factors, and that the applicant's proposed plan will adequately serve the needs of the site and the bicycling public.

Section 3. Sec. 10.506 (Off-Street Parking Space Layout, Standards, Construction and Maintenance) is hereby replaced in its entirety as follows:

Wherever the off-street parking requirements in section 10.505 above require the building of an off-street parking facility, or where P-1 or P-2 Vehicular Parking Districts are provided, such off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations.

- (A) No parking lot shall be constructed unless, and until, all required permits are issued by the building official after site plan review and approval.
- (B) Adequate ingress and egress to the parking lot shall be provided. All traffic directional signs and controls required by the approved site plan shall be established and maintained by the owner or lessee of the parking lot.
- (C) All drives and parking spaces shall be surfaced in a manner equivalent to that which is provided for the parking areas under section 10.340. Permeable asphaltic or concrete pavement or pavers may be permitted after review and approval of the design by the city engineer for conformance with city standards.

- (D) All spaces shall be provided adequate access by means of on-site maneuvering lanes.
- (E) Each off-street parking space shall be in accordance with the following table and shall be of usable shape and condition. Access drives shall be a minimum of 12 feet in width and where a turning radius is necessary it will be of an arc of sufficient size to reasonably allow an unobstructed flow of vehicles.

Parking Pattern	Minimum Maneuvering Lane Width (b,c)	Minimum Parking Space Width	Minimum Parking Space Length (c,d)	Minimum Total Width of One Tier of Spaces Plus Maneuvering Lane	Minimum Total Width of Two Tiers of Spaces Plus Maneuvering Lane
90°	22 ft.	9 ft.	20 ft.	42 ft.	62 ft.
60°	18 ft.	9 ft.	20 ft.	37 ft.	56 ft.
45°	15 ft.	9 ft.	20 ft.	30 ft.	53 ft.
Parallel	12 ft.	9 ft.	20 ft.	31 ft.	
45° Herringbone	12 ft.	9 ft.	20 ft.		50 ft.
<ul style="list-style-type: none"> a. All above dimensions are measured from back of curb to back of curb. b. The minimum maneuvering lane width shall be increased to a minimum of 24 feet, if the lane is determined to be a fire lane by the City Fire Marshal. c. The City Engineer may require the maneuvering lane widths to be increased to 24 feet, when it is warranted to allow safe turning movements for larger vehicles. When the maneuvering lane width is proposed at a minimum of 24 feet, the parking space length can be reduced by 2 feet. d. Two feet of the minimum parking space length may overhang a landscaped area or a sidewalk, where the walk is a minimum seven feet wide. 					

- (F) All maneuvering lane traffic shall permit only one-way movement, with the exception of the 90° and parallel patterns where two-way movement may be permitted.
- (G) **Screening Wall.** On all sides where the adjacent zoning district is designated as a residential district, off-street parking areas shall be provided with a continuous and completely obscuring wall in accordance with the specifications of section 10.513.
- (H) **Sidewalk.** All principal uses shall be connected to the adjacent public sidewalk system with 5' wide concrete sidewalk(s) meeting the city's public sidewalk standards. Existing uses shall incorporate this requirement into any development or expansion that requires site plan review. The internal sidewalk design shall be designed to permit safe ingress and egress of pedestrians and encourage walkability and non-motorized access.
- (I) **Drainage.** Off-street parking areas shall be drained so as to dispose of all surface water accumulated in the parking area in such a way as to preclude drainage of water onto adjacent property or toward buildings.

(J) **End Islands.** In order to delineate on-site circulation, improve sight distance at the intersection of parking aisles, ring roads, and private roads, protect the vehicle at the end of a parking bay, and define the geometry of internal intersections, end islands (landscaped with raised curb) shall be required at the end of all parking bays that abut traffic circulation aisles in off-street parking lots. End islands with raised curbs and landscaping shall not be required in parking structures; however, painted islands must be provided. For surface lots where internal traffic circulation is forecast to be low or where the raised islands would not be appropriate, the Site Plan Review Committee or the approving body may waive the requirement for raised end islands and may allow for painted islands only. The end islands, whether raised or painted, shall generally be at least ten (10) feet wide, have an outside radius of fifteen (15) feet, and be constructed three (3) feet shorter than the adjacent parking stall.

(K) **Landscaping.** Right-of-way screening and parking lot landscaping shall be provided in accordance with Section 10.510.

Section 4. Sec. 10.507 (Off-Street Loading and Unloading) is hereby replaced in its entirety as follows:

On the same premises with every building, structure or part thereof, involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading in order to avoid undue interference with public use of dedicated streets or alleys. Such loading space(s) shall be subject to the following standards:

(A) Loading dock approaches shall be provided with a pavement having an asphaltic or Portland cement binder so as to provide a permanent, durable and dustless surface.

(B) Loading and unloading of freight shall be on those sides of the building which do not face on any street or proposed street.

(C) Loading areas shall be designed so that maneuvering of vehicles will take place off the public right-of-way.

