

AGENDA
CITY COUNCIL MEETING
NOVEMBER 22, 2021 – 7:30PM
CITY OF FARMINGTON HILLS
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
Telephone: 248-871-2410 Website: www.fhgov.com
YouTube Channel: <https://www.youtube.com/user/FHChannel8>

REGULAR SESSION MEETING BEGINS AT 7:30P.M. IN THE CITY COUNCIL CHAMBER

STUDY SESSION (No Study Session Meeting Scheduled for November 22, 2021)

REGULAR SESSION MEETING

CALL REGULAR SESSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

1. Oath of Office to Council Member Bruce
2. Approval of Regular Session Meeting Agenda
3. Selection of Mayor Pro-Tem
4. Proclamation recognizing November 27, 2021 as [Small Business Saturday](#)
5. Proclamation recognizing November 2021 as [Lung Cancer Awareness Month](#)

CORRESPONDENCE

CONSENT AGENDA - (See Items No. 10 – 13)

All items listed under Consent Agenda are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items, unless a Council Member or citizen so requests, in which event the items may be removed from the Consent Agenda for consideration.

CONSENT AGENDA ITEMS FOR DISCUSSION

PUBLIC QUESTIONS AND COMMENTS

Limited to five (5) minutes for any item of City business not on the agenda.

COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS

CITY MANAGER UPDATE

PUBLIC HEARING:

6. Public hearing and consideration of authorizing the conversion of Rockshire Avenue, Edgemoor Street and Bramwell Street from gravel to hard surface. [CMR 11-21-111](#)

NEW BUSINESS:

7. Consideration of approval of [appointments](#) to the Commission on Children, Youth and Families.
8. Consideration of approval of the transfer of ownership and location of a Class C Liquor license to [KenKen Global, Inc.](#) to be located at 38479 W. 10 Mile Road.

9. Recommended approval of [Planned Unit Development 1, 2021](#) Agreement for Manor Senior Living located at 31252 Twelve Mile Road.

CONSENT AGENDA:

10. Recommended approval of Assignment of Easements to The Drainage Board for the Evergreen-Farmington Sanitary Drain Drainage District. [CMR 11-21-112](#)
11. Recommended approval of purchase of a 2022 Ford Police Interceptor with Signature Ford in the amount of \$34,129. [CMR 11-21-113](#)
12. Recommended approval of the City Council [study session meeting minutes](#) of November 8, 2021
13. Recommended approval of the City Council [regular session meeting minutes](#) of November 8, 2021.

ADDITIONS TO AGENDA

ADJOURNMENT

Respectfully submitted,

Pamela B. Smith, City Clerk

Reviewed by:

Gary Mekjian, City Manager

REQUESTS TO SPEAK: Anyone requesting to speak before Council on any agenda item other than an advertised public hearing issue must complete and turn in to the City Clerk a blue, Public Participation Registration Form (located in the wall rack by the south door entering the council chambers).

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 248-871-2410 at least two (2) business days prior to the meeting, wherein necessary arrangements/ accommodations will be made.



PROCLAMATION
Small Business Saturday®
November 27, 2021

- WHEREAS,** the City of Farmington Hills celebrates our local small businesses and recognizes that they create jobs, boost the local economy, and help to preserve our community; and
- WHEREAS,** according to the U.S. Small Business Administration, there are 31.7 million small businesses in the United States that represent 99% of all U.S. firms with paid employees, are responsible for 65% of net new jobs created since 2000, and employ 47% of private sector employees, which equals over 61 million people; and
- WHEREAS,** small business sales as a whole have reached 80% of pre-pandemic levels, but as our lives largely return to a new normal, the economic effects among the smallest of small businesses still linger; and
- WHEREAS,** consumers who shop on Small Business Saturday® are making a conscious commitment to support small, independently owned businesses and make purchases with a positive social, economic, and environmental impact; and
- WHEREAS,** for every dollar spent at local small businesses, on average 67 cents stays in the community, so consumers should shop or eat at independently owned businesses and purchase gift cards for local businesses, not just during the holiday season but year-round.

NOW, THEREFORE, BE IT RESOLVED, that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim November 27, 2021 as **Small Business Saturday®** and urge our residents to support small businesses annually on the Saturday after Thanksgiving and throughout the entire year.

A handwritten signature in black ink that reads "Vicki Barnett".

Vicki Barnett, Mayor



PROCLAMATION
Lung Cancer Awareness Month
November 2021

WHEREAS, it is estimated that there will be 235,760 new cases of lung cancer in the U.S. in 2021 with lung cancer being the second most common form of cancer in both men and women (not counting skin cancer), and the leading cause of cancer deaths in Michigan; and

WHEREAS, smoking is associated with about 90% of lung cancer deaths nationwide, but fortunately the number of new lung cancer cases and deaths continue to decrease due to smoking cessation and advances in screening, early detection, and treatment; and

WHEREAS, daily tobacco usage accounts for 11.7% of cases in women and 14.4% of cases in men, but 10 to 20% of cases occur in people who have never smoked, and these can be caused by exposure to radon, secondhand smoke, air pollution, family history of lung cancer, and can also develop in people with no known risk factors for the disease; and

WHEREAS, according to a multi-year study by the National Institute for Occupational Safety and Health, firefighters have a higher risk of lung cancer than the general population due to occupational exposure, and therefore the Farmington Hills Fire Department stresses the importance of using approved respiratory protection during all phases of firefighting; and

WHEREAS, educating people at risk for lung cancer and increasing awareness among healthcare providers about the importance of annual lung cancer screenings is vital to reducing the impact of this devastating disease.

NOW, THEREFORE, BE IT RESOLVED that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim November 2021 as **Lung Cancer Awareness Month** in the City of Farmington Hills, and urge all citizens to learn about risk factors, talk to their physicians about early screening, and if diagnosed, become aware of ways to improve their chances for survival.

A handwritten signature in black ink that reads "Vicki Barnett".

Vicki Barnett, Mayor

REPORT FROM THE CITY MANAGER TO CITY COUNCIL – November 22, 2021

SUBJECT: Consideration of Authorizing the Gravel Road Conversion to Hard Surface Pavement for Rockshire, Edgemoor, and Bramwell.

Administrative Summary

- City Council previously approved the Policy for Converting Gravel Public Roads to Paved Roads by Petition in March of 2019.
- Based on this policy, over 60% of the property owners on Rockshire, Edgemoor, and Bramwell signed a Paving Request Petition and submitted it to the City Engineering Department in the spring of 2019.
- Engineering staff performed preliminary engineering for the project and held an informational meeting on October 17, 2019. At the conclusion of this meeting, City staff circulated a second petition for property owners to sign, confirming their support for the paving project. City Staff also mailed this petition to all property owners in the project area who did not attend the meeting, allowing residents 14 days from October 17, 2019 to complete and return the petition to the City.
- There are 31 properties in the proposal limits and one is owned by Michigan Department of Transportation (MDOT). We have excluded them from the votable population leaving 30 homesites units in the district.
- 18 of these 30 property owners (60.80%) signed the second petition in favor of moving forward with the project. One of the yes votes has sold their property since October 31, 2019 and the new owner has not identified their position and is now considered a no vote. So we currently have 17 property owners in favor of moving forward (56.67%). Of the remaining 13 properties, 4 are not in support of the petition and 8 did not respond.
- Public sanitary sewer is available to a portion of the street. Currently, it is estimated that 10 properties do not have access to public sewer. With respect to public water main it is not available to any property in the proposal limits.
- As a result of the resident support for this project, staff has scheduled a public hearing for this evening's City Council Meeting. All property owners received notice of the public hearing 10 days in advance of this hearing. Please note that this hearing would have been scheduled in the winter of 2020 but because of Covid-19 public meetings were postponed to summer of 2021 and we are now scheduling these meetings.
- Note that this district includes all the remaining gravel roads in this area/subdivision.

RECOMMENDATION

IT IS RESOLVED, that the City Council of the City of Farmington Hills authorize the conversion of Rockshire, Edgemoor, and Bramwell from gravel to hard surface, and;

FURTHER RESOLVED, that the City staff identify a specific project schedule for this conversion consistent with the Capital Improvement Program and within the City's Local Road budget and also accounting for any specific issues presented by this conversion.

Support Documentation

In November of 2018, a local road millage was passed by the residents of the City of Farmington Hills. This allowed for increased local road funding to address local road maintenance and the change over from a predominant SAD Local Road Improvement to a City millage-sponsored Local Road Improvement Program. The millage proposal also identified the inclusion of gravel road conversion to hard surface pavement for local roads where it was determined that the property owners abutting the gravel road supported a conversion. City Council directed staff to prepare a Gravel Road Conversion Policy, which City Council reviewed and adopted on March 25, 2019.

Since that time, several gravel roads have gone through the process identified in the Gravel Road Conversion Policy. Rockshire, Edgemoor, and Bramwell are three of those streets and is being considered tonight.

Should this proposal move forward, the City will consider completing the public sanitary sewer and the public water main in the Rockshire, Edgemoor, and Bramwell areas through a payback program to be addressed prior to or as part of the road paving project.

Prepared by: James Cubera, P.E., City Engineer

Departmental Authorization by: Karen Mondora, P.E., Director of Public

Services Approved by: Gary Mekjian, P.E., City Manager



ROCKSHIRE, EDGEMOOR, BRAMWELL GRAVEL ROAD CONVERSION PROGRAM



SOURCE: City of Farmington Hills GIS, 2020
Oakland County GIS, 2020

**NOTICE OF PUBLIC HEARING
CITY OF FARMINGTON HILLS
31555 ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN 48336**

NOTICE IS HEREBY GIVEN:

That the Farmington Hills City Council will meet in the City Hall Council Chamber, 31555 Eleven Mile Road, Farmington Hills, Michigan, on **November 22, 2021** at **7:30p.m** to hear and consider any comments in favor or in opposition of the following road improvements:

CONVERSION OF ROCKSHIRE AVENUE, EDGEMOOR STREET AND BRAMWELL STREET FROM GRAVEL PUBLIC ROADS TO PAVED ROADS AS REFERENCED ON THE "LIMITS OF PROJECT AREA" MAP ATTACHED TO THIS NOTICE.

Our records show that you own property that abuts Rockshire Avenue, Edgemoor Street or Bramwell Street in the City of Farmington Hills. Accordingly, you and any other interested parties are invited to participate in the public hearing or submit written comments concerning the proposed improvement before the public hearing to Pam Smith, City Clerk at 31555 W. 11 Mile Road, Farmington Hills, MI 48336 or by fax or email below.

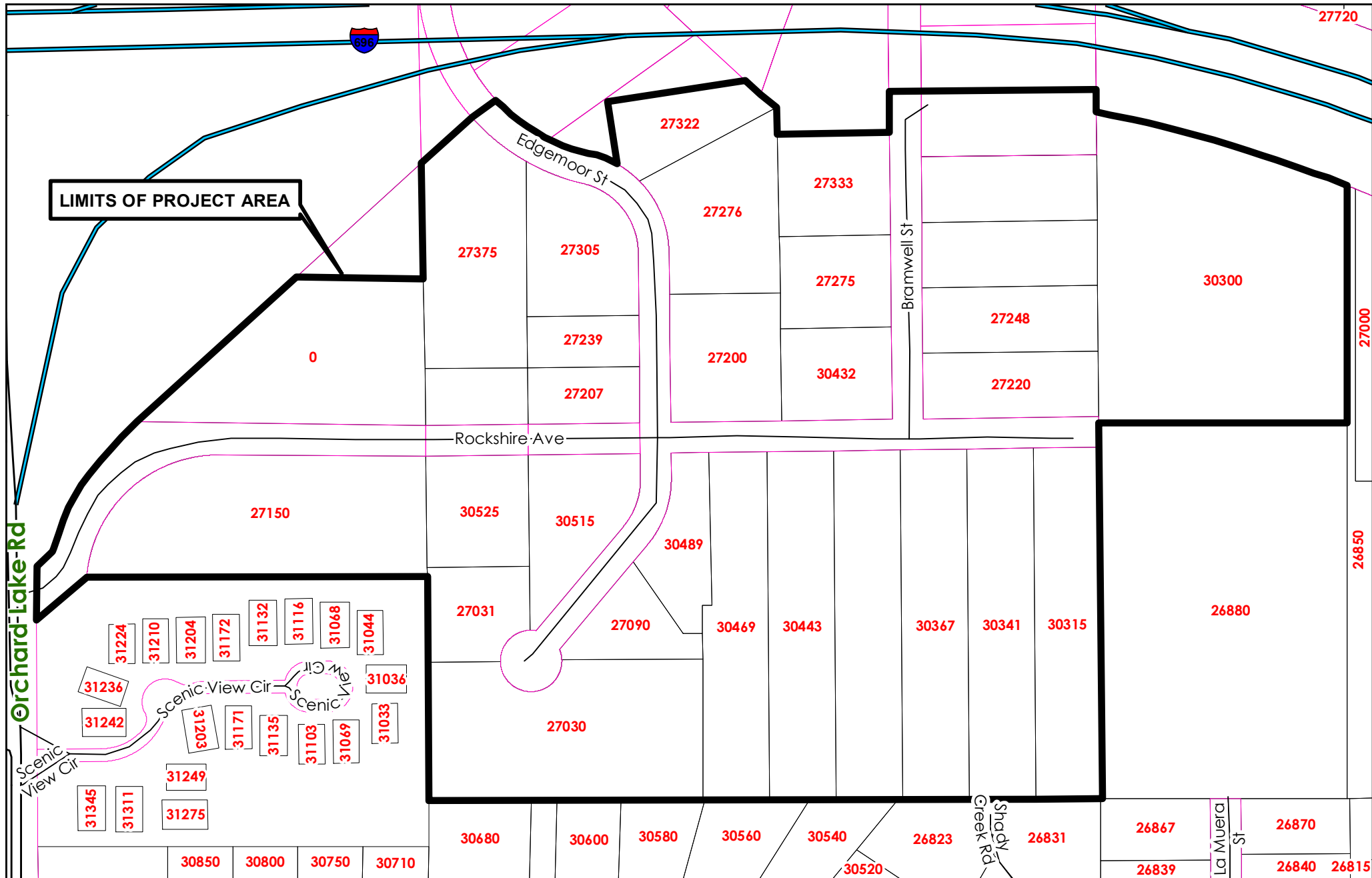
Phone: 248.871-2420
Fax: 248.871-2411
psmith@fhgov.com

PAMELA B. SMITH, MiPMC/MMC
CITY CLERK

Mailing Date: November 11, 2021



ROCKSHIRE, EDGEMOOR, & BRAMWELL GRAVEL ROAD CONVERSION PROGRAM



SOURCES: City of Farmington Hills, 2019
Oakland County GIS, 2019

DISCLAIMER: Although the information provided by this map is believed to be reliable, its accuracy is not warranted in any way. The City of Farmington Hills assumes no liability for any claims arising from the use of this map.



INTEROFFICE CORRESPONDENCE

DATE: November 22, 2021
TO: City Council
FROM: Vicki Barnett, Mayor
SUBJECT: Recommendation for appointments

I would like to recommend the following appointments at the November 22, 2021 City Council meeting:

Children Youth and Families

	Length of Term:	Term ending:
Marie Sarnacki	Unexpired term	February 1, 2023

Ms. Sarnacki will fill the unexpired term of Sean De Four who resigned in October 2021. Attached, please find Ms. Sarnacki's letter of interest and resume.

Tammy Luty	Unexpired term	February 1, 2022
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Ms. Luty will fill the unexpired term of Mitch Seelye who moved out of the City in 2021. Attached, please find Ms. Luty's letter of interest and resume.

Thank you for your consideration of these appointments.

Marie Sarnacki

[REDACTED]

[REDACTED]

July 1, 2021

Dear Commission Members,

I am excited to be applying for a position on the Commission on Children, Youth and Families. As a teacher, parent, and resident of Farmington Hills, it is important to me to help create a community that is welcoming and nurturing to young people.

I have taught high school English and history for the past six years. In that time, I have served as the adviser to the National Honor Society and have started extracurricular clubs such as Mock Trial and National History Day. These organizations have allowed students to connect with like-minded peers and find their place within the school community.

In addition to teaching, I am involved in the local community. This past spring, I co-coached Girls on the Run at Lanigan Elementary, helping third through fifth grade students prepare to run a 5k race. I also serve on the Youth Council at my church, Beautiful Savior Lutheran Church in Bloomfield Hills. These organizations are important to me because I know that access to supportive role models outside the family (in addition to family members) can help children develop into empathetic, hard-working, and successful adults.

My husband and I chose to move to Farmington Hills in 2020 because we love the diverse, tight-knit community and felt it would be the perfect place to raise our daughter. It would be an honor to use my experience as a teacher and volunteer to help improve the community and make Farmington Hills the best environment possible for the youngest members of society.

Thank you for considering me for this position. I hope that I can bring my ideas and experience to the Commission on Children, Youth and Families.

Sincerely,

Marie Sarnacki

Marie Sarnacki

Education

Eastern Michigan University—Ypsilanti, MI 2019—present

Master's of Arts

- Currently completing a degree in history
- Maintaining a 4.0 GPA

University of Arizona—Tucson, AZ 2013—2014

Master's of Education

- Graduated with secondary teacher certification in English and history
- Nominated for Outstanding Student Teacher of the Year
- Maintained a 4.0 GPA

Wellesley College—Boston, MA 2010—2013

Bachelor of Arts in English and History

- Graduated with a major in English and minor in history
- Tutored elementary and high school students through the college's federal work study program
- Hosted prospective students as a Student Admissions Representative

Work Experience

South Lyon East High School—South Lyon, MI January 2019—present

- Teach English 9, U.S. history, and Classical Literature
- Develop rigorous, relevant lessons on literary works and 20th-century America
- Coach Mock Trial and National History Day

Forest Hills Eastern High School—Ada, MI November 2017—June 2018

- Acted as the long-term substitute teacher for English classes at all grade levels
- Created engaging lessons for *1984*, *To Kill a Mockingbird*, *Of Mice and Men*, and shorter works.

Harry A. Burke High School—Omaha, NE May 2015—May 2017

- Taught freshman U.S. history and junior modern world history
- Sponsored the National Honor Society
- Led PSAT preparation and college application workshops
- Tutored students in social studies topics after school

Making Invisible Histories Visible—Omaha, NE July 2016

- Led a group of incoming high school freshman in creating a web page about the lives of Black Elk and John Neihardt
- Facilitated the students' process of interviewing experts, editing videos, and writing content for the website

Teacher, R.M. Marrs Magnet Center—Omaha, NE August 2014—May 2015

- Taught six sections of sixth-grade social studies
- Tutored students in language arts skills and coached the school's Academic Pentathlon team

Student Teacher, Mountain View High School—Tucson, AZ August 2013—May 2014

- Created unit and lesson plans, worked with students individually and in groups, and was the main teacher for sophomore world studies classes
- Assisted in coaching the school's Academic Decathlon team
- Developed the curriculum for and taught an after-school SAT prep class

Volunteer Experience

Girls on the Run—Farmington Hills, MI

March 2021—present

- Coach elementary-age girls as they work on social-emotional skills and train to run a 5k.

ScholarMatch—virtual

August 2020—present

- Mentor college students as they work towards a career in education

Wellesley College—Nebraska & Michigan

August 2014—present

- Serve as the Alumnae Admissions Representative for Nebraska and Michigan
- Represent Wellesley at college fairs and conduct interviews with prospective students

Refugee Education Center—Grand Rapids, MI

August 2017—July 2018

- Tutored students (k—12) in all subject areas, with a focus on English language skills
- Aided in the creation of a college preparation curriculum for high school students

Iskashitaa Refugee Network—Tucson, AZ

September 2013—May 2014

- Won the College of Education's Paul Lindsey Internship to work with Iskashitaa
- Trained refugees in business skills and collaborated to improve their English communication abilities

Head Verbal Coach, Let's Get Ready—Framingham, MA

August 2011—December 2012

- Worked with low-income high school students on vocabulary, reading comprehension, and grammar to prepare them for the SAT and college applications
- Created lesson plans and guided other coaches.

Pima Community College Adult Education Center—Tucson, AZ

May 2012—August 2012

- Taught a citizenship class to adult learners preparing to take the U.S. naturalization exam
- Helped students with basic English language skills

Awards and Society Memberships

- Second place winner in the University of Arizona's Center for Middle Eastern Studies lesson plan competition (October 2014)
- Honor Society of Phi Kappa Phi (March 2014—present)
- Jane Austen Society of North America (March 2014—present)
- Golden Key International Honor Society (August 2013—present)

Professional Development

- Summer seminars through the National Endowment for the Humanities: "Addiction in American History" (June 2018), "Teaching Native American Histories" (July 2019), and Shakespeare & Digital Storytelling (June 2021)
- Social justice seminars through the Minnesota Humanities Center: Innocent Classroom I & II, Motivating Students, Immersions About Place (2014—2016)

To whom it may concern,

I am interested in serving on the Farmington Hills Commission on Children, Youth and Families Committee. When I saw an opening in 2020 I sent a message to get more information and applied at the time but someone else was chosen before my letter of interest was received. I was invited to attend the March 2020 meeting even though I could not be a member and this committee didn't have formal alternatives. I was told if an opening became available to apply again to be a member of the committee. So when I saw the Farmington Voice article I wanted to apply again to this time be a formal member of the committee.

I have been in Farmington Hills since 1998 and have served on a city wide committee the Farmington/Farmington Hills 2020 Vision Committee. I was also Farmington PTA Council President which is over all the schools PTA's for 2 years and one as past president. I served two years as Michigan PTA Federal Legislative Chair and in this role worked to hold an advocacy day in Lansing MI with PTA's from across the state on student data privacy which actually lead to a law being passed on data privacy. To get this law passed I worked with local newspapers the Farmington Voice, along with Channel 7 and the Detroit Free Press did a story with me on student data privacy.

I have held many local roles in PTA's in our district which has benefited children and our community and in these roles have partnered with businesses and community organizations. I would like to use this knowledge I have to give back in my local community at a broader range that would continue to impact children and youth in our public schools as well as children in private, homeschool, or other schooling. This committee seems to be the perfect place to make a difference in my community.

I hope to be considered to have a formal role on the Farmington Hills Commission on Children, Youth and Families.

Tammy Luty

[REDACTED]
[REDACTED]
[REDACTED]

Tammy S. Luty

Education

Lawrence Technological University, Bachelor of Science in Business Administration
Lawrence Technological University, Associate of Science in Computer Systems

Experience

Farmington Public Schools PTA/PTSA

September 2003 to June 2019

Farmington STEAM Academy PTSA

June 2017 to June 2019

President, STEM Committee, Vice-President School of Excellence

Harrison High School PTSA

December 2011 to June 2019

President, Secretary, PTA Council Representative, Vice President, Vice President School of Excellence

Highmeadow Common Campus PTA

September 2012 to June 2017

PTA Council Representative, Vice President School of Excellence

Dunckel Middle School PTSA

September 2011 to June 2016

President, Vice-President, PTA Council Representative

Wood Creek Elementary PTA

September 2003 to June 2011

President, Vice President of Marketing, Treasurer, Secretary, Classroom Helper, Farmington Public Schools Facility Study Committee (Preschool Lead),

Responsibilities for above roles:

- Team Player that rotated through different support roles to grow in PTA knowledge and support organization.
- Secured grant funding to support: high school student networking events, health fair, creative reading assembly, recess equipment, STEM games and digital safety.
- Organized many family events, volunteers, and maintained PTA budgets for successful organizations.
- Elected president/parent leader at school buildings during major transition years. First president of high school PTSA, president of middle school during school closing year, president of elementary during transition of two schools merging together and first president of only K-8 building in district.
- Designed, organized and hosted parent informational forums. Organized many writing challenge opportunities that included letters to President Obama, Governor Snyder, Senator Peters, and also one for Martin Luther King, Jr. memorial dedication in Washington D. C., which was posted at the Farmington Community Library for the community MLK day.
- Started programs to improve student success that won many awards, including MI PTA award for Best Male Involvement Program, and National PTA School of Excellence at Highmeadow Common Campus, Harrison High School, and Farmington STEAM Academy.
- Attended many National PTA and MI PTA training conventions, which helped increase knowledge on education topics, and laws such as ESSA, FERPA, and Common Core State Standards.
- Assisted in organizing three FIRST Robotics FLL JR competitions for all district students in K-3 involved in robotics.

Michigan PTA

September 2013 to December 2016

Federal Legislative Chair, Advocacy Day Chair

- Organized MI delegates to meet with legislators in Washington D. C. for National PTA Federal Legislative Conference.
- Collaborated with federal and local legislators and shared information back to state PTA members.
- Elected as leader and event manager for MI PTA Advocacy Day in Lansing, Michigan in October 2015. Secured grant funding with Microsoft for the theme "Student Data Privacy". Worked with the state House Representative to declare a proclamation calling it "Michigan PTA day". Organized a hearing at the House Education Committee for data privacy topic and secured speakers to discuss education issues with MI PTA members from MI Department of Education and legislators. Organized marketing follow up after event to share information with newspapers and media outlets. This advocacy work led to successful implementation of state laws being passed for student data privacy.

Farmington PTA Council

June 2011 to June 2014

President, Past President

- Establish and build relationships with several community organizations to improve school district success and served as district leader on committees: Farmington Hills 2020 Vision Committee, Together for Accelerated Learners (TAL) and Pledge for Success, and Farmington African American Network (FAAPN).
- Organized parent informational forums and networking events for 17 PTA's across our district.
- Supported all PTA/PTSA board members with questions/issues at the 17 local PTA/PTSA units
- Built relationships by providing parent updates at district board of education meetings and worked with local media to market and share information about our schools.

Blue Cross Blue Shield of Michigan

August 1996 to June 2005

Application Developer Advanced

- Supported clients with prepackaged applications in Accounting, Audit, and Legal.
- Worked with PeopleSoft accounting packaged software.
- Lead project implementations for software upgrades, creating work plans and implementing custom application changes.
- Team player working with business clients and other IT associates to lead successful implementations.

Awards

Distinguished Service Award Wood Creek Elementary School PTA, March 2009

Distinguished Service Award Wood Creek Elementary School PTA, March 2011

MI PTA/PTSA Member of the Year Award, Tammy Luty Farmington PTA Council, 2012 -2013

PTA Council Member of the Year, Farmington PTA Council, March 2014

Distinguished Service Award Highmeadow Common Campus PTA, March 2016

Recognition from National PTA for Advocacy Work on Student Data Privacy March 2016

Distinguished Service Award Harrison High School PTSA, March 2019

REPORT TO THE CITY COUNCIL FROM THE CITY CLERK – NOVEMBER 22, 2021

SUBJECT: Consideration of request from Kenken Global Inc. for the transfer of ownership and location of a 2021 Class C Liquor License and Cancellation of Sunday Sales (PM) and Entertainment Permits.

ADMINISTRATIVE SUMMARY:

- The City has received notification and a request from Attorney Kelly Allen on behalf of Kenken Global, Inc. for local approval of the above referenced request.
- The request is for the transfer of ownership and location from Aroma Indian Cuisine LLC located at 29210 Orchard Lake Road to Kenken Global Inc. to be located at 38479 W. 10 Mile Road, Farmington Hills. The license being transferred includes Sunday Sales (PM) and Entertainment permits that the applicant has requested to cancel so approval of the transfer would also include the cancellation of these permits.
- The applicant is operating as Kenken Sushi Asian Cuisine and the city application and restaurant menu are provided with this report.
- The applicant has stated they intend to have staff trained through TAM/TIPS, pursuant to Michigan Liquor Control Commission Rules.
- This is a license that was originally issued from the City's quota and the applicant has signed the City Liquor License Agreement as the new owner for the quota license to return to the City should the business cease to operate.
- The application was routed to all departments and there were no objections with regard to the transfer of the liquor license.

RECOMMENDATION:

That the City Council hereby adopts the resolution for APPROVAL/DISAPPROVAL to the Michigan Liquor Control Commission for the request from Kenken Global Inc. for the transfer of ownership of a 2021 Class C Liquor License with Sunday Sales Permit (PM) for Class C License – Spirits and Mixed Spirit Drink and Entertainment Permit from Aroma Indian Cuisine LLC, and transfer of location from 29208-29210 Orchard Lake Road, Farmington Hills to 38479 W. 10 Mile Road, Farmington Hills and to cancel the Sunday Sales (PM) for Class C License – Spirits and Mixed Spirit Drink and Entertainment Permits.

Respectfully submitted,



Pamela B. Smith, City Clerk

City of Farmington Hills
31555 Eleven Mile Road
Farmington Hills, MI 48336
City Clerk's Ofc: 871-2410

**CITY OF FARMINGTON HILLS
LIQUOR LICENSE APPLICATION**

NEW LICENSES AND TRANSFERS

THE FOLLOWING APPLICATION MUST BE COMPLETED IN FULL BEFORE CONSIDERATION OF A LIQUOR LICENSE CAN BE GIVEN. THERE IS A \$1,000 NON-REFUNDABLE APPLICATION FEE, PLUS \$250.00 FOR EACH PERMIT. PLEASE NOTE THIS APPLICATION IS NOT CONSIDERED COMPLETE UNTIL APPLICANT HAS CONTACTED AND COMPLIED WITH THE CITY'S POLICE DEPARTMENT REQUIREMENTS. PLEASE CONTACT LT. MATTHEW KOEHN, (248) 871-2776.

NOTE: Pursuant to City Code requirements, the City Council shall not approve any new application for license to sell beer and/or wine and/or spirits for consumption on the premises, unless the use of said license shall be in connection with and incidental to a bona fide restaurant operation. The determination as to whether such operation exists shall be made by the City Council and a decision by a majority thereof shall be conclusive. (No license shall be granted unless approved by a roll call vote of five (5) members elect of the City Council AND UNLESS ENCLOSED AGREEMENT IS SIGNED AND ATTACHED.)

License to be in the name of: KENKEN GLOBAL INC

Applicant Name: Jae Man An Phone: 248-321-3975

Address: 18709 Innsbrook Apt 1 City Northville State MI

Age: 44 Citizenship Korean Birthplace Korea

If Naturalized, time and place: n/a

Location of License Premises: _____

Does applicant presently own the premises? No If not, Name owner of premises: _____

Manhattan Manor, LLC

Length of time this business has been in operation: March 2021

Manager's Name and address: Hyun Kim 18709 Innsbrook Apt 1, Northville, MI 48168

Legal Description of Property (Lot Number, I.D. Number): _____

Has applicant ever been convicted of a felony or been disqualified to receive a license by reason of any matter?