(D) **Minimum requirements.** Such loading and unloading space(s), unless completely and adequately provided for within a building, shall be an area 12 feet by 50 feet, with clearance of 14 feet high, and shall be provided according to the following schedule:

Gross Floor Area of Building (square feet)	Required Loading and Unloading Spaces
First 2,000	None
2,000-20,000	1
20,000-100,000	1 + 1 for each 20,000 square feet in excess of 20,000 square feet
100,000-500,000	5 + 1 for each 40,000 square feet in excess of 100,000 square feet
Over 500,000	10 + 1 for each 80,000 square feet in excess of 500,000 square feet

- a. **Double count.** Off-street loading space areas shall not be counted as off-street parking spaces, nor shall they conflict with the maneuvering lanes required to access off-street parking.
- b. **Waiver.** In cases where the applicant has sufficiently demonstrated that the minimum loading and unloading requirements of this section are excessive for their use, the approving body may grant a waiver from the minimum standards listed in this subsection. The approved waiver shall apply only to the current site use and shall not be carried over to another use or occupant of the site.

Section 5. Repealer

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Section 6. Severability

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

Section 7. Savings

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 8. Effective Date

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

Section 9. Enactment

A copy of this ordinance may be inspected or purchased at the City Clerk's office between the hours of 8:00 a.m. and 11:30 a.m. and 12:30 p.m. and 4:30 p.m. on regular business days.

Roslyn Grafstein, Mayor

Cheryl Rottmann, City Clerk

CERTIFICATION:

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on _____, 2022.

Cheryl Rottmann, City Clerk

ZOTXT 21-09 (Ordinance 2173)

Planning Commission Introduction and Discussion: September 21st, 2021

Planning Commission Discussion: October 19, 2021

Planning Commission Public Hearing: November 16th, 2021

City Council First Reading: December 13th, 2021

City Council Second Reading: January 10th, 2022

Adopted: TBD

Published: TBD

Effective: TBD



CITY OF MADISON HEIGHTS

PLANNING COMMISSION MEETING MINUTES

November 16, 2021
Council Chambers – City Hall
300 W. 13 Mile, Madison Heights, MI 48071

1. CALL TO ORDER

Chair Champagne called the meeting of the Madison Heights Planning Commission to order at 5:33 p.m.

2. ROLL CALL

Present: Chairperson Josh Champagne
Member Bruce Conn
Member Eric Graettinger
Mayor Roslyn Grafstein
City Manager Melissa Marsh
Member Cliff Oglesby
Member James Smith
Member Grant Sylvester (arrived at 5:35 pm)

Absent: Councilman Mark Bliss

Also Present: City Planner Matt Lonnerstater
Assistant City Attorney Tim Burns
Business Services Coordinator Mary Daley
Community Development Director Giles Tucker

Motion by Commissioner Grafstein, supported by Commissioner Graettinger to excuse Member Bliss.

Motion carried unanimously.

3. APPROVAL OF AGENDA

Motion by Commissioner Oglesby, Supported by Commissioner Smith, to approve the agenda for tonight's meeting.

Motion carried unanimously.

4. APPROVAL OF MINUTES

Motion by Commissioner Conn, supported by Commissioner Graettinger, to approve the minutes of the regular Planning Commission meeting of October 19, 2021.

Motion carries unanimously.

5. PUBLIC HEARING:

Chair Champagne opened the public hearing at 5:36 p.m. to hear comments on zoning text amendment #21-09. There being no comments, Chair Champagne closed the public hearing at 5:36 p.m.

a. ZONING TEXT AMENDMENT (21-09): OFF-STREET PARKING AND LOADING

Planning Lonnerstater reintroduced the proposed text amendment to amend Ordinance 571, being an ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights, Appendix A (Zoning Ordinance), to amend the following sections: 10.200 - definitions; 10.505 – parking requirements; 10.506 – off-street parking space layout, standards, construction and maintenance; and 10.507 – off-street loading and unloading. The proposed amendment aims to modernize parking standards and provide administrative flexibility for reducing minimum parking requirements.

As Planner Lonnerstater discussed, the amendment aims to modernize parking space requirements and parking design standards to align with demand. The draft text amendments modify Section 10.200 (Definitions) and replace the following sections in their entirety:

- Section 10.505 – Parking Requirements
- Section 10.506 – Off-Street Parking Space Layout, Standards, Construction and Maintenance.
- Section 10.507 – Off-Street Loading and Unloading

Chair Champagne led some discussion on the revisions.

Motion by Commissioner Sylvester, seconded by Commissioner Oglesby, to make a recommendation to City Council to approve the zoning text amendment with the condition to modify 10.505b3 per the Attorney's recommendation.

Motion carries unanimously.

6. MATTERS FOR CONSIDERATION

No matters for consideration.

7. PUBLIC COMMENT - For items not listed on the agenda

No public comment.

8. ADOPTION OF 2022 MEETING CALENDAR

Motion by Commissioner Grafstein, seconded by Commissioner Conn to approve the 2022 meeting calendar as presented.

Motion carries unanimously.

9. MEMBER UPDATES

No member updates.

10. PLANNER UPDATES

No updates from the Planner this evening.

11. ADJOURNMENT OF MEETING

Meeting adjourned by the Chair at 5:59 p.m.

Special Meeting
Madison Heights City Council
Madison Heights, Michigan
December 6, 2021

A Special Meeting of the Madison Heights City Council was held on Monday, December 6, 2021 at 6:00 p.m. at Fire Station #1, 31313 Brush St., Madison Heights, Oakland County, Michigan.