Yes No If yes, explain:

Relationship of applicant to business: stockholder

Length of time in business of that character: march 2021

Type of Licenses and Permits requested: Class C

List all uses in addition to sale of alcoholic beverages: food service

Please provide a breakdown of the anticipated revenues from food and non-alcoholic beverages, alcoholic beverages and other revenues and attach a copy of your full food menu:

80 alcohol food to 20% alcohol

	<u>Existing Building</u>	<u>New Construction</u>
Size of Site:	_____	_____
Size of Building:	_____	_____
Seating Capacity	<u>45</u>	_____
Capacity of Other Uses:	_____	_____
Number of Floors:	<u>1</u>	_____
Present Zoning	_____	_____
Required Zoning:	_____	_____
Cost of necessary construction/remodeling:	_____	_____

Estimated date of construction start: _____ Completion: _____

Total cost to be expended by the licensee for the licensed premises: _____

Do you presently operate any other restaurants? no If so, provide name and address of those establishments:

Do you presently hold a liquor license? No Location _____

Please list an accurate record and history of any liquor license violations by the applicant, by a corporation of entity the applicant has worked for or had a substantial interest in, or by a parent or subsidiary corporation of the applicant for the immediate preceding five (5) years:

na

Is this a Partnership or Corporation? Corporation If corporation, state the object for which it was formed: operate a restaurant

Corporation name: Kenken Global, Inc Date of Charter: 4-17-2019

If Partnership, names/addresses of partner(s)

If Corporation, names/addresses of officers:

Sunghoon Eom Vice President 42120 Carriage Cove Cir Apt 101, Canton MI 48187; Jae Man An President and Treasurer, Kyun Kim Secretary 18709 Innsbrook Dr Apt 1, Northville M 48168

Please list all stockholders, their addresses and the percentage of stock they each hold:

NAME	ADDRESS	% STOCK
Sunghoon Eom	42120 Carriage Cove Cir Apt 101, Canton MI 48187	50
Jae Man An	18709 Innsbrook Dr Apt 1, Northville M 48168	50

Evidence of financial responsibility:

Amount of Funds supplied by Principals: \$80,000.00
Amount to be financed: _____
By Whom? \$55,000 from company business sales and \$25,000 loan from Jae An

Personal References:	Business References:
<u>Yong ok Yang 313-333-4143</u>	<u>Kappa 248-624-6266</u>
<u>YoungGyu Choi 248-778-8474</u>	<u>True World Foods 734-266-1518</u>
<u>Byungsun Min 248-200-8723</u>	<u>Martines Produce & Seafood 773-826-2840</u>

Name and address of closest liquor establishment and distance from proposed liquor establishment El Patio Mexican Restaurant

***Applicant must submit in writing, information on training program for employees of establishment relative to the sale of alcohol, checking I.D., etc.

Applicant fully understands that should any of the above information prove to be inaccurate or untruthful, it will be grounds to deny applicant's request or revoke any approvals.

I hereby certify the above information to be true and accurate to the best of my knowledge. I hereby swear that I will not violate any of the laws of the State of Michigan or of the United States or any ordinances of the City of Farmington Hills or the administrative rules of any regulatory agency in the conduct of this business.


Applicant's Signature

Jae Man An
Applicant's Name - Please Print

6/28/21
Date

***** FOR OFFICE USE ONLY *****

CHECKLIST FOR SUBMISSION:

_____ Signed, completed application
_____ Listing of Corporation Partners/Officers
_____ Menu

_____ Signed, completed agreement
_____ Training Policy ****
_____ Fees (\$1,000 non-refundable application fee; +\$250 per LCC permit)



DINE-IN. TAKE OUT. CATERING.

38479 W 10 Mile Rd
Farmington Hills
MI 48335

248 - 516 - 3131

BUSINESS HOURS

DAILY 11AM- 9PM

Appetizers

A1. Shumai (S)(E)	Deep-fried shrimp dumpling (6pcs)	4
A2. Crab Rangoon (M)(S)	Crispy deep-fried dumplings stuffed with crab meat and cream cheese (4pcs)	3.5
A3. Heart Attack (R)(M)(F)	Deep-fried jalapenos stuffed with cream cheese and spicy tuna	7
A4. Fried Crab Stick (M)(S)	Deep-fried crab stick topped with spicy mayo and eel sauce (8pcs)	5
A5. Dumplings	Pan-fried pork and chicken dumplings (4pcs)	4
A9. Shrimp Tempura (S)	Lightly battered and deep-fried shrimp and vegetables served with tempura sauce	7.5
A10. Asian BBQ Chicken Wings (E)	Deep-fried chicken wings with sweet & spicy signature sauce (6 pcs)	9
A11. Takoyaki (E)	Fried octopus topped with Japanese mayo, Takoyaki sauce, bonito flakes	4
A12. Tataki (Tuna/Salmon) (R)(F)	Flash seared rare tuna or salmon served with ponzu sauce	10
A13. Edamame	Salted and steamed soybeans	3
A14. Sushi Appetizer (R)(S)(F)	4pcs of nigiri (chef's choice)	7.95
A15. Sashimi Appetizer (R)(F)	6pcs of sashimi (chef's choice)	9.95
A16. Shrimp Lollipop (S)(E)	Deep-fried lollipop shrimp (3pcs)	5
A17. Veggie Egg Roll (E)	Deep-fried veggie egg roll (4pcs)	4

Specials

K1. Ken Ken Fried Rice (E)	Ken Ken's famous fried rice with a choice of protein (Chicken or beef \$10.99, Shrimp \$11.99, Vegetables only \$8.99)	
K7. Ken Ken Bulgogi	Grilled shaved beef with Bulgogi sauce on a sizzling griddle	15.99
K8. Sweet and Sour Chicken or Pork (E)	Deep-fried pork or chicken in a Chinese style tangy sauce	14
K11. Seafood Pancake (S)(E)	Korean style pancake with seafood, scallions and onions served with garlic soy sauce (Vegetables only \$11)	12
K12. Hot Stone Bibimbap (E)(R)	Korea's famous hot stone mixed rice with vegetables topped with an egg sunny side up	11.95
K16. Ken Ken Udon	Japanese wheat-flour noodle in a mildly flavored broth topped with scallions	8
K17. Katsu Chicken or Pork (E)	Japanese style panko battered chicken or pork cutlet served with tonkatsu sauce, Japanese mayo, scallions	12

Sushi over Rice

R1. Hwe Deop Bap (R)(S)(F)	Korean style assorted Sashimi over rice with vegetables and spicy sauce	16
R2. Chirashi (R)(F)	Japanese style assorted Sashimi over rice	20
R3. Unaju (R)(F)	BBQ eel(Unagi), scallions, seaweed, egg, sesame seed, and cucumber over rice	16
R5. Tekka Don (R)(F)	Tuna Sashimi and avocado over rice	20
R6. Sake Don (R)(F)	Salmon Sashimi and avocado over rice	18

Sushi Combinations

C1. Sushi Regular (R)(S)(F)	8 pcs of of Sushi with a choice of tuna or california roll	21.5
C2. Sushi Deluxe (R)(S)(F)	10 pcs of Sushi with a choice of tuna or california roll	23.5
C3. Sashimi Regular (R)(F)	10 pcs of Sashimi	20
C4. Sashimi Deluxe (R)(F)	14 pcs of Sashimi	24
C5. Sushi & Sashimi Combination (R)(S)(F)	6 pcs of Sushi, 10 pcs of Sashimi and a tuna roll or a california roll	30
C6. KEN KEN Special A (R)(S)(F)	8 pcs of Sushi, 3 Basic rolls, 2 Special rolls and 4 pcs of crab sticks	59
C7. KEN KEN Special B (R)(S)(F)	10 pcs of Sushi, 3 Basic rolls, 5 Special rolls and 4 pcs of crab sticks	99
C8. California Roll Combination 1 (S)(F)	A California, a shrimp california and a tempura california roll	14.5
C9. California Roll Combination 2 (S)(F)	An angry california, a crunch crab roll and a california roll	13.5
C10. Vegetarian Combination	An AAC (Asparagus, Avocado, Cucumber) a cucumber and avocado roll, and a veggie roll	12.5
C11. Maki Combination (R)(F)	A tuna roll, a salmon roll and a cucumber roll	11
C12. Spicy Roll Combination (R)(F)	A spicy tuna roll, a spicy salmon roll and a spicy california roll	14.5
C13. Tempura Roll Combination (S)(F)	A tempura california roll, a sunday morning roll and a shrimp tempura roll	16.5

(M)Milk (S)Shellfish (E)Egg (N)Nuts (F)Fish (R)Raw

Ask your server about menu items that are cooked to order or served raw. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness.



Special Sushi Rolls

S1. Futomaki	Cucumber, pickled radish, Kampyo, burdock crab meat, egg and masago	10
S2. Dragon Roll	Shrimp tempura and cucumber topped with eel, avocado, masago and eel sauce	12.5
S3. Caterpillar Roll	Spicy tuna and cucumber roll topped with sliced avocado and masago	10
S4. Spicy Crunch Roll	Shrimp tempura, avocado, and cucumber topped with tempura crunch, eel, crab meat eel sauce, spicy mayo and sriracha sauce	13
S5. Hot California	California roll topped with tempura crab meat tempura crunch with spicy mayo, sriracha eel sauce	8
S6. Rainbow Roll	California roll topped with tuna, salmon, red snapper, shrimp, white tuna and avocado	12
S7. Fire Cracker Roll	Cucumber, cream cheese, shrimp tempura topped with tempura crab meat, spicy mayo tempura crunch, eel sauce and sriracha sauce	12
S8. Ruby Roll	Avocado, cucumber, shrimp tempura topped with tuna Sashimi, spicy tuna, and sriracha sauce	13
S9. Trump Roll	Shrimp tempura, avocado, cucumber, crab salad, topped with tempura salmon, tempura red snapper, avocado, tempura crunch masago, sweet mayo, spicy sauce and eel sauce	13
S10. Obama Roll	Tempura-fried california roll with sweet signature sauce, fire roasted and topped with shaved fried potatoes, spicy mayo and eel sauce	12
S11. Shrimp Lover Roll	Shrimp tempura, cucumber, crab meat, topped with shrimp, avocado, tempura crunch with eel sauce and sweet mayo	12
S12. Sunflower Roll	Tuna, salmon, yellowtail, shrimp, red snapper egg, crab meat, masago and avocado	13
S13. Jaladelphia Roll	Deep-fried Philadelphia roll topped with fresh cut jalapeno, eel sauce, spicy mayo and sriracha sauce	12.5
S14. Salmon on the Beach	California roll topped with salmon and sweet signature sauce, fire roasted and topped with scallions	10.5
S15. Bahama Roll	Cucumber and tuna topped with salmon and lemon slices	10.5
S16. Sakura Roll	Avocado, cucumber, shrimp tempura topped with crab salad, tempura crunch, spicy mayo and sriracha sauce	12

S17. Spicy Tuna Crunch Roll	Tempura tuna, masago and cream cheese deep-fried and topped with sweet and sour sauce and eel sauce	11
S18. Spider Roll	Deep-fried soft shell crab, crab salad, cucumber avocado, topped with tempura crunch, masago and eel sauce	12
S19. Salmon Dream Roll	Tamago, avocado, and cucumber topped with torched salmon, sweet garlic mayo sauce, and onion and eel sauce	12
S20. Crab Lover Roll	Tamago, cream cheese and cucumber topped with torched crab meat with sweet garlic cream sauce, eel sauce, masago, and scallion on top	12
S21. Yam Yam Roll	Crab salad, avocado, tamago, eel, and cucumber cucumber and deep-fried spicy mayo, sweet mayo, and eel sauce on top (5pcs)	9

Basic Rolls (Also available as Hand Rolls)

B1. California Roll	Cucumber, avocado and crab meat	4.5
B2. Shrimp California Roll	Shrimp, cucumber and avocado	5.5
B3. Angry California Roll	Cucumber, crab meat, tempura crunch, spicy mayo and sriracha sauce	5.5
B4. Tempura California Roll	Deep-fried California roll with eel sauce	6
B5. Tuna Roll	Tuna	4.5
B6. Spicy Tuna Roll	Tuna with spicy mayo	5.5
B7. Tuna Avocado Roll	Tuna and avocado	6
B8. Salmon Roll	Salmon	4.5
B9. Spicy Salmon Roll	Salmon and cucumber with spicy mayo	5.5
B10. Salmon Skin Roll	Fried salmon skin and cucumber with eel sauce	5
B11. Alaskan Roll	Salmon, cucumber, avocado	5.5
B12. Philadelphia Roll	Smoked salmon, cream cheese, cucumber and avocado	6.5
B13. Sunday Morning Roll	Deep-fried salmon and cream cheese roll with eel sauce	6.5
B14. Crunchy Crab Roll	Avocado, crab salad topped with tempura crunch and eel sauce	6.5
B15. Shrimp Tempura Roll	Shrimp tempura, cucumber with eel sauce	6.5
B16. Eel avocado Roll	Eel, avocado with eel sauce	6.5

B17. Eel cucumber	Eel, Cucumber with eel sauce	6.5
B18. Yellowtail Scallion Roll	Yellowtail and scallion	5.5
B19. Veggie Roll	Cucumber, pickled radish, Kampyo, burdock and asparagus	5.5
B20. Cucumber Roll	Cucumber	3.5
B21. Avocado Roll	Avocado	3.5
B22. Oshinko Roll	Pickled radish	3
B23. AAC Roll	Avocado, asparagus and cucumber	5
B24. Kampyo Roll	Pickled squash	3
B25. Sweet Potato Roll	Sweet potato tempura with eel sauce	5
B26. Shitake Mushroom Roll	Pickled mushroom with soy sauce	4
B27. Fried Tofu Roll	Deep-fried Tofu and scallion with sriracha sauce	6
B28. Tamago Roll	Egg	4.5
B29. Asparagus Roll	Asparagus	3

Nigiri & Sashimi

Tuna	2.5	River Eel	2.5
Salmon	2.5	Octopus	2
Red Snapper	2	Smelt Roe	2.5
Yellowtail	2.5	Sea Urchin	3
White Tuna	2.5	Salmon Roe	2.5
Sweet Shrimp	3	Surf Clam	2
Scallop	2	Smoked Salmon	2.5
Mackerel	2	Soy Shrimp	3
Kanikama	2	Fried Tofu	2
Squid	2	Tamago	2
Shrimp	2.5	Spicy Tuna	2
Toro	5.99	Conch	2.5
Tsubugai	2.5	Striped Bass	2

Soup and Salad

Miso Soup	1.5	House Salad	3	Steamed Rice	1
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Dessert

Mochi Ice Cream	5
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Ask your server about menu items that are cooked to order or served raw. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness.



Inter-Office Correspondence

DATE: November 15, 2021 (November 22, 2021, City Council meeting)
TO: Gary Mckjian, City Manager
FROM: Ed Gardiner, Director of Planning and Community Development
SUBJECT: Planned Unit Development (PUD) 1, 2021 Agreement
Manor Senior Living

Following a public hearing on June 28, 2021, City Council approved Planned Unit Development ("PUD") Plan 1, 2021, together with Site Plan 54-2-2021, for the conversion of the existing Radisson Hotel at 31252 Twelve Mile Road to senior living. Council's approval included the condition that all necessary access easements with all neighboring properties be approved. This condition has been met with the incorporation of the easement agreements in the attached PUD agreement.