Present: Mayor Grafstein and Mayor Pro Tem Corbett.
Councilmembers: Bliss, Fleming, and Rohrbach (arrived at 6:30 p.m.)

Absent: Councilmember Soltis.

Others Present: City Manager Marsh, City Attorney Sherman, City Clerk Rottmann, Community and Economic Development Director Tucker, Finance Director Kunath, Fire Chief Lelito, IT Consultant Blackburn, Human Resources Director Misczak, Library Director Yerman, Deputy City Manager/Police Chief Haines, and Director of Public Services Almas.

CM-21-357. Meeting Open to the Public.

There were no members of the public wishing to speak.

CM-21-358. Strategic Planning.

Mayor Grafstein opened the Strategic Planning meeting and City Manager Marsh gave an overview of tonight's meeting agenda including FY 2022 Council Initiatives Updates, FY 2023 Initiatives and Departmental Concerns, and the next steps in the budgeting process. Other items to be discussed include splash pad/voucher program, staff overtime on boards and commissions, electronic welcome sign and I-75, and sustainability. Tonight staff is seeking direction and consensus on what to pursue in the FY 23 and 24 biennial budgets.

Fiscal Year 2022 Council Initiatives Update

Ms. Marsh noted that the five overall strategic goals are Public Safety, Economic Development, Infrastructure, Quality of Life, and Financial Stability. Ms. Marsh noted that all of these goals are interrelated and she reviewed the status of each action item listed from the 2021-22 Budget.

Fiscal Year 2023 Initiatives

Each City Department highlighted their areas of importance for the next fiscal year:

City Clerk – Improve election security; online-payment and permit applications; modernization of FOIA tracking software; training and succession planning; and seasonal temporary staffing for large elections.

Department of Public Services – Continue to assess and address park amenities needs; analysis of Recreation Division programming; repair of sanitary and storm water systems identified in the SAW grant and the need for a preventative life cycle replacement program.

Splash Pad/Voucher Program Discussion - The following topics were discussed: potential of recommissioning a baseball field for more popular programming; the voucher program as an alternative to a splash pad; community desire for a splash pad; whether any efficiency would be gained by decommissioning a ball field; cost to build and maintain a waterpark feature; the need to obtain comparable numbers on costs from other communities; the lack of satisfaction of the splash pad contractor used in other communities; whether having a splash pad contradicts the City's commitment on sustainability and the need for improvement in water recovery methods; the potential to have a community fundraising proposal for establishing a splash pad; the desire to put aside money gradually for the project; and the need to be cognizant about costs and how to maintain in the future in the event the City cannot afford to operate it. Director Almas stated that the City is waiting on Oakland County to establish the fee base for Red Oaks prior to moving forward on the voucher program. It was the consensus to have a nominal fee for the tickets with an eight ticket maximum per family for the program. Director Almas stated that he would approach Oakland County to see if they would be willing to sell the tickets at the park rather than at DPS in an effort to streamline the process for families.

Fire Department – Reinstatement of the Fire Inspector position that was eliminated in 2006; increased staffing due to increased call volume with a goal of 36 total firefighters/paramedics from the current staffing level of 30. Creation of a Deputy Fire Chief position; and continuation of the Firefighter Wellness Initiative. Chief Lelito stated that the Initiative is being implemented; however, they only received a 1-year grant. The estimated cost is \$15,000/20,000 per year. Discussion followed on the costs for additional hires, the difference between a Fire Inspector and a Fire Marshal, and a potential alternative of hiring just EMS personnel.

Library – Filling the vacant Community Outreach Librarian position and assess ways to more effectively market library services; improve outreach and library operations. Conduct staff review of alternate copy and print operations and review of time management software for internet use to determine if there are better alternatives; and replacement of book carts.

Police Department - Chief Haines noted that the City is hoping to eliminate some overtime by switching to 12 hour shifts in the near future. Future departmental needs include the addition of road patrol officers; addition of a youth officer position who will be trained for forensic interviewing skills; repair of the sinking dispatch floor; improvement of building aesthetics; phase-funding for replacement of the heating/cooling system; replacement of radar units; and regularly scheduled vehicle replacements.

Community and Economic Development Department – Overhaul of developmental review process by contracting a consultant to complete a comprehensive Zoning Ordinance update; improvement of tracking and identifying businesses with the revised business license ordinance; reallocation of some Code Enforcement CDBG funds to new minor home repair and mobile home repair programs.

Information Technology – Incorporate the 3-2-1 process for backup data by adding cloud component; revisit return-to-operations procedures; implement Microsoft Office 365; Improve how email is hosted to improve security; implement structured security awareness and testing and improved security awareness for staff to help fight cybercrime; and budget for replacement of aging servers.

Additional Initiatives

Sustainability – City Manager Marsh stated that the City is looking at to add electric vehicle charging stations in the future. Potential sites include two each at the Police Department, Library, City Hall, DPS, Rosies and Civic Center parks. The project is dependent upon funding from DTE and whether or not electricity is available at these proposed locations. When looking at conducting a Greenhouse Gas Emissions Inventory and Study in the future, there are best practices the City can use to work towards electrical sustainability; however, there is a cost factor to recognize.