In addition, Council suggested that the applicant incorporate more open space for use by the senior residents, and that they incorporate solar panels and electric vehicle charging stations. To address Council's concerns, the applicant is now proposing to remove ten (10) additional parking spaces in excess of those proposed to be removed in the approved site plan in order to provide more open space (*see* Section 3.k. of the attached PUD Agreement). The applicant is also incorporating four (4) electric vehicle charging stations on the site for use by residents, guests, or employees (*see* Section 3.l. of the attached PUD agreement).

Finally, Council had concerns regarding the grade of the approach from Orchard Lake Road. Engineering Division staff reviewed the proposed grading detail plan for the approach and found that it is reasonable and typical (*see* attached email).

As a condition of the approval of any PUD plan, a separate PUD agreement must be approved by City Council. Please see the attached PUD agreement for consideration at Council's November 22, 2021, meeting.

I will be present at the meeting to address any questions that you might have.

Attached materials:

- [PUD Agreement](#)
- [Orchard Lake Road Approach Grading Detail Plan](#)
- [Email comment from Engineering Division regarding Grading Detail Plan](#)

**STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON HILLS**

**PLANNED UNIT DEVELOPMENT AGREEMENT
FARMINGTON HILLS REAL ESTATE PUD**

THIS AGREEMENT (the "Agreement"), dated _____, 2021, is made and entered into by and between the **CITY OF FARMINGTON HILLS**, a Michigan municipal corporation, having the address of 31555 West Eleven Mile Road, Farmington Hills, Michigan 48336, hereinafter referred to as and called the "City", **FARMINGTON HILLS REAL ESTATE, LLC**, a Michigan limited liability company, whose address is 4180 Tittabawassee Road, Saginaw, Michigan 48604, hereinafter referred to as and called the "FHRE."

RECITALS:

A. FHRE is the fee title owner of property located at 31252 W. 12 Mile Rd., Farmington Hills, Michigan, Parcel Identification No. 23-15-201-270, which is more particularly described on **Exhibit A** attached hereto and made a part hereof (the "Property").

B. The Property is zoned ES Expressway Service District, and is currently master planned by the City as ES Expressway Service District.

C. The Property consists of a 4.95-acre parcel currently developed with a 3 story, 30 foot tall, 217 room hotel and accompanying parking.

D. FHRE has applied to the City to redevelop the Property as a 128-unit independent, assisted, and memory care senior living facility (the "Development") using the Planned Unit Development (PUD) process under the City's Zoning Ordinance. FHRE has proposed, as part of the PUD Plan, construction of a new access point along Orchard Lake Rd. and continued use of the existing 12 Mile access point.

E. Additionally, FHRE agrees to grant cross-access easements to adjacent property owners to the north and south of the Property abutting Orchard Lake Road and to the adjacent property owner to the east of the Property abutting W. 12 Mile Road.

F. The Planning Commission recommended approval of the Developer's PUD concept plan at its May 27, 2021 meeting, with some conditions, after having held a public hearing.

G. On June 28, 2021, the City Council held another public hearing and approved the PUD concept plan, being PUD Plan 1, 2021, dated June 3, 2021 by FHRE's architect, including

concept site and landscape plans dated June 3, 2021 (attached as **Exhibit B** and referred to hereinafter as the "PUD Plan"). City Council approval was subject to certain conditions, including (among other things) the approval, execution, and recording of an agreement setting forth the conditions upon which such approval is based.

H. The City considered and relied upon the representations by FHRE of certain public benefits of the FHRE Senior Living PUD, which community benefits were summarized in FHRE's Written Statement submitted as part of its application for the PUD.

I. The City determined that the Development Site qualifies for the Farmington Hills Real Estate PUD in accordance with Section 34-3.20 of the City's Zoning Ordinance

J. The City desires to ensure that the real property that is depicted on the PUD Plan is developed in accordance with, and used for the purposes permitted by, the approved PUD Plan, the related documents and undertakings of FHRE, and all applicable laws, ordinances, regulations, and standards; and FHRE desires to proceed with obtaining engineering division approval of the proposed site plan and the issuance of permits required to develop the Property in accordance with the approved PUD Plan.

NOW, THEREFORE, it is hereby agreed as follows:

1. The City has granted its approval of the PUD Plan and this Agreement under the PUD option of Section 34-3.20 of the City's Zoning Ordinance; which approval is subject to the terms and conditions of this Agreement. The parties agree and acknowledge that the Property shall be redeveloped only in accordance with:

- a. all applicable provisions of the Farmington Hills Code of Ordinances, including (without limitation) Section 34-3.20 of the Zoning Ordinance relating to PUDs;
- b. the PUD Plan, as such PUD Plan was approved by City Council on June 28, 2021, which PUD Plan dated June 3, 2021 shall also constitute the approved site plan and landscape plan for the Development because FHRE chose to submit the PUD Plan in sufficient detail so as to allow the PUD Plan to act as the site plan and landscape plan for the Development;
- c. engineering construction plan review and approval by the City's Engineering Division, which plans have been or shall be submitted by FHRE in accordance with all applicable laws, ordinances, regulations and standards; and
- d. this Agreement.

The items listed in a. through d. above are referred to in this Agreement as the "PUD Documents."

2. The permitted uses of the Property shall be for the development and operation of an independent, assisted, and memory care senior living facility, and approved accessory uses related thereto, subject to the City's ES Expressway Service District regulations, except for deviations permitted under the PUD Documents, and this Agreement.

3. The City's approval of the PUD Documents, and the use of the Property and any development thereof, are subject to compliance with this Agreement and the following conditions:

- a. Submission and final approval of engineering construction plans by the Engineering Division. Such plans shall comply with all applicable ordinances, standards, rules, regulations, and requirements of the City as determined by the Engineering Division, including without limitation its comments in the March 8, 2021 correspondence from the Engineering Division to the Planning Commission during site plan review, except as may be waived or modified in writing by the Engineering Division.
- b. The requirements of the Fire Department, including without limitation requirements set forth in correspondence dated May 11, 2021 issued by the Fire Department to the Planning Commission during site plan review, and applicable fire and safety codes adopted by the City.
- c. Conditions imposed on the Project by the Planning Commission during site plan review, including conditions recommended by the City's Planning Consultant and Engineer and any other staff, and any other reasonable conditions which may be subsequently imposed on the site plan, landscape plan, and engineering plans.
- d. Any and all conditions of the PUD Plan approval pertaining to the Development and reflected in the official minutes of such meetings and in the May 14, 2021 letter report issued by Mr. Rodney L. Arroyo, AICP, of Giffels Webster, the City's Planning Consultant.
- e. All improvements shown on the PUD Plan and PUD Documents completed at FHRE's sole cost and expense, in accordance with applicable ordinances, rules, standards and regulations.
- f. The only deviations and/or variances from otherwise applicable City ordinances that shall be permitted are those deviations described in the May 14, 2021 letter report issued by Mr. Rodney L. Arroyo, AICP, of Giffels Webster, the City's Planning Consultant, subject to any conditions or limitations set forth in said report, which deviations include the following:
 - (i) Permitted Use: The Zoning Ordinance does not allow an independent, assisted, and memory care senior living facility as a permitted use in the ES Expressway Service District, Zoning District, but such use is allowed pursuant to the PUD Plan.
- g. All new signage, if any, shall be applied for separately and shall be installed only if approved under separate permits. All such signage shall be compliant with the standards and requirements of applicable ordinances. Signs shown on the PUD Plans, and all notes on the PUD Plans pertaining to signs, have not been approved and are shown for informational purposes only.
- h. All rooftop units and equipment shall be screened from view.

- i. An on-site generator or other form of fire department approved long-term emergency power shall be provided to the building.
- j. At least one accessible elevator large enough to accommodate a cot in the supine position and sufficient emergency personnel and equipment to ensure proper care can be provided to critical patients when transporting patients from the building.
- k. Ten (10) additional parking spaces shall be removed from the PUD to accommodate more landscaped green space (in addition to those already designated for removal on the approved site plan). This will bring the reduction of parking spaces on the Property from the existing 295 to 85 total. The revised site plan and landscape plan shall be submitted to the Community Development Department as part of the required building permit review and approval process.
- l. Four (4) electric vehicle charging stations will be added to the PUD, available for use by any resident, employee, or visitor to the Development. The charging stations shall be added to the site plan to be submitted to the Community Development Department as part of the required building permit review and approval process.
- m. Construction shall include installation of the driveway connections that are stubbed to the property lines of the abutting properties having the addresses of 31519 12 Mile Road, 27745 Orchard Lake Road, and 27701 Orchard Lake Road ("Abutting Properties"), and FHRE's execution and recording of Cross-access Easement and Maintenance Agreements for the stubbed connections to the Abutting Properties, in accordance with the Construction Plans approved by the Engineering Division and subject to the approval of said Agreements by the City Attorney.
- n. The terms and conditions of the following documents between FHRE and the City relating to the FHRE PUD (the "**Ancillary Documents**"):
 - (i) Cross-access Easement and Maintenance Agreement with the property owners of 31519 12 Mile Road, 27745 Orchard Lake Road, and 27701 Orchard Lake Road for access to/from the existing access point along 12 Mile Road and the proposed newly constructed access point along Orchard Lake Road, which access point shall have a minimum width of 24 feet and shall be constructed as conceptually indicated on the approved PUD Plan dated June 3, 2021.
 - (ii) Parking Easement for ten (10) parking spaces to replace the parking spaces that will be lost as a result of the cross connections to 31519 12 Mile Road and 27745 Orchard Lake Road.
 - (iii) The Storm Drainage Facility Maintenance Agreement.
 - (iv) The Agreement for Storm Water Detention & Discharge Restriction System.
 - (v) Water and Sewer Easement Agreements and Bills of Sale to the City, to the extent that public water and sewer infrastructure are constructed on the Property.
 - (vi) Water and/or Sewer Easements to adjacent property owners, as determined necessary by the Engineering Division.

4. The Zoning Board of Appeals shall have no jurisdiction over the Property or the application of this Agreement.

5. Except for deviations specifically approved by the City under this Agreement and the approved PUD Plan, the City Code and all applicable regulations of the City shall apply to the Property, and any substantial violation of such Code and regulations by FHRE, its successors or assigns, or occupant of the Property shall be deemed a breach of this Agreement, as well as a violation of the City Code.

6. (a) Any breach of this Agreement, shall constitute a nuisance *per se* which shall be abated. The parties therefore agree that, in the event of a breach of this Agreement by FHRE, the City, in addition to any other relief to which it may be entitled at law or in equity, shall be entitled under this Agreement to an order of a court of competent jurisdiction providing for relief in the form of injunctive relief or specific performance requiring abatement of the nuisance *per se*.

(b) In the event of a breach of this Agreement, the City may notify FHRE of the occurrence of the breach and issue a written notice requiring the breach be cured within thirty (30) days; provided, however, that if the breach, by its nature, cannot be cured within thirty (30) days, FHRE shall not be in the breach hereunder if FHRE commences the cure within the thirty (30) day period and diligently pursues the cure to completion. Failure to comply with such notice shall, in addition to any other relief to which the City may be entitled in equity or at law, render FHRE liable to the City in any suit for enforcement for actual costs incurred by the City including, but not limited to, reasonable attorneys' fees, expert witness fees and the like.

7. This Agreement may not be amended except in writing signed by the parties and recorded in the same manner as this Agreement. In the event FHRE desire to propose an amendment to this Agreement or the PUD Plan, an application shall be made to the City's Department of Planning and Community Development, which shall process the application in accordance with the procedures set forth in Section 34-3.20 of the Zoning Ordinance for amendments of PUD Plans.

8. The parties understand and agree that if any part, term, or provision of this Agreement is held by a court of competent jurisdiction, and as a final enforceable judgment, to be illegal or in conflict with any law of the State of Michigan or the United States, the validity of the remaining portions or provisions of this Agreement shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if this Agreement did not contain the particular part, term, or provisions held to be invalid.

9. This Agreement shall be governed by the laws of the State of Michigan, both as to interpretation and performance. In the event of any litigation relating to this Agreement or the PUD, the parties consent to the venue in and to the exclusive jurisdiction of the courts of and in the State of Michigan, including the Federal District Court for the Eastern District of Michigan.

10. No waiver of any breach of this Agreement shall be held to be a waiver of any other or subsequent breach. A delay in enforcement of any provision of this Agreement shall not be construed as a waiver or estoppel of the City's right to eventually enforce, or take action to enforce, the terms of this Agreement. All remedies afforded in this Agreement shall be taken and construed as cumulative; that is, all remedies afforded in this Agreement are in addition to every other remedy provided by law.

11. The signers of this Agreement warrant and represent that they have the authority to sign this Agreement on behalf of their respective principals and the authority to bind each party to this Agreement according to its terms. Further, each of the parties represents that the execution of this Agreement has been duly authorized and is binding on such parties.

12. This Agreement shall run with the land described herein as the Property and bind the parties, their heirs, successors, and assigns. This Agreement shall be recorded in the Oakland County Register of Deeds by the City. The parties acknowledge that the Property is subject to changes in ownership and/or control at any time, but that heirs, successors, and assigns shall take their interest subject to the terms of this Agreement. All references to "FHRE" in this Agreement shall also include its heirs, successors, and assigns. The parties also acknowledge that the members of the City Council and/or the City Administration and/or its departments may change, but the City shall nonetheless remain bound by this Agreement.

13. (a) FHRE has negotiated with the City the terms of the PUD Documents, including this Agreement, and such documentation represents the product of the joint efforts and mutual agreements of FHRE and the City.

(b) The parties agree that this Agreement and its terms, conditions, and requirements are lawful and consistent with the intent and provisions of local ordinances, state and federal law, and the Constitutions of the State of Michigan and the United States of America. FHRE has offered and agreed to proceed with the undertakings and obligations as set forth in this Agreement in order to protect the public health, safety, and welfare and provide material advantages and development options for FHRE, all of which undertakings and obligations the parties agree are necessary in order to ensure public health, safety, and welfare, to ensure compatibility with adjacent uses of land, to promote use of the Property in a socially, environmentally, and economically desirable manner, and to achieve other reasonable and legitimate objectives of the parties, as authorized under applicable City ordinances and the "Michigan Zoning Enabling Act," MCL 125.3101, *et seq.*, as amended. It is also agreed and acknowledged that the terms, conditions, obligations, and requirements of this Agreement are clearly and substantially related to the burdens to be created by the development and use of the Property under the approved PUD, and are, without exception, clearly and substantially related to the City's legitimate interests in protecting the public health, safety and general welfare. Furthermore, FHRE fully accepts and agrees to the final terms, conditions, requirements and obligations of the PUD Documents, and FHRE shall not be permitted in the future to claim that the effect of the PUD Documents results in an unreasonable limitation upon uses of all or any portion of the Property, or claim that enforcement of the PUD Documents causes an inverse condemnation, other condemnation or taking of all or any portion of the Property.

14. FHRE acknowledges that, at the time of the execution of this Agreement, FHRE has not yet obtained engineering approvals for the redevelopment of the Property. FHRE acknowledges that the Engineering Division of the City may impose additional conditions other than those contained in this Agreement during their plan reviews and approvals as authorized by law; provided, however, that such conditions shall not be inconsistent with the PUD Plan or PUD Documents and shall not change or eliminate any development right authorized thereby. The plans approved by the Engineering Division and any conditions imposed by thereby, shall be incorporated into and made a part of this Agreement automatically upon issuance of the City Engineering Division's approval of same and without the necessity of amending this Agreement,

and shall be enforceable against FHRE in the event it proceeds with the development of the Property.

15. It is understood that construction of some of the improvements included in the PUD Documents may require the approval of other governmental agencies.

16. None of the terms or provisions of this Agreement shall be deemed to create a partnership or joint venture between the Developer and the City.

17. The City does not represent or warrant that FHRE will achieve any certain or particular results by its redevelopment on the Property under and in accordance with the PUD Documents. Neither the City nor FHRE shall be liable to the other for any economic (including, without limitation, loss of revenues, profits, contracts, business, property value or anticipated savings), special, direct, indirect, incidental, exemplary, punitive or consequential losses or damages or loss of goodwill in any way whether such liability is based on tort, contract, negligence, strict liability, or otherwise arising from or relating to this Agreement or resulting from the redevelopment, limitations on the ability to redevelop or the inability to redevelop the Property. The parties' sole and exclusive remedies are limited to injunctive relief, declaratory relief, and any relief or remedies affirmatively set forth in this Agreement, applicable City ordinances and under the Michigan Zoning Enabling Act, except to the extent any such remedies and relief are limited under the terms of this Agreement.

18. The recitals contained in this Agreement and all exhibits attached to this Agreement and referred to herein shall for all purposes be deemed to be incorporated in this Agreement by this reference and made a part of this Agreement.

19. This Agreement, together with the PUD Documents and Ancillary Documents are intended as the complete integration of all understandings between the parties related to the subject matter herein. No prior contemporaneous addition, deletion, or other amendment shall have any force or effect whatsoever, unless embodied herein in writing. No subsequent notation, renewal, addition, deletion or other amendment shall have any force or effect unless embodied in a written amendatory or other agreement executed by the parties required herein, other than additional conditions which may be attached to site plan approvals as stated in section 14 above.

20. The parties intend that this Agreement shall create no third-party beneficiary interest except for an assignment pursuant to this Agreement. The parties are not presently aware of any actions by them or any of their authorized representatives that would form the basis for interpretation construing a different intent and in any event expressly disclaim any such acts or actions, particularly in view of the integration of this Agreement.

21. Where there is a question with regard to applicable regulations for a particular aspect of the development, or with regard to clarification, interpretation, or definition of terms or regulations, and there are no apparent express provisions of the PUD Documents which apply, the City Council, in the reasonable exercise of its discretion, shall determine the regulations of the City's Zoning Ordinance, as that Ordinance may have been amended, or other City Ordinances that shall be applicable, provided that such determination is not inconsistent with the nature and intent of the PUD Documents. In the event of a conflict or inconsistency between two or more provisions of the PUD Documents, or between the PUD Documents and applicable City ordinances,

the more restrictive provision, as determined in the reasonable discretion of the City Council, shall apply.

22. This Agreement shall become effective twenty-one (21) days after approval of this Agreement by City Council and its recording at the Oakland County Register of Deeds, subject to Zoning Ordinance Subsections 34-3.20.5.C.ii-x. This Agreement was approved by City Council on _____, 2021.

23. Notwithstanding the foregoing provisions of this Agreement, FHRE retains the right at any time prior to commencement of construction of the improvements contemplated by the PUD Documents to terminate the PUD subject to and in accordance with the requirements of Section 34-3.20 applicable to such a termination.

[Signatures on Next Page]

IN WITNESS WHEREOF, the parties hereto have set their hands on the day and year set forth with the notarization of their signatures.

FHRE:

FARMINGTON HILLS REAL ESTATE, LLC, a Michigan limited liability company

By:
Its:

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

On this ____ day of _____, 2021, before me personally appeared _____, the _____ of Farmington Hills Real Estate, LLC, a Michigan limited liability company, who acknowledged that he/she signed this agreement on behalf of said company.

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

CITY:

CITY OF FARMINGTON HILLS,
a Michigan municipal corporation

By: Gary Mekjian
Its: City Manager

Attested: Pamela B. Smith
Its: City Clerk

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

On this ____ day of _____, 2021, before me personally appeared Gary Mekjian, the City Manager, and Pamela B. Smith, the City Clerk, who acknowledged that they signed and attested to this Agreement on behalf of the City of Farmington Hills.

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

- Exhibits:
A - Property Legal Description
B - PUD Plans
C - Planner's Report

Drafted Jointly By:
Steven P. Joppich, Esq.
Rosati Schultz Joppich & Amtsbuechler, P.C.
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331-3550

When Recorded, Return To:
City Clerk
City of Farmington Hills
31555 West Eleven Mile Road
Farmington Hills, MI 48336-1165

and

Farmington Hills Real Estate, LLC
4180 Tittabawassee Road,
Saginaw, Michigan 48604

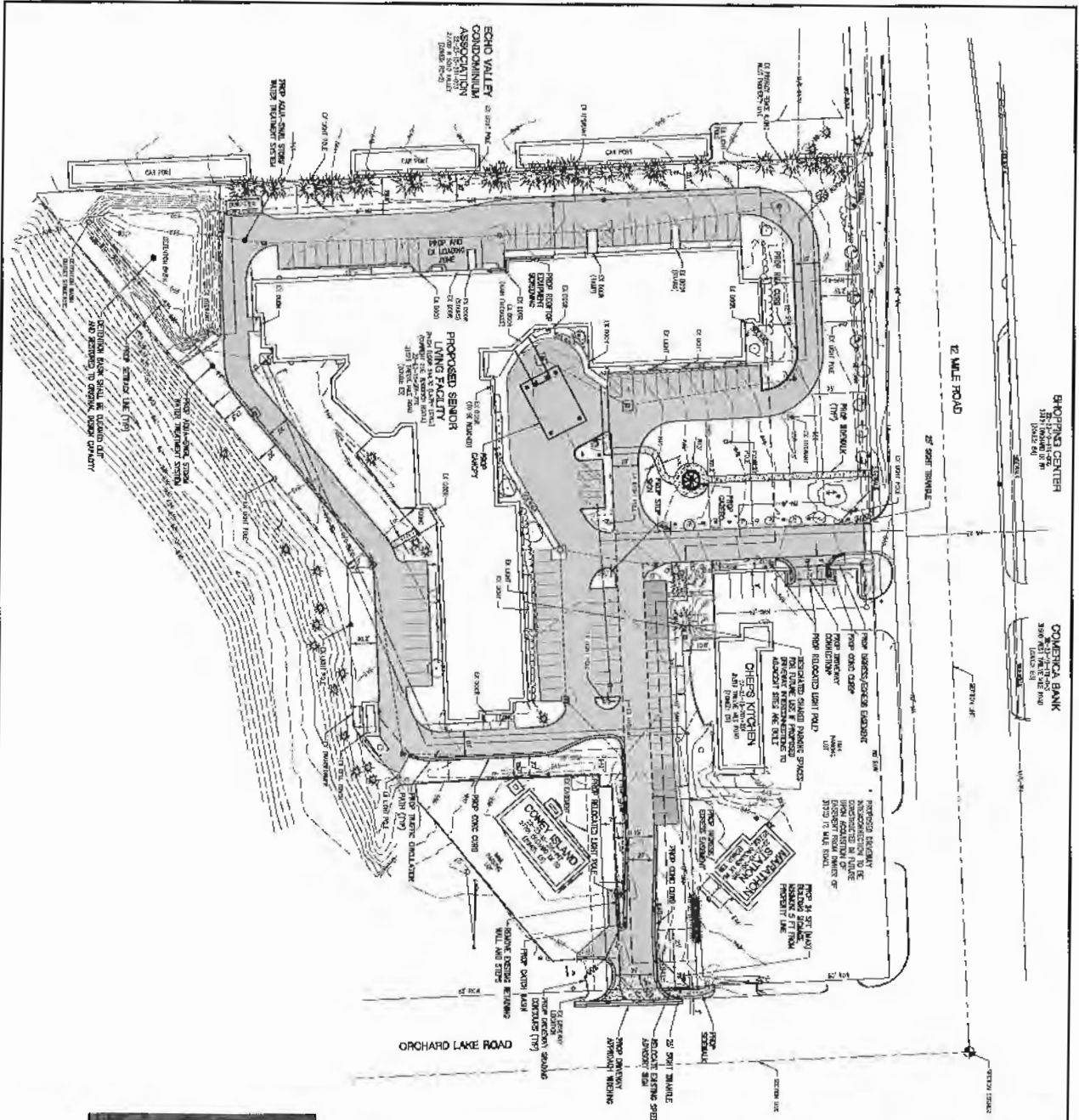
DRAFT

EXHIBIT A

**31525 W. 12 MILE RD.
FARMINGTON HILLS, MI**

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PART OF THE NORTHEAST 1/4 OF SECTION 15, TOWN 1 NORTH, RANGE 9 EAST, CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 15, TOWN 1 NORTH, RANGE 9 EAST, CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN, AND PROCEEDING THENCE SOUTH 89 DEGREES 57 MINUTES 30 SECONDS WEST 382.00 FEET ALONG THE CENTERLINE OF TWELVE MILE ROAD, SAID LINE ALSO BEING THE NORTH LINE OF SAID SECTION 15, AND DUE SOUTH 60 FEET TO THE POINT OF BEGINNING; PROCEEDING THENCE DUE SOUTH 125.00 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 30 SECONDS EAST 42.00 FEET; THENCE DUE SOUTH 25.00 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 30 SECONDS EAST 280.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF ORCHARD LAKE ROAD; THENCE ALONG SAID LINE DUE SOUTH 69.66 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 30 SECONDS WEST 167.49 FEET; THENCE DUE SOUTH 154.13 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 696; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 52 DEGREES 20 MINUTES 36 SECONDS WEST 57.13 FEET AND DUE WEST 124.18 FEET AND SOUTH 52 DEGREES 24 MINUTES 34 SECONDS WEST 376.30 FEET AND SOUTH 89 DEGREES 57 MINUTES 30 SECONDS WEST 2.48 FEET; THENCE DUE NORTH 637.90 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 30 SECONDS EAST 315.90 FEET TO THE POINT OF BEGINNING.



BROOKING CENTER
 1500 W. WALE RD.
 ANN ARBOR MI 48103

COMMERCIAL BANK
 3500 W. WALE RD.
 ANN ARBOR MI 48103

SITE INFORMATION

- PROPERTY ADDRESS:** 11501 W. WALE RD. S.W. 11501 W. WALE RD. S.W. 11501 W. WALE RD. S.W.
- APPLICANT:** MANOR SENIOR LIVING, LLC AND COMFORT CARE SENIOR LIVING P.U.D.
- PROJECT NAME:** MANOR SENIOR LIVING AND COMFORT CARE SENIOR LIVING P.U.D.
- GENERAL CONTRACTOR:** [Name]
- ARCHITECT:** [Name]
- DATE:** [Date]
- SCALE:** 1" = 40'

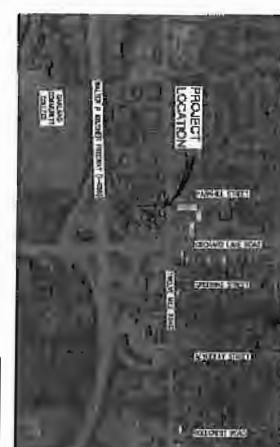
LEGAL DESCRIPTION

LEGAL DESCRIPTION: A certain parcel of land, more particularly described as follows: [Detailed legal description of the property boundaries and area]

PROJECT CONTACTS

OWNER: MANOR SENIOR LIVING, LLC AND COMFORT CARE SENIOR LIVING P.U.D.
ARCHITECT: [Name]
GENERAL CONTRACTOR: [Name]

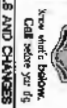
EXHIBIT B



LOCATION MAP

PLAN SUBMITTALS AND CHANGES

NO.	DATE	REVISION
1	06/15/2021	INITIAL PLAN SUBMITTAL
2	07/15/2021	REVISIONS TO ADDRESS COMMENTS
3	08/15/2021	FINAL PLAN SUBMITTAL



PREPARED FOR
MANOR SENIOR LIVING LLC
COMFORT CARE SENIOR LIVING P.U.D.

SITE PLAN

ROWE PROFESSIONAL SERVICES COMPANY

27280 Haggerty Road, Suite C-2
 Farmington Hills, MI 48331

O: (248) 675-1096
 F: (800) 974-1704
 www.rowepsc.com

PLAN DATE: JUNE 2021
 PROJECT MGR: PTO
 REVIEWER: KAB
 SCALE: 1" = 40'

May 14, 2021

Updated 5/14/2021

Farmington Hills Planning Commission
31555 W 11 Mile Rd
Farmington Hills, MI 48336

PUD Site Plan & Final Determination

Case: PUD Plan 1 2021/54-2-2021
Site: 31525 12 Mile Rd (Parcel ID 22-23-15-201-270)
Applicant: Manor Senior Living, LLC
Plan Date: 2/18/2021; revised 5/3/2021
Zoning: ES Expressway Service

We have completed a review of the application for PUD qualification referenced above and a summary of our findings is below. Items in **bold** require specific action by the Applicant. Items in *italics* can be addressed administratively.



SUMMARY OF FINDINGS

Existing Conditions

1. **Zoning.** The site is currently zoned ES Expressway Service.
2. **Existing site.** The site is 4.96 acres and is developed with a three-story, 217-room hotel with access to 12 Mile Road via a single driveway.
3. **Adjacent Properties.**

Direction	Zoning	Land Use
North	B-4	Commercial
East	ES	Restaurants, gas station
South	I-696	Highway interchange
West	RC-2	Multi-family development

4. **Site configuration and access.** The site is accessible from 12 Mile Road via one driveway. See comments below.

PUD Qualification:

Under Section 34-3.20, the Planning Commission may make a determination that the site qualifies for a PUD based on the following criteria and procedures. **The Planning Commission granted preliminary qualification at its meeting on January 21, 2021.** Preliminary qualification is not a guarantee of final approval.

Criteria for qualifications. In order for a zoning lot to qualify for the Planned Unit Development option, the zoning lot shall either be located within an overlay district or other area designated in this chapter as qualifying for the PUD option, or it must be demonstrated that all of the following criteria will be met as to the zoning lot:

- A. The PUD option may be effectuated in any zoning district.
- B. The use of this option shall not be for the sole purpose of avoiding the applicable zoning requirements. Any permission given for any activity or building or use not normally permitted shall result in an improvement to the public health, safety and welfare in the area affected.
The applicant is proposing to convert a use that is permitted in the ES district to one that is not, while leaving the existing building mostly intact. Much of the pavement on the site is proposed to be removed as parking on the site is reduced. The applicant notes that the hotel use is not financially sustainable, the proposed use will result in less traffic than the existing use, and that there will be an increase in green space on the site.
- C. The PUD shall not be utilized in situations where the same land use objectives can be accomplished by the application of conventional zoning provisions or standards. Problems or constraints presented by applicable zoning provisions shall be identified in the PUD application. Asserted financial problems shall be substantiated with appraisals of the property as currently regulated and as proposed to be regulated.
The applicant is proposing to convert an existing building that appears to be conforming with the underlying district standards from a permitted use in that district (a hotel) to a use not typically permitted in that district (senior housing). This use or a similar use is permitted in the SP-5

district ("centers for elderly care and services"), as regulated in Section 4.20.3, and in the SP-1, RC-1, RC-2, and RC-3 districts, as regulated in Section 4.17 ("Convalescent homes or orphanages").

The applicant notes that the proposed project exceeds the maximum permitted density of the RC-3 district, which is the densest of the other districts that permit similar uses (1,050 square feet of land per room versus 995 square feet provided), that the site does not provide the required open space for the SP-5 district (217,000 square feet required versus 166,029 square feet provided), that the building height exceeds that permitted in the other districts, and that the proposed use will seek relief from the parking requirements for the use in order to provide fewer spaces.