City Entrance Signs – It was the consensus of Council to obtain a cost for City entrance signs, including on I-75. Director Almas stated that the only place on I-75 for the entrance sign would be on the Bellaire pedestrian bridge. City Manager Marsh added that the electronic sign in front of City Hall is not functioning properly and has significant issues. While it is in the CIP for replacement in future years, it may need replacing sooner. It was

the consensus to see what other alternatives there are to an electronic sign in front of City Hall before moving forward.

Overtime for Boards and Commissions - City Manager Marsh stated that the City tries to keep as many boards and commission meetings as possible scheduled during the day to help eliminate the need for overtime for employees. She requested that boards be cognizant of the cost issue as well as the length of meetings that impact employees. Other factors such as creating an agenda, posting, and transcribing minutes all take away from an employee's regular office functions.

Next Steps

City Manager Marsh stated that these initiatives discussed this evening will be given to staff to create action items for the 2023 Fiscal Year Budget.

CM-21-359. Adjournment.

There being no further business, the meeting was adjourned at 9:26 p.m.

Roslyn Grafstein
Mayor

Cheryl E. Rottmann
City Clerk

Special Meeting
Madison Heights City Council
Madison Heights, Michigan
December 13, 2021

A Special Meeting of the Madison Heights City Council was held on Monday, December 13, 2021 at 6:30 p.m. in the Council Chambers of the Municipal Building, 300 W. 13 Mile Rd., Madison Heights, Oakland County, Michigan.

Present: Mayor Grafstein and Mayor Pro Tem Corbett.
Councilmembers: Bliss, Fleming, Soltis and Rohrbach

Others Present: City Manager Marsh, City Attorney Sherman, City Clerk Rottmann, Finance Director Kunath and Director of Public Services Almas.

CM-21-360. Meeting Open to the Public.

There were no members of the public wishing to speak.

CM-21-361. Civic Center Campus and Fire Station 2 Renovation Project Updates.

Mayor Grafstein welcomed everyone to the Special Council Meeting to discuss updates to the Civic Center Campus and Fire Station 2 renovation project.

David Gasson and Lauren Lee from Partners in Architecture and Mike Gagon from Rewold & Sons were present.

Ms. Lee provided project updates on the following: review of the Civic Center Complex site plan; floor plans and renderings of Fire Station 2; the conceptual direction of Fire Station 2; and a Fire Station 2 budget update. She noted that due to market driven variables, they have adjusted the project schedules. There will be two early release packages in order to maintain the project schedule. The first early release package will be for HVAC and elevator materials; the second will be for the roof and roof decking. After the early release packages are complete, the focus will be to shift to completing the construction and competitive bidding documents. There should be a final number of project costs in early April. Council discussed the difference between prevailing wages and union labor and the pros and cons of requiring each in bidding documents. Mr. Gagon stated that the market is uncertain and any time you create stipulations in your bidding documents, it creates an impediment to bidding. It was the

consensus to discuss what procurement policy the Council supports for the project.

Ms. Lee reviewed the Fire Station 2 project and site plan. She stated that due to budget constraints, the project will be more of a remodel rather than new build. They are working with the Fire Department to rank their needs, noting that the rebuilding of the Apparatus Bay is the number one goal.

Ms. Lee stated that the current estimate of cost for the Civic Center Campus is \$10,715,000 and the Fire Station 2 is \$1,585,000. It was noted that the cost of these projects is lower than the alternative of completing all the required maintenance and repairs to the existing buildings and reduces the 10-year timeline.

CM-21-362. Adjournment.

There being no further business, the meeting was adjourned at 7:18 p.m.

Roslyn Grafstein
Mayor

Cheryl E. Rottmann
City Clerk

Regular Meeting
Madison Heights City Council
Madison Heights, Michigan
December 13, 2021

A Regular Meeting of the Madison Heights City Council was held on Monday, December 13, 2021 at 7:30 p.m. in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Mayor Grafstein, Mayor Pro Tem Corbett, Councilmembers: Bliss, Fleming, Rohrbach and Soltis.

Absent: None.

Others Present: City Manager Marsh, City Attorney Sherman and City Clerk Rottmann.

Councilman Fleming gave the invocation and the Pledge of Allegiance to the Flag followed.

CM-21-363. Receive and File the November 2, 2021 Election Results.

Motion by Mayor Pro Tem Corbett, seconded by Councilor Rohrbach, to receive and file the November 2, 2021 Election results.

Yea: Bliss, Corbett, Fleming, Rohrbach, Soltis, Grafstein

Nay: None

Motion Carried.

CM-21-364. Appointment of Quinn Wright to Council and Oath of Office.

Motion by Mayor Pro Tem Corbett, seconded by Councilman Bliss, that pursuant to City Charter Section 7.7(a), appoint Quinn Wright to fill the Council vacancy for a term to expire November 13, 2023.

Yea: Corbett, Fleming, Rohrbach, Soltis, Bliss, Grafstein

Nay: None

Motion Carried.

City Clerk Rottmann administered the oath of office to Councilman Wright.

CM-21-365. Amendment to the Agenda.

Motion by Councilman Bliss, seconded by Councilor Rohrbach, to move item F-2, Realtor Services for the Sale of the Active Adult Center, to the beginning of the agenda.

Yea: Fleming, Rohrbach, Soltis, Wright, Bliss, Corbett, Grafstein

Nay: None

Motion Carried.

CM-21-366. Realtor Services for the Sale of the Active Adult Center.

Mayor Grafstein opened public comment on this item of the agenda. Hearing no one wishing to comment, Mayor Grafstein closed the public comments for this agenda item.

Without objection, Mayor Pro Tem Corbett recused himself from the discussion and stated he would be abstaining from the vote.

Motion by Councilman Bliss, seconded by Councilman Soltis, based on qualifications, capacity to provide services, marketing/outreach and pricing to award the realtor services for the marketing and listing of the Active Adult Center to Campbell Commercial Group (Campbell Realty).

Yea: Rohrbach, Soltis, Wright, Bliss, Fleming, Grafstein

Nay: None

Abstain: Corbett

Motion Carried 6-0-1.

CM-21-367. Meeting Open to the Public.

Deliza Lee, resident, reminded seniors to be aware of potential scams and the importance of keeping your bank account, social security number and financial information private.

CM-21-368. Racheal Flanagan and Quinn Wright – Resignation from Boards and Commissions.

Motion by Rohrbach, seconded by Fleming, to accept resignations from Racheal Flanagan from the Arts Board and Quinn Wright from the Human Relations and Equity Commission, declare the seats vacant, and issue certificates of appreciation.

Yea: Soltis, Wright, Bliss, Corbett, Fleming, Rohrbach, Grafstein

Nay: None

Motion Carried.

CM-21-369. Elected Officials Compensation Commission - Salary Order Resolution.

Motion by Mayor Pro Tem Corbett, seconded by Councilman Fleming, to receive and file the Salary Order with the City Clerk as follows:

ORDER OF THE ELECTED OFFICIALS COMPENSATION COMMISSION

WHEREAS, the Elected Officials Compensation Commission met on Wednesday, November 17, 2021, at 4:30 p.m. in the Madison Heights Municipal Building, pursuant to Ordinance 454 of 1972 consisting of seven members; Commissioners present:

WHEREAS, Ordinance No. 454 of 1972, Section 2-214 provides as follows:

"The Commission shall determine the salaries of elected officials in the City; which determination shall be the salaries unless the Mayor and Council by resolution adopted by 2 / 3rds of the members elected to and serving shall reject them. The determinations of the Commission shall be effective 30 days following the filing with the City Clerk of such determination unless rejected by the legislative body. In case of rejection, the existing salary shall prevail."

WHEREAS, after due consideration by the members of said Board, having been furnished with current salary statistics and after full and complete discussion of all pertinent matters, the recommended decision of the Commission is as follows:

RESOLVED, IT IS ORDERED, that the salary of the Mayor shall be frozen at \$9,498 for two years; and,

IT IS FURTHER RESOLVED, that the salary of the Mayor Pro Tem shall be frozen at \$7,321 for two years; and,

IT IS FURTHER RESOLVED, that the salary of the City Council members shall be frozen at \$6,653 for two years effective through January 1, 2023.

Yea: Wright, Bliss, Corbett, Fleming, Rohrbach, Soltis, Grafstein

Nay: None

Motion Carried.

CM-21-370. Appointment of City Manager to the Planning Commission.

Motion by Councilman Bliss, seconded by Mayor Pro Tem Corbett, to appoint City Manager Melissa Marsh to serve as the administrative official on the Planning Commission with a term to expire 11-13-23.

Yea: Bliss, Corbett, Fleming, Rohrbach, Soltis, Wright, Grafstein

Nay: None

Motion Carried.

CM-21-371. Notice of Intent Resolution – General Obligation Bonds (Civic Center Campus Project and Fire Station #2).

Without objection, Councilman Wright stated that he would be abstaining from this vote.

Motion by Councilman Bliss, seconded by Mayor Pro Tem Corbett, to approve the Notice of Intent Resolution for General Obligation Bonds for the Civic Center Plaza Project and Fire Station #2, as follows:

NOTICE OF INTENT RESOLUTION
GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS

City of Madison Heights
County of Oakland, State of Michigan

WHEREAS, the City of Madison Heights, County of Oakland, State of Michigan (the "City") intends to issue general obligation capital improvement bonds, in one or more series, pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in an aggregate principal amount of not to exceed Six Million Five Hundred Thousand Dollars (\$6,500,000) (the "Bonds"), for the purpose of paying all or part of the cost of acquiring and constructing various capital improvements in the City, including, but not limited to, rebuilding portions of the Madison Heights Civic Center Plaza, renovating the City Hall and Library while adding a new space to relocate the Active Adult Center, and renovating/rebuilding, furnishing and equipping Fire Station #2, including related site improvements (collectively, the "Project"); and

WHEREAS, a notice of intent to issue bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 517 of Act 34; and

WHEREAS, the City intends at this time to state its intentions to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the City for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is authorized and directed to publish a notice of intent to issue bonds in the **Madison Park News**, a newspaper of general circulation in the City.
2. Said notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the following form:

**NOTICE TO ELECTORS
OF THE CITY OF MADISON HEIGHTS
OF INTENT TO ISSUE BONDS SECURED BY THE TAXING
POWER OF THE CITY AND RIGHT OF REFERENDUM THEREON**

PLEASE TAKE NOTICE that the City Council of the City of Madison Heights, County of Oakland, Michigan, intends to issue and sell general obligation capital improvement bonds, in one or more series, pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in an aggregate amount of not to exceed Six Million Five Hundred Thousand Dollars (\$6,500,000) for the purpose of paying all or part of the cost of acquiring and constructing various capital improvements in the City, including, but not limited to, rebuilding portions of the Madison Heights Civic Center Plaza, renovating the City Hall and Library while adding a new space to relocate the Active Adult Center, and renovating/rebuilding, furnishing and equipping Fire Station #2, including related site improvements.