It appears that variances would be required to permit the project as proposed under conventional zoning.

- D. The Planned Unit Development option may be effectuated only when the proposed land use will not materially add service and facility loads beyond those contemplated in the Future Land Use Plan unless the proponent can demonstrate to the sole satisfaction of the city that such added loads will be accommodated or mitigated by the proponent as part of the Planned Unit Development.

This standard appears to be met.

- E. The Planned Unit Development must meet, as a minimum, one of the following objectives of the city:
- i. To permanently preserve open space or natural features because of their exceptional characteristics or because they can provide a permanent transition or buffer between land uses.
 - ii. **To permanently establish land use patterns which are compatible or which will protect existing or planned uses.**
 - iii. To accept dedication or set aside open space areas in perpetuity.
 - iv. **To provide alternative uses for parcels which can provide transition buffers to residential areas.**
 - v. To guarantee the provision of a public improvement which could not otherwise be required that would further the public health, safety, or welfare, protect existing or future uses from the impact of a proposed use, or alleviate an existing or potential problem relating to public facilities.
 - vi. To promote the goals and objectives of the Master Plan for Land Use.
 - vii. **To foster the aesthetic appearance of the city through quality building design and site development, the provision of trees and landscaping beyond minimum requirements; the preservation of unique and/or historic sites or structures; and the provision of open space or other desirable features of a site beyond minimum requirements.**
 - viii. **To bring about redevelopment of sites where an orderly change of use is determined to be desirable.**

The applicant's narrative directly addresses the objectives in bold above. In its motion to grant preliminary approval to the PUD request, the planning commission cited these same four objectives as being met by the plan.

Objective ii & iv: The site's location between a multi-family development and heavy commercial development suggests that objectives ii and iv may be addressed by the transition of this site from a commercial use to a senior care use. The applicant cites the buffering effect of the proposed use on the multi-family use to the west, and the lack of detriment to neighboring commercial uses.

Objective vii: Objective vii appears to be addressed by the large areas of the site shown converting from paved parking to open space. The applicant notes that landscaping is being proposed beyond requirements. However, the open space requirements of the SP-5 District, a district that permits the proposed land use, are not met (see 4.C. above).

Objective viii: The reuse of the building leaves intact the most visible aspects of development on the site, while the reduction of pavement and increase in landscaping changes the aesthetic character of the site.

We also note that the creation of new open space may assist in addressing objective iii., but it falls short of what would be required in a comparable district that permits the proposed use.

- F. The PUD shall not be allowed solely as a means of increasing density or as a substitute for a variance request; such objectives should be pursued through the normal zoning process by requesting a zoning change or variance.

The applicant will be seeking relief from several ordinance standards (summarized above).

However, the request for PUD qualification appears to be related as much to the use as to the standards from which the plan deviates.

Request for final determination. Per Section 34-3.20.5.B, the following must be submitted when seeking final determination of PUD qualification:

a. A boundary survey of the exact acreage being requested done by a registered land surveyor or civil engineer (scale not smaller than one inch equals one hundred (100) feet).	✓
b. A topographic map of the entire area at a contour interval of not more than two (2) feet. This map shall indicate all major stands of trees, bodies of water, wetlands and unbuildable areas (scale: not smaller than one inch equals one hundred (100) feet).	✓
c. A proposed land use plan indicating the following at a scale no smaller than one inch equals one hundred (100) feet (1" = 100'):	✓
(1) Land use areas represented by the zoning districts enumerated in Section 34-3.1.1 through Section 34-3.1.30 of this chapter.	✓
(2) Vehicular circulation including major drives and location of vehicular access. Preliminary proposals as to cross sections and as to public or private streets shall be made.	✓
(3) Transition treatment, including minimum building setbacks to land adjoining the PUD and between different land use areas within the PUD.	✓
(4) The general location of nonresidential buildings and parking areas, estimated floor areas, building coverage and number of stories or height.	✓
(5) The general location of residential unit types and densities and lot sizes by area.	✓

(6) A tree location survey as set forth in Section 34-5.18, Tree Protection, Removal and Replacement.	✓
(7) The location of all wetlands, water and watercourses and proposed water detention areas.	✓
(8) The boundaries of open space areas that are to be preserved and reserved and an indication of the proposed ownership thereof.	✓
(9) A schematic landscape treatment plan for open space areas, streets and border/transition areas to adjoining properties.	✓
d. A preliminary grading plan, indicating the extent of grading and delineating any areas which are not to be graded or disturbed.	✓
e. An indication of the contemplated water distribution, storm and sanitary sewer plan.	✓*
f. A written statement explaining in detail the full intent of the applicant, indicating the type of dwelling units or uses contemplated and resultant population, floor area, parking and supporting documentation, including the intended schedule of development.	✓

* Existing utilities to be used.

The applicant has updated the package for final determination.

Site Plan & Use:

1. **Summary of Proposed Use.** The applicant has provided a site plan for a 128-unit independent senior living complex, including a breakdown of the type of senior units:

- 21 studio units for memory care
- 107 units for “assisted living and independent living”
 - 22 studio units: 11 assisted living, and 11 independent
 - 81 one-bedroom units: 40 assisted living, and 21 independent
 - 4 two-bedroom units: all independent

There are a total of 21 memory care, 51 assisted living, and 36 independent living units. Generally, assisted living units are treated as components of convalescent care for the purposes of determining parking and density requirements, whereas independent living is typically treated as multiple-family for those same purposes. Our analysis below reflects these differences.

2. **Summary of Plan.** The site plan proposes to re-use the existing building with minor modifications to the exterior and a thorough interior renovation. Parking on the site will be reduced from 290 spaces to 95 spaces in order to create usable open space with walking paths, sitting areas and additional landscaping. The plan also proposes a connection to the parking lot at 31519 12 Mile Rd (the former Chef’s Table restaurant), and a connection to Orchard Lake Road via the parking lot of the Coney Island at 27701 Orchard Lake Rd. The building includes common dining facilities; the units not identified as memory care have layouts that appear to include a kitchenette, though this is not labeled on the plans.

3. **Master Plan.** The master plan designates the site expressway service, consistent with current zoning.
4. **Land Use Plan.** The entire site is dedicated to the senior housing use; several areas are set aside as open space, and include walking and sitting areas.
5. **Dimensional Standards of the ES district.**

Standard	Requirement	Proposed/Comments
Front setback (34-3.1.27.E)	75 ft	76.7 ft
Rear setback (34-3.1.27.E)	20 ft	57.4 ft
Side setback (34-3.1.27.E) - west	20 ft	65.3 ft
Side setback (34-3.1.27.E) - east	20 ft	44.3 ft
Setback from residential (34-3.1.27.E)	20 ft	65.3 ft
Front yard open space (34-3.1.27.E)	20%	Compliant
Building height (34-3.1.27.E)	Max. 50 ft/3 stories	29.5 ft
Yard landscaping (34-3.5.2.A)	For all uses except one-family detached residential units, landscaping of all yards abutting a street shall be provided	Provided in excess of minimum requirement
Setback from any side street (34-3.5.2.M)	Shall not be less than twenty-five (25) feet or ten (10) percent of the width of the lot as measured from the street, whichever is the greater	Not applicable
Loading space (34-3.5.2.N)	1 space per 1,401 to 20,000 gross floor area in square feet 10 feet by 50 feet or a minimum of 500 sf in area, with a clearance of 14 feet in height	Identified on building's west side; drop-off area provided at front entrance
Outdoor Storage (34-3.5.2.T)	All storage shall be located in the rear yard and shall comply with Section 34-3.14	None proposed
Rooftop equipment (34-3.5.2.U)	Rooftop equipment shall be screened in accordance with Section 34-5.17.	Intent to screen noted on plan.
Landscape area abutting street or freeway (34-3.5.2.V.)	A landscaped area not less than ten (10) feet deep	Provided

6. **Dumpster Enclosure (Section 34-S.1.2.D).**

Item	Required	Proposed/Comments
Location	Rear yard	

Screening	Permanent building wall or earth mound not less than 6 feet or 1 foot above the enclosed dumpster whichever is greater	The applicant proposes to use the existing dumpster enclosure, which is compliant.
Setback	20 feet from any residential property	

- Mechanical Equipment (34-5.1.4.D).** The site does not appear to include any unscreened ground-mounted equipment.
- Minimum parking (34-5.2.11.C.xxiii & xxiv).** The table below shows calculations on the basis of two scenarios: memory care plus assisted living, and memory care plus independent senior housing.

Scenario	Standard	Required Parking
21 memory care units + 51 assisted living units	1 space/4 beds = 5 spaces 1 space/4 beds = 13 spaces	18 spaces
11 independent studio units 21 1-BR independent units 4 2-BR independent units	0.75 spaces/1 room = 8 spaces 1.25 spaces/1-BR = 26 spaces 1.5 spaces/2-BR = 6 spaces	40 spaces
		95 spaces provided

The site meets the parking requirements of the ordinance.

The neighboring restaurant loses four parking spaces with the cross-connection driveway; as this site did not have parking spaces to spare, the loss of these spaces must be accounted for with a shared parking agreement.

- Off-street parking dimensions (34-5.3.3.A & B.).** The plan proposes to restripe the existing parking lot. The spaces meet the minimum requirements for parking spaces.

Item	Required	Proposed/Comments
Maneuvering lane width	20 ft.	Min 20 ft.
Parking space width	9 ft.	9 ft.
Parking space length	20 ft. for the minimum required (May include a maximum two-foot unobstructed vehicle overhang area at the front of the parking space.) 17 ft. for additional parking (May include a maximum one-foot unobstructed vehicle overhang area at the front of the parking space)	20 ft.

- Barrier Free Parking.** The proposal includes 5 barrier-free spaces, consistent with ADA requirements.
- Density.** The parcel is 4.91 acres, or approximately 213,880 square feet. The plan includes 72 memory care and assisted living units, and 36 independent living units with 65 total rooms.

Using the multi-family density standard of Section 34-3.5.2.F for comparison purposes, which treats efficiency units as one room, one-bedroom units as two rooms, and two-bedroom units as three rooms, the table below shows the comparison using several RC districts. Per 34-3.5.2.F, the following densities would be permitted in the city's RC districts:

District	Standard	# Rooms Permitted
----------	----------	-------------------

RC-1	1,900 sq ft/room	112
RC-2	1,400 sq ft/room	152
RC-3	1,050 sq ft/room	203
Proposed		65 + 72 assisted living and memory care beds

Per Section 34-4.17, convalescent homes in the RC-1, RC-2, RC-3, and SP-1 district shall be located on sites that include not less than 1,000 square feet of open space for each bed in the home. This open space can include landscaped areas, parking, loading, service drives, required yard, and accessory buildings. Provided that each unit corresponds to one bed, as appears to be the case based on the floor plans, 72 units require 72,000 square feet of open space. The open space calculation shows 166,943 square feet of open space.

Based on the combination of independent, assisted, and memory care units, it appears that the site's proposed density is essentially in line with permitted densities in districts where these uses are typically permitted. The PUD agreement will specify a breakdown of unit types.

9. **Corner Clearance (34-5.10).** No change to the existing. *Corner clearance triangles should be indicated on the plan.*
10. **Landscape Development (34-5.14).** Landscaped areas of the site are significantly expanded in this proposal.

Item	Required			Proposed/Comments
Minimum distance from the property line (34-5.14.C.ii)	4 ft from the property line for trees and large shrubs			Proposed trees appear to meet this standard
Minimum parking lot island area	Minimum of 180 square feet; 3 feet minimum radius at the trunk of the tree			Standard is met
Cost estimate	Required			Reflects typical costs
Minimum size and spacing requirements (34-5.14.F)	Size	Center to center distance (max)		
	(Height/width)	groupings	rows	
• Evergreen Trees	8 ft. height	20 ft.	12 ft.	Standard is met
• Narrow Evergreen Trees	5 ft. height	10 ft.	5 ft.	Standard is met
• Large Shrubs	30 in. height	10 ft.	5 ft.	Standard is met
• Small Shrubs	24 in. width	4 ft.	4 ft.	Standard is met
• Large Deciduous	3 in. caliper	30 ft.	-	Standard is met
• Small deciduous trees	2 in. caliper	15 ft.	-	Standard is met
• Hedge shrubs	24 in. height	3 ft.	3 ft.	Standard is met
Canopy Trees	Shall be large deciduous. PC may permit large evergreens			Standard is met

Item	Required	Proposed/Comments
Minimum number of Canopy Trees (34-5.14.4.C)	1 per every 2,800 square feet of paved surface area: 27 trees required	27 trees provided
Parking lot screening from public thoroughfare (34-5.14.5)	A planted hedge of small shrubs, or A masonry wall or berm of 2 feet high	Provided
Wall or Berm (34-5.15)	Required when abutting a residential district. (See 34-5.15)	Provided on west property line

11. **Lighting (Section 34-5.16).** Lighting plan indicates noncompliance at three points on the western property line. Adjustments will be required. Given the changes to the site, including removal of pavement, in this area, are these three fixtures still required?
12. **Pedestrian Connection (Sec. 34-5.19).** A connection to the public sidewalk is provided.
13. **Signage.** A separate permit application is required for review and approval of signage.
14. **Tree Removal & Replacement.** The plan proposes to remove 5 of the existing 58 regulated trees. Three of these are dead and none are landmark trees. The applicant proposes three replacement trees.
15. **Circulation.** The applicant proposes to make a connection to the parking lot of the restaurant to the north, ultimately permitting the existing restaurant's driveway to be closed and improving access management on 12 Mile Road. The applicant is also making a connection to Orchard Lake, which includes an access point for the restaurant property to the east, which is currently only accessible by southbound traffic on Orchard Lake Road.
16. **General Location.** The subject site is located in a commercial area, but also abuts multiple family to the west. There are a variety of local service, restaurant, and retail uses within walking distance. Some examples: Starbucks is less than 900 feet walking distance away, several sit-down restaurants and service businesses are within a quarter mile walk, and the Holocaust Memorial Center is less than one third of a mile walk, and the U.S. Postal Service is less than a half mile walk.

General Considerations

As the planning commission considers the proposed density and open space, it should consider the location of the project to determine whether the project warrants the increased density and reduced open space. If the applicant increases the size of some units, it would lower the density and reduce the open space that would be required based on SP-5 standards.

Summary

Relief Sought from Ordinance Standards:

1. **Density.** Density appears in line with comparable uses in other districts. The unit counts will be enumerated in the PUD agreement.
2. **Use.** The use is not typically permitted in the underlying district.

Site Plan Issues

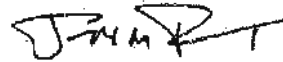
Several minor site plan issues are noted in bold text throughout this letter that require attention by the applicant.

We are available to answer questions.