BOND DETAILS

SAID BONDS will be payable in annual installments not to exceed twenty-five (25) in number and will bear interest at the rate or rates to be determined at a public or negotiated sale but in no event to exceed the maximum rate permitted by law on the balance of the bonds from time to time remaining unpaid.

SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL OF AND INTEREST ON THE BONDS shall be payable from the general funds of the City lawfully available for such purposes including property taxes levied within applicable constitutional, statutory and charter tax rate limitations.

RIGHT OF REFERENDUM

THE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY IS FILED WITH

THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS OF THE CITY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001, as amended.

Cheryl E. Rottmann
Clerk, City of Madison Heights

3. The City Council does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the City's electors and taxpayers residing in the boundaries of the City of the City's intent to issue the Bonds, the maximum amount of the Bonds, the purpose of the Bonds, the security for the Bonds, and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the City reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the City.
- (b) The expenditures described in this paragraph (b) are for the costs of acquiring the Project which were paid or will be paid subsequent to sixty (60) days prior to the date hereof.
- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$6,500,000.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Yea: Corbett, Fleming, Rohrbach, Soltis, Bliss, Grafstein
Nay: None
Abstain: Wright
Motion Carried 6-0-1.

CM-21-372. Long-Range Financial Outlook Presentation.

Finance Director Kunath presented City Council with the Long-Range Financial Outlook for 2022-2026. The long-term financial outlook includes a General Fund Review including General Fund reserves, forecasted challenges and a detailed forecast of assumptions; a Major Street Fund review, Local Street Fund Review and a Water and Sewer Fund Review. The purpose of this forecast is to provide Council and the public with a detailed estimate of the revenues and expenditures for the current and future four years, to serve as a first step in the upcoming year's budget process. This detailed look at the financial estimates serves as a tool to identify financial trends, shortfalls and issues so the City can proactively address them. This forecast therefore is essential for planning the future financial sustainability of the City as we proceed through the Goal Setting, Capital Improvement and Budget Planning Process.

Motion by Mayor Pro Tem Corbett, seconded by Councilor Rohrbach, to receive and file the Long-Range Financial Outlook for 2022-2026.

Yea: Fleming, Rohrbach, Soltis, Wright, Bliss, Corbett, Grafstein

Nay: None

Motion Carried.

CM-21-373. CED Director – Program Year 2022 CDBG Application.

Motion by Mayor Pro Tem Corbett, seconded by Councilor Rohrbach, to adopt the Program Year 2022 Annual Community Development Block Grant (CDBG) Application Resolution as follows and authorize the Mayor and City Clerk to sign on behalf of the City:

RESOLUTION OF THE MADISON HEIGHTS CITY COUNCIL

City of Madison Heights, Michigan

WHEREAS, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs, and

WHEREAS, Oakland County has requested CDBG-eligible projects from participating communities for inclusion in the Action Plan, and

WHEREAS, the City of Madison Heights has duly advertised and conducted a public hearing as follows:

Public Hearing was opened at 5:06 p.m. on November 22, 2021 by CDBG Committee member Kehoe for the purpose of receiving public comments regarding the proposed use of PY 2022 Community Development Block Grant

funds (CDBG) in the approximate amount of \$145,607. Comments were heard from Kehoe who asked staff why City Council approved a contribution to HAVEN in PY 2021 for \$3,500, not the \$1,000 recommended by the CDBG Committee. Responding to Kehoe, staff explained that after the CDBG committee recommended a \$1000 contribution, staff learned that the minimum contribution for a Public Service activity was \$3,500. With this information, City Council decided to fund HAVEN at this amount. As no citizens were in attendance, the public hearing was closed by Kehoe at 5:15 pm, and

WHEREAS, the City of Madison Heights CDBG Review Committee found that the following projects meet the federal objectives of the CDBG program, are prioritized by the community as high priority need, and recommended that City Council apply for PY 2022 CDBG funds for the following projects:

<u>Account Number</u>	<u>Project Name</u>	<u>Amount</u>
730310	Code Enforcement	\$ 56,666.50
732170	Public Services (Lawn Services)	\$ 29,504.95
731227	Minor Home Repair Program	\$ 55,935.55
	HAVEN	\$ 3,500.00
		\$145,607.00

THEREFORE, BE IT RESOLVED, that the City of Madison Heights City Council hereby authorizes the PY 2022 CDBG application to be submitted to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and hereby authorizes the Mayor to execute all documents, agreements or contracts which result from this application to Oakland County.