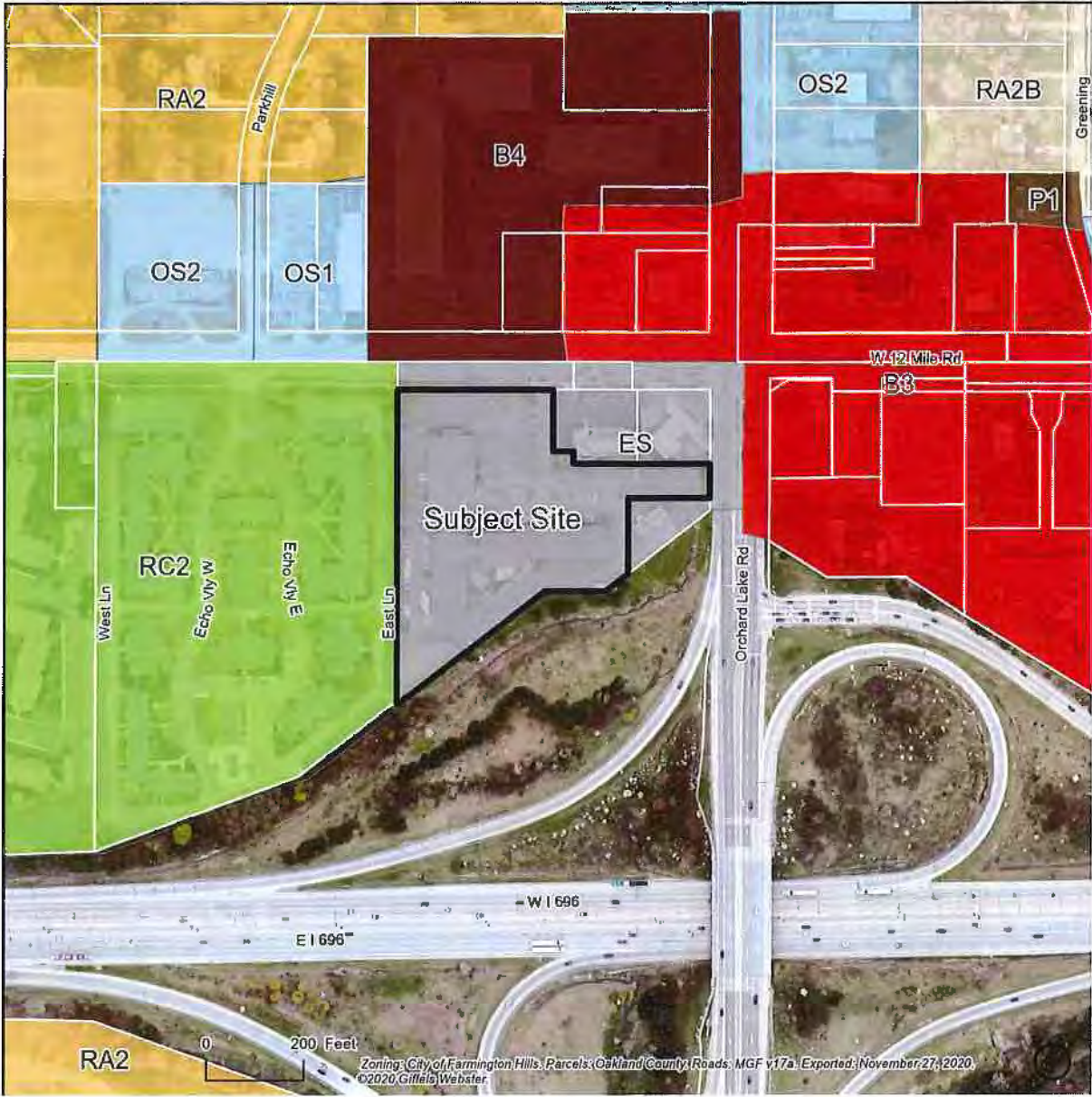
Respectfully,
Giffels Webster



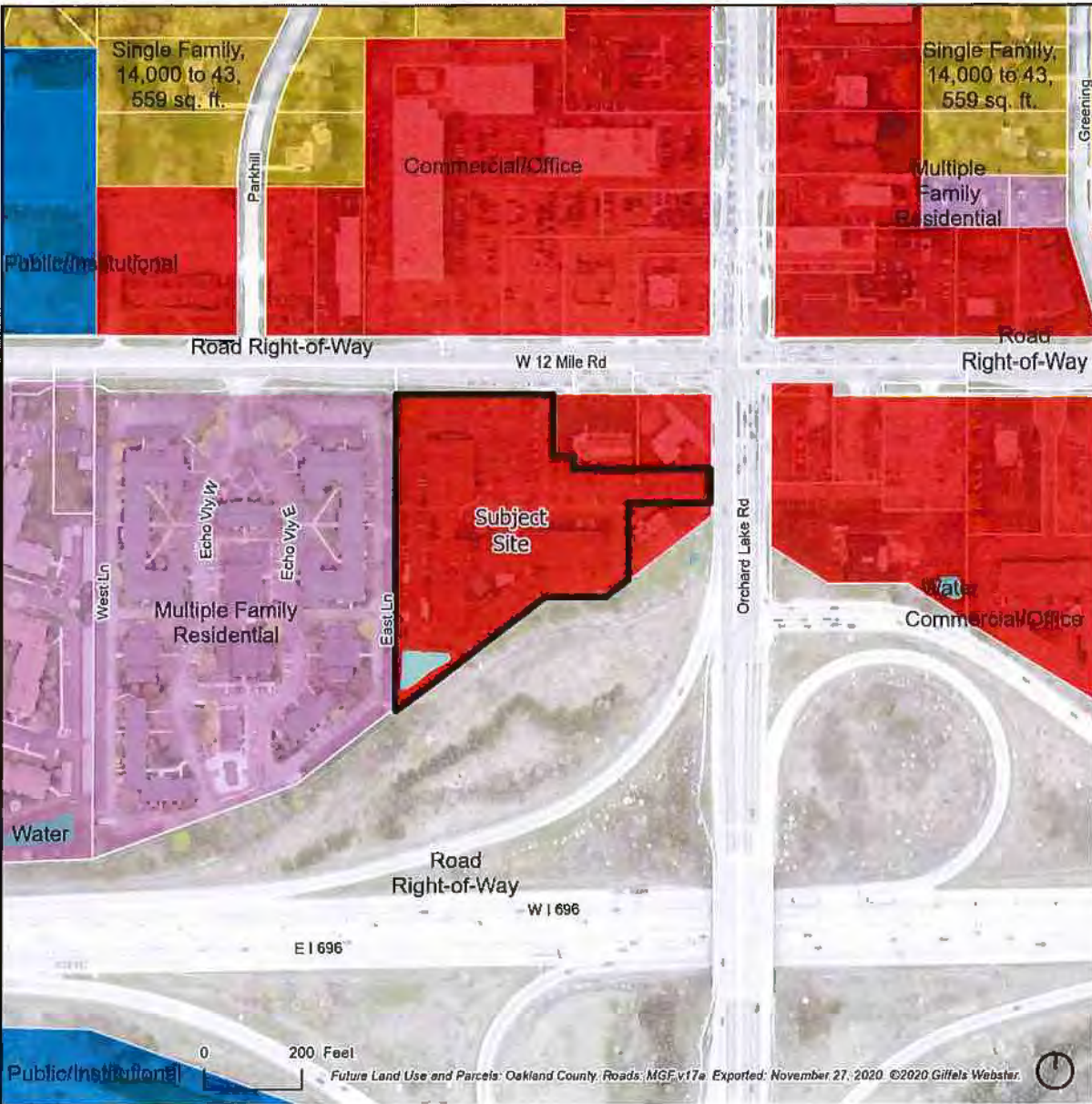
Rod Arroyo, AICP
Partner



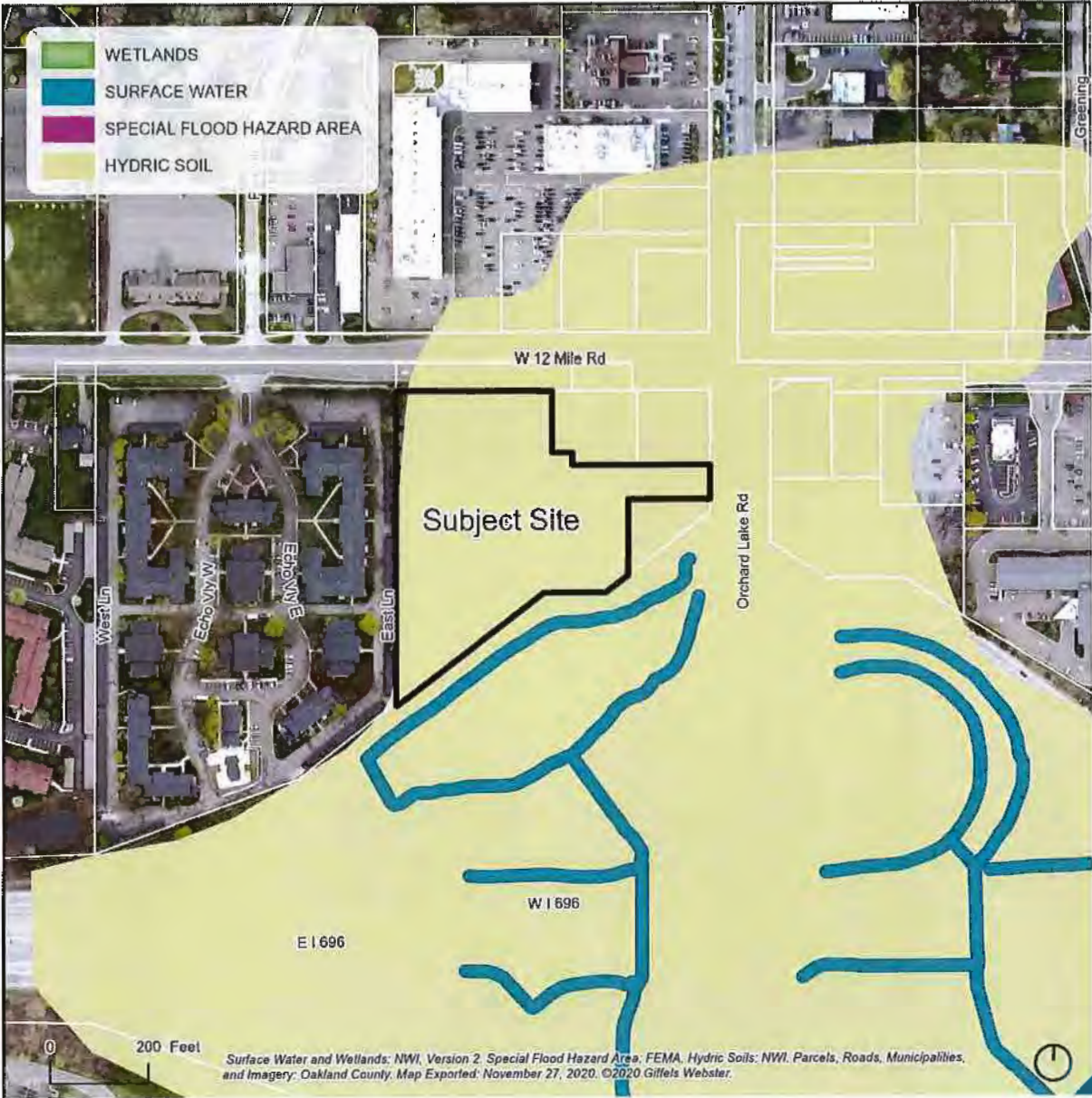
Joe Tangari, AICP
Senior Planner

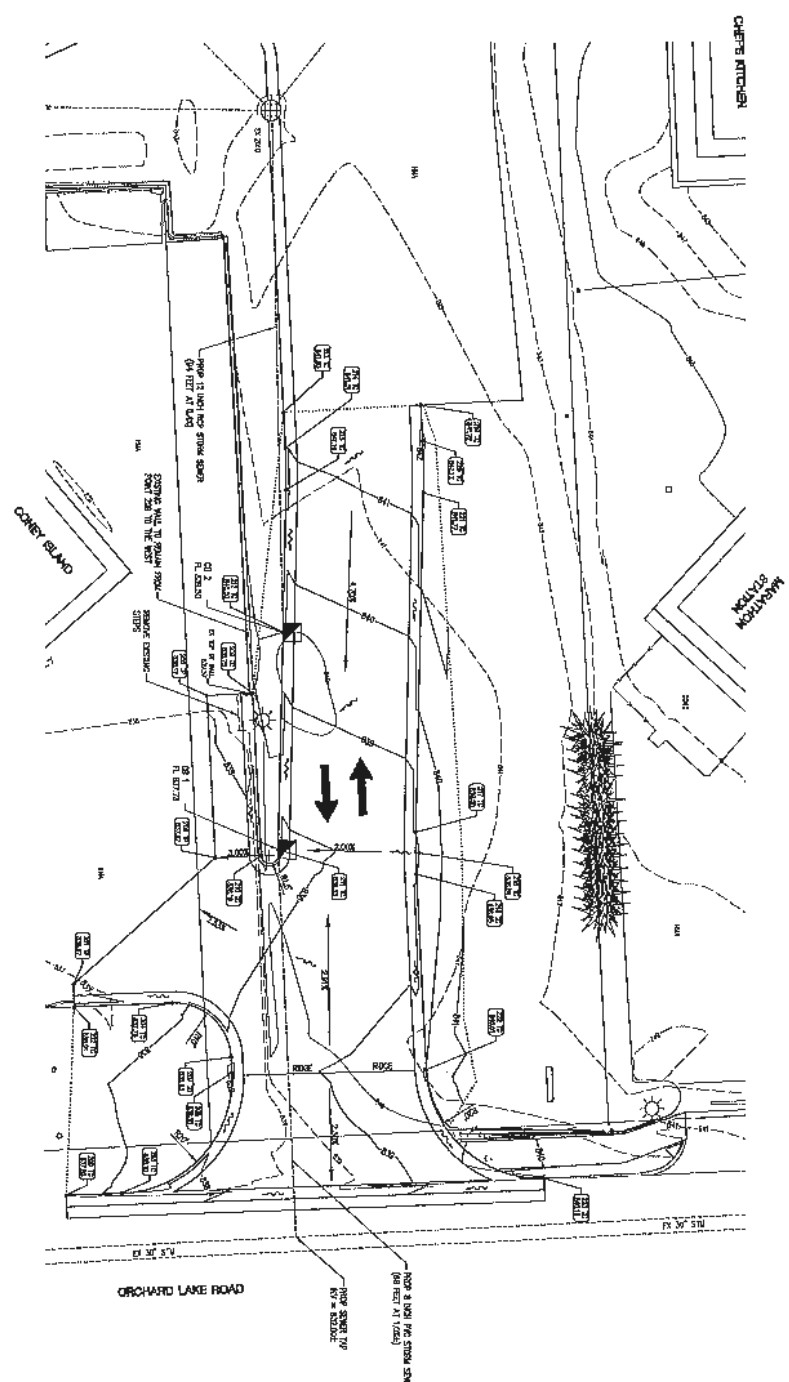


Current zoning



Master Plan designations for this area.