Discussion followed on the limitation to the number of programs for CDGB funds; whether leaving the Mobile Home Minor Repair program was the best alternative to provide funding for HAVEN, the benefits that HAVEN brings to the community-in-need in Madison Heights, the number of people that will not be assisted if the Mobile Home Minor Repair program is not implemented; budget alternatives for funding HAVEN; and how the repairs supported in the Mobile Home Minor Repair program would assist Code Enforcement efforts. City Manager Marsh stated that a \$3,500 budget for HAVEN could come from Drug Forfeiture funds and this could be accomplished through the budgeting process if that was the preference of Council.

Substitute motion:

Motion by Councilor Rohrbach, seconded by Councilman Fleming, to adopt the Program Year 2022 Annual Community Development Block Grant (CDGB) Application Resolution as follows and authorize the Mayor and City Clerk to sign on behalf of the City:

RESOLUTION OF THE MADISON HEIGHTS CITY COUNCIL

City of Madison Heights, Michigan

WHEREAS, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs, and

WHEREAS, Oakland County has requested CDBG-eligible projects from participating communities for inclusion in the Action Plan, and

WHEREAS, the City of Madison Heights has duly advertised and conducted a public hearing as follows:

Public Hearing was opened at 5:06 p.m. on November 22, 2021 by CDBG Committee member Kehoe for the purpose of receiving public comments regarding the proposed use of PY 2022 Community Development Block Grant funds (CDBG) in the approximate amount of \$145,607. Comments were heard from Kehoe who asked staff why City Council approved a contribution to HAVEN in PY 2021 for \$3,500, not the \$1,000 recommended by the CDBG Committee. Responding to Kehoe, staff explained that after the CDBG committee recommended a \$1000 contribution, staff learned that the minimum contribution for a Public Service activity was \$3,500. With this information, City Council decided to fund HAVEN at this amount. As no citizens were in attendance, the public hearing was closed by Kehoe at 5:15 p.m., and

WHEREAS, the City of Madison Heights CDBG Review Committee found that the following projects meet the federal objectives of the CDBG program, are prioritized by the community as high priority need, and recommended that City Council apply for PY 2022 CDBG funds for the following projects:

<u>Account Number</u>	<u>Project Name</u>	<u>Amount</u>
730310	Code Enforcement	\$ 56,666.50
732170	Public Services (Lawn Services)	\$ 35,589.00
731227	Minor Home Repair Program	\$ 26,675.75
731227-40620	Mobile Minor Home Repair Program	\$ 26,675.75
		\$ 145,607.00

THEREFORE, BE IT RESOLVED, that the City of Madison Heights City Council hereby authorizes the PY 2022 CDBG application to be submitted to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and hereby authorizes the Mayor to execute all documents, agreement or contracts which result from this application to Oakland County.

Vote on substitute motion:

Yea: Rohrbach, Soltis, Wright, Bliss, Corbett, Fleming, Grafstein

Nays: None
Motion Carried.

CM-21-374. Amendment to Development Agreement of the Madison Center, LLC Brownfield Agreement.

Motion by Mayor Pro Tem Corbett, seconded by Councilor Rohrbach, to approve the amended Development Agreement of the Madison Center, LLC Brownfield Agreement with an extension of the agreement until March 31, 2023 and authorize the Mayor to sign on behalf of the City.

Nicolas Moschouris, representing Madison Center Owner, stated that the delays in developing are mostly due to COVID related issues and delays with building materials and supplies. They do have other potential tenants and feel comfortable that they will have them secured within the next 6 months.

Yays: Soltis, Wright, Bliss, Corbett, Fleming, Rohrbach, Grafstein
Nays: None
Motion Carried.

CM-21-375. Set Public Hearing For Proposed Vacation – Barrington Road Adjacent To 465 And 501 W. Girard Ave. And 30125 Northeastern Hwy.

Motion by Councilman Wright, seconded by Mayor Pro Tem Corbett, to set a public hearing for the proposed vacation known as Barrington Road, adjacent to Lot 39 of the Royal Acres Subdivision (465 and 501 W. Girard Ave.) and Lot 320 of the Northeastern Highway Subdivision (30125 Northeastern Hwy.) for the next regular City Council meeting on January 10, 2022.

Yays: Wright, Bliss, Corbett, Fleming, Rohrbach, Soltis, Grafstein
Nays: None
Motion Carried.

CM-21-376. Information Technology Support Services Contract Extension.

Motion by Councilman Bliss, seconded by Councilman Fleming, to extend the information technology support services contract with BPI for an additional 18 months through June 30, 2023.

Yays: Bliss, Corbett, Fleming, Rohrbach, Soltis, Wright, Grafstein
Nays: None
Motion Carried.

CM-21-377. Ordinance No. 2173, Zoning Text Amendment 21-09, Off-Street Parking, First Reading.

Motion by Mayor Pro Tem Corbett, seconded by Councilman Fleming, to adopt Ordinance No. 2173, Zoning Text Amendment 21-09, Off-Street Parking, by name and title only, as follows on First Reading and schedule a Second Reading on January 10, 2022:

Ordinance No. 2173
City of Madison Heights,
Oakland County, Michigan
Zoning Text Amendment 21-09

An ordinance to amend Ordinance 571, being an ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights, by amending Appendix A, to regulate off-street parking, bicycle parking and loading and unloading standards by replacing the following sections in their entirety, except for section 10.200 which is amended.

Sec. 10.200. - Definitions

Sec. 10.505. - Parking requirements and Section

Sec. 10.506. - Off-street parking space layout, standards, construction and maintenance.

Sec. 10.507. - Off-street loading and unloading.

Yeas: Corbett, Fleming, Rohrbach, Soltis, Wright, Bliss, Grafstein

Nays: None

Motion Carried.

CM-21-378. City Council Appointments.

Motion by Councilman Bliss, seconded by Mayor Pro Tem Corbett, to appoint Quinn Wright to the following boards/commissions with terms to expire 11-13-23:

City School Liaison – Council Alternate

Crime Commission – Council Alternate

Madison Heights Community Coalition – Council Representative

Yeas: Fleming, Rohrbach, Soltis, Wright, Bliss, Corbett, Grafstein

Nays: None

Motion Carried.

CM-21-379. City Council Appointment.

Motion by Mayor Pro Tem Corbett, seconded by Councilman Bliss, to appoint David Soltis as the Council Representative to the Election Commission with a term to expire 11-13-23.

Yea: Rohrbach, Soltis, Wright, Bliss, Corbett, Fleming, Grafstein
Nays: None
Motion Carried.

CM-21-380. Minutes.

Motion by Councilman Bliss, seconded by Councilman Wright, to approve the Regular City Council meeting minutes of 11-22-21, as printed.

Yea: Soltis, Wright, Bliss, Corbett, Fleming, Rohrbach, Grafstein
Nays: None
Motion Carried.

CM-21-381. Mayor and Council - Comments.

Mayor Pro Tem Corbett wished everyone a Merry Christmas, Happy Holidays and a peaceful holiday season. Please do not combine drinking and driving.

Councilman Bliss echoed Mayor Pro Tem Corbett's sentiments – Merry Christmas and Happy Holidays. He stated that he hopes everyone has a lot of food, family and football.

Councilman Wright expressed thanks for Council's patience and graciousness during the swearing in and picture taking this evening. He expressed supportive and positive thoughts to the Oxford community. This time of year is about hope and new beginnings. Have a hopeful new year with new beginnings; hold your family close and remember to be kind.

City Attorney Sherman wished everyone a happy and a peaceful holiday. He stated that he is hoping for a better 2022 for all of us. He expressed congratulations to Councilman Wright on his appointment, stating that it was nice to see such a nice turnout for his swearing in and noted that he is looking forward to working together.

City Manager Marsh wished all a Happy Holiday and a great New Year. She welcomed Councilman Quinn Wright to City Council.

City Clerk Rottmann wished everyone Happy Holidays.

Councilor Rohrbach stated that there are so many things happening with DPS and Parks Department noting that they are doing phenomenal work and she

stated thank you to the staff that is making everything happen. She announced Edison Park has new, fully accessible playground equipment and the same structure is coming to Rosie's Park. She welcomed Councilman Wright and noted that Mr. Wright is the first person of color to serve on City Council and she is thrilled that he is representing the citizens of Madison Heights. She also would like to send our thoughts and prayers to the community of Oxford and asked that we call on our State leaders to take action. There are bills that have been stuck for years and it is far too easy for minors to have access to firearms. Please keep your firearms locked at all times. Don't just morn, but take action to see that it doesn't happen again. She stated that she wasn't able to attend the last Council meeting and stated that Mr. Gettings was a kind, good man. It was an honor to serve with him and he will be missed.

Councilman Fleming wished everyone Happy Holidays and Happy New Year. He welcomed Councilman Wright to City Council. He announced on December 16th from 9 a.m. to 12 p.m. at the Plumbers Union, there will be a Veterans Resource Fair for jobs, COVID vaccinations, food boxes and gift cards for Meijer. He noted that on the City's Facebook page, information for mental health resources is available for anyone who needs help. There is information from Oakland County as well as the State of Michigan, so please share with friends and family.

Councilman Soltis welcomed and congratulated Councilman Wright on his Council appointment. He noted that 36 years ago today his father passed away and he hardly knew him. Please remember to love one another, care for each other, and support one another.

Mayor Grafstein welcomed Councilman Wright and stated that she is looking forward to working with him. She stated that she is ready to move forward and see what good we can do. While we may have different ideas, we all want to do good for the City. She stated that she wanted to take a moment to thank City Manager Marsh for all the work that she has done to make things happen in the City and she thanked everyone for working together. She also spoke on the tragedy in Oxford and stated that kids are so attune with social media they knew more information about the event than anyone did publicly. She continued by stating that our Police Department is on top of things with our school districts and are supported in the schools. Mental health played a role in this event. When someone is asking for help, you need to listen. There are resources, but they are so stressed, so if you can help, please volunteer. She expressed that she is sorry for Councilman Soltis' loss of his father. She wished everyone a Happy Holiday and noted that Hanukkah is the celebration of light, and each night a candle is lit and every day it gets brighter. She stated that she really felt all the goodness that came out this year. Always look for the good; and remember, you don't always know what is going on in the inside. Our next Council meeting is January 10, 2022.

CM-21-382. Adjournment.

There being no further business, the meeting was adjourned at 9:06 p.m.

Roslyn Grafstein
Mayor

Cheryl E. Rottmann
City Clerk