CHERRY RIDGE

MANLYGO NEIGHBORHOOD

ORCHARD LAKE ROAD

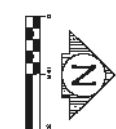
LEGEND

- 10" - 12" ST. 10' STRENGTH
- 12" - 15" ST. 15' STRENGTH
- 15" - 18" ST. 18' STRENGTH
- 18" - 24" ST. 24' STRENGTH
- 24" - 30" ST. 30' STRENGTH
- 30" - 36" ST. 36' STRENGTH
- 36" - 42" ST. 42' STRENGTH
- 42" - 48" ST. 48' STRENGTH
- 48" - 54" ST. 54' STRENGTH
- 54" - 60" ST. 60' STRENGTH
- 60" - 66" ST. 66' STRENGTH
- 66" - 72" ST. 72' STRENGTH
- 72" - 78" ST. 78' STRENGTH
- 78" - 84" ST. 84' STRENGTH
- 84" - 90" ST. 90' STRENGTH
- 90" - 96" ST. 96' STRENGTH
- 96" - 102" ST. 102' STRENGTH
- 102" - 108" ST. 108' STRENGTH
- 108" - 114" ST. 114' STRENGTH
- 114" - 120" ST. 120' STRENGTH
- 120" - 126" ST. 126' STRENGTH
- 126" - 132" ST. 132' STRENGTH
- 132" - 138" ST. 138' STRENGTH
- 138" - 144" ST. 144' STRENGTH
- 144" - 150" ST. 150' STRENGTH
- 150" - 156" ST. 156' STRENGTH
- 156" - 162" ST. 162' STRENGTH
- 162" - 168" ST. 168' STRENGTH
- 168" - 174" ST. 174' STRENGTH
- 174" - 180" ST. 180' STRENGTH
- 180" - 186" ST. 186' STRENGTH
- 186" - 192" ST. 192' STRENGTH
- 192" - 198" ST. 198' STRENGTH
- 198" - 204" ST. 204' STRENGTH
- 204" - 210" ST. 210' STRENGTH
- 210" - 216" ST. 216' STRENGTH
- 216" - 222" ST. 222' STRENGTH
- 222" - 228" ST. 228' STRENGTH
- 228" - 234" ST. 234' STRENGTH
- 234" - 240" ST. 240' STRENGTH
- 240" - 246" ST. 246' STRENGTH
- 246" - 252" ST. 252' STRENGTH
- 252" - 258" ST. 258' STRENGTH
- 258" - 264" ST. 264' STRENGTH
- 264" - 270" ST. 270' STRENGTH
- 270" - 276" ST. 276' STRENGTH
- 276" - 282" ST. 282' STRENGTH
- 282" - 288" ST. 288' STRENGTH
- 288" - 294" ST. 294' STRENGTH
- 294" - 300" ST. 300' STRENGTH

NO.	DESCRIPTION	DEPTH	APPROX.	DATE
101	MANHOLE	10'	101	10/10/20
102	MANHOLE	10'	102	10/10/20
103	MANHOLE	10'	103	10/10/20
104	MANHOLE	10'	104	10/10/20
105	MANHOLE	10'	105	10/10/20
106	MANHOLE	10'	106	10/10/20
107	MANHOLE	10'	107	10/10/20
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109	MANHOLE	10'	109	10/10/20
110	MANHOLE	10'	110	10/10/20
111	MANHOLE	10'	111	10/10/20
112	MANHOLE	10'	112	10/10/20
113	MANHOLE	10'	113	10/10/20
114	MANHOLE	10'	114	10/10/20
115	MANHOLE	10'	115	10/10/20
116	MANHOLE	10'	116	10/10/20
117	MANHOLE	10'	117	10/10/20
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128	MANHOLE	10'	128	10/10/20
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145	MANHOLE	10'	145	10/10/20
146	MANHOLE	10'	146	10/10/20
147	MANHOLE	10'	147	10/10/20
148	MANHOLE	10'	148	10/10/20
149	MANHOLE	10'	149	10/10/20
150	MANHOLE	10'	150	10/10/20

MANHOLE INVENTORY

DATE: 10/10/20
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO: [Number]
 SHEET NO: [Number]
 TOTAL SHEETS: [Number]



PLAN SUBMITTALS AND CHANGES

REVISIONS:

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

PREPARED FOR
MANOR SENIOR LIVING LLC
COMFORT CARE SENIOR LIVING P.U.D.

ORCHARD LAKE APPROACH DRIVEWAY

ROWE PROFESSIONAL SERVICES COMPANY

27280 Haggerly Road, Suite C-2
 Farmington Hills, MI 48331

©: (248) 675-1096
 F: (800) 974-1704
 www.rowepsc.com

PLAN DATE: JULY 2021
 PROJECT MGR: PLO
 REVIEWER: KAB
 SCALE: 1"=10'

REV: SH17 1 OF 1
 JOB NO: 2020071

Erik Perdonik

From: Mark Saksewski
Sent: Friday, November 5, 2021 11:38 AM
To: Erik Perdonik
Cc: James Cubera
Subject: RE: Grading Plan for Manor Senior Living

Follow Up Flag: Follow up
Flag Status: Flagged

Erik,

The plan you provided identifies a 2.3% slope on the new approach to Orchard Lake as part of the proposed P.U.D. This is a very reasonable and typical slope for a drive approach. Based on the survey on the plan and our GIS topography this proposed approach is significantly less steep than the adjacent driveway on the property to the North at 27745 Orchard Lake Rd.

Please let me know if you would like to discuss or have any additional questions.

Mark

From: Erik Perdonik <EPerdonik@fhgov.com>
Sent: Thursday, November 4, 2021 10:05 AM
To: Mark Saksewski <MSaksewski@fhgov.com>
Subject: Grading Plan for Manor Senior Living

Hi Mark,

We are trying to address City Council's concerns about whether the grading for the approach drive from Orchard Lake Road (see the attached sheet) for the Manor Senior Living (Radisson Hotel conversion) project is going to be an issue. Mark Stec may have already talked to you about this before he left. Could you please provide a written comment as to whether this plan is acceptable from an engineering standpoint.

Thanks,

Erik Perdonik

Staff Planner

Planning & Community Development Department

City of Farmington Hills

31555 W. Eleven Mile Road

Farmington Hills, Michigan 48336

Phone: (248) 871-2540

Website: fhgov.com



REPORT FROM THE CITY MANAGER TO CITY COUNCIL – November 22, 2021

SUBJECT: Assignment of Easements to the Evergreen-Farmington Sanitary Drain Drainage District

Administrative Summary

- A sanitary sewer and pump station currently exists along the northside of I-696, west of Farmington Road and extends across several parcels.
- The sanitary sewer system is located within an existing easement which was granted to the City of Farmington Hills in 1976 for the purpose of construction, maintenance, and operation as well as ingress and egress.
- The City does not own or operate any portion of sanitary sewer system located within the existing easement and does not intend to construct a sanitary sewer within this easement in the future.
- The sanitary sewer system which currently exists is part of the Evergreen-Farmington Sanitary Drain Drainage District (EFSD) which is under the jurisdiction of the Oakland County Water Resources Commissioners Office (WRC).
- The EFSD is proposing to complete upgrades to the sanitary sewer system and pump station located within the easement and requested the easement be reassigned to them.
- The City Attorney's office has reviewed the easements and prepared the Assignment of Easements document for the conveyance to the EFSD.

RECOMMENDATION

IT IS RECOMMENDED, City Council authorize the City Manager and City Clerk to sign the Assignment of Easements.

Support Documentation

The Evergreen-Farmington Sanitary Drain Drainage District (EFSD) currently operates and maintains a section of sanitary sewer system, including a pump station, along the north side of I-696 in section 16. The sanitary sewer system is located within an existing easement which was dedicated to the City of Farmington Hills in 1976. The EFSD currently has plans to upgrade their pump station and seeks to have the existing easement reassigned to them in order to complete the work. The City does not currently have public sanitary located within the easement and has no plans for future construction of sewer in this location.

Prepared by: Tammy Gushard, P.E., Senior Engineer
Departmental Authorization: Karen Mondora, P.E., Director of Public Services
Approved by: Gary Mekjian, P.E., City Manager

ASSIGNMENT OF EASEMENTS

The Easements for operating, constructing, maintaining and repairing a sanitary sewer system and pump station, and corresponding ingress and egress easement granted to the City of Farmington Hills (the "City") whose address is 31555 W. Eleven Mile Rd. Farmington Hills, MI 48336-1103, which easements are located in Section 16 of the City, are the subject matter of this Assignment, and shall be referred to herein as the "Easements".

WHEREAS, the owners of the property, upon which the Easements are located (the "Property"), granted the City the easements to construct, operate, maintain, repair and replace a sanitary sewer system, including a sanitary sewer line and associated pump station, and ingress and egress to the sanitary sewer system, in easements recorded at Liber 6750, Page 134, Oakland County Records, and Liber 6750, Page 155, Oakland County Records (the "Existing City Easements").

WHEREAS, the City does not own or operate the sanitary sewer system within the easements granted, and has investigated and confirmed it does not intend to construct, operate or maintain a sanitary sewer system within that location. The sanitary sewer system which currently exists is part of the Evergreen-Farmington Sanitary Drain Drainage District (EFSD) which is under the jurisdiction of the Oakland County Water Resources Commissioners Office (WRC).

WHEREAS, the Drainage Board for the Evergreen Farmington Sanitary Drain Drainage District (the "Drainage Board"), through the Oakland County Water Resource Commissioners Office has plans to complete upgrades to the sanitary sewer system and pump station located within the easement.

WHEREAS, the Drainage Board can use the Existing City Easements to complete its upgrade to the I-696 Pump Station and seeks an assignment of the Existing City Easements to the Drainage Board for this purpose.

WHEREAS, the City is a user of the Evergreen Farmington Sanitary Drain Drainage District and also has no need for the Easements, and seeks to assign them as requested.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

- I. That the following Easements, located in Section 16 of the City, recorded at Liber 6750, Page 134 and Liber 6750, Page 155, Oakland County Records, for operating, constructing, maintaining and repairing a sanitary sewer system including pump station and ingress and egress, be assigned to the Drainage Board for the Evergreen Farmington Sanitary Drain Drainage District for operation and maintenance of a sanitary sewer system.
2. This Assignment shall be recorded with the Oakland County Register of Deeds.

Dated this _____ day of _____ 2021.

GRANTOR:

The City of Farmington Hills

Gary Mekjian, City Manager

Pam Smith, Clerk

COUNTY OF OAKLAND)
) SS
STATE OF MICHIGAN)

On this _____ day of _____ 2021, Gary Mekjian, City Manager and Pam Smith, City Clerk, executed the foregoing document before me and being duly sworn on behalf of the City of Farmington Hills.

Notary Public

My commission expires: _____
Oakland County, Michigan
Acting in the County of _____

The Drainage Board for the Evergreen Farmington
Sanitary Drain Drainage District

Please print or type name beneath signature.

COUNTY OF OAKLAND)
) SS
STATE OF MICHIGAN)

On this _____ day of _____ 2021, _____
executed the foregoing document before me and, being duly sworn, stated that he/she
is the _____ of The Drainage Board for the Evergreen Farmington
Sanitary Drain Drainage District, with its full authority and as its free act and deed.

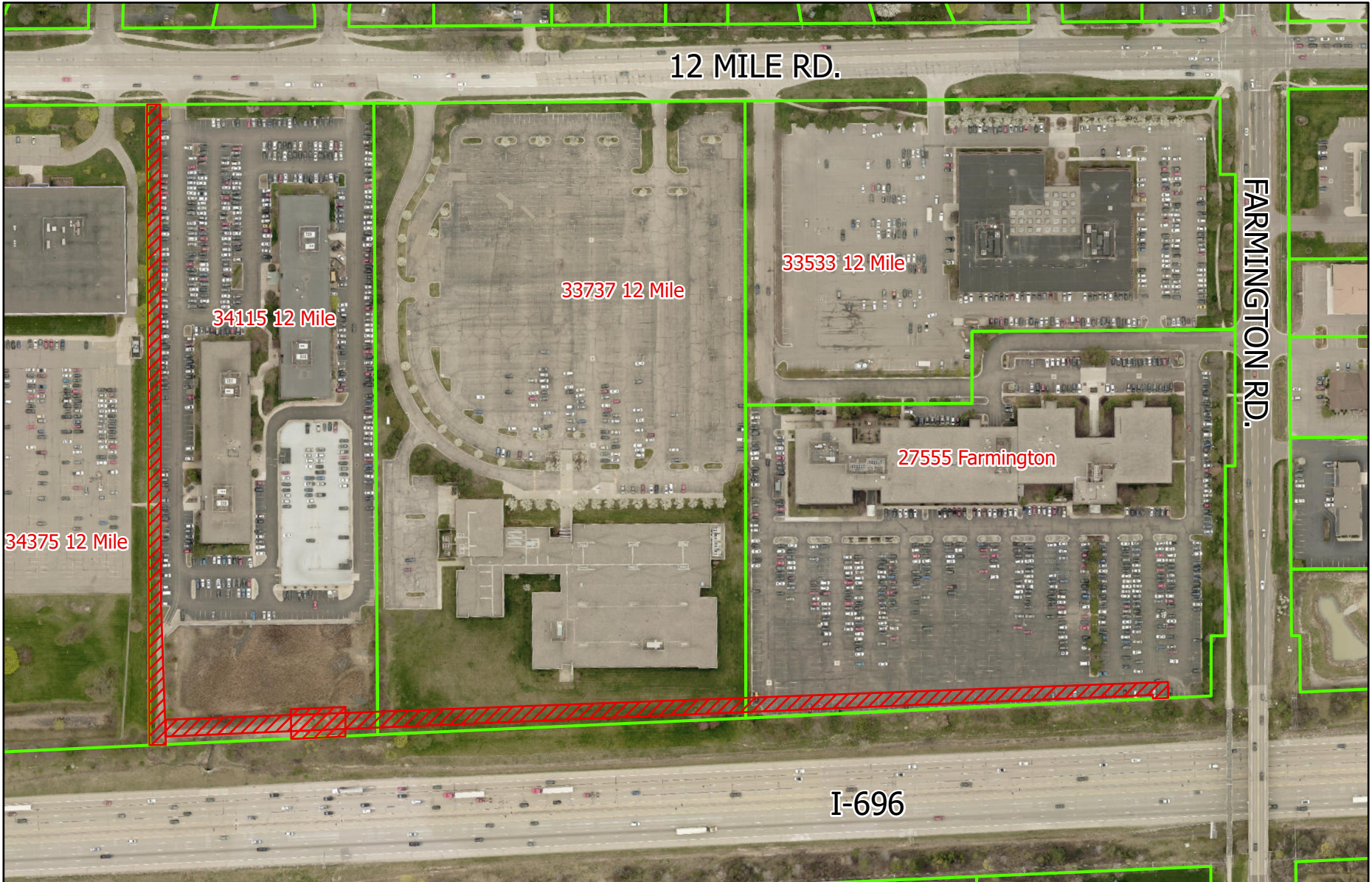
Notary Public

My commission expires: _____
Oakland County, Michigan
Acting in the County of _____

Drafted by:
Elizabeth K. Saarela, Esquire
Rosati, Schultz, Joppich & Amtsbuechler, P.C.
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331

When recorded return to:
Pamela Smith, City Clerk
31555 W. Eleven Mile Road
Farmington Hills, MI 48336

City of Farmington Hills
Department of Public Services
Assignment of Easements



Legend

 - Sanitary Sewer System Easement

REPORT FROM THE CITY MANAGER TO CITY COUNCIL
November 22, 2021

SUBJECT: PURCHASE OF VEHICLE TO REPLACE TOTALED POLICE FLEET VEHICLE

ADMINISTRATIVE SUMMARY

- On October 26, 2021 a police officer was involved in an accident which caused extensive damage to a Police Department vehicle. The insurance company determined that the damage was extensive enough to declare the vehicle “totaled.”
- Each year the City of Farmington Hills participates in cooperative or extendable bids with various agencies including the State of MI, Oakland County & Macomb County who are members of the Michigan Intergovernmental Trade Network (MITN Cooperative). Cooperative or extendable bids have proven to be cost effective for the City due to the volume created by the cooperative process.
- The Police Department obtained a quote for a replacement vehicle based on the aforementioned contracts and determined a 2022 Ford Police Interceptor purchased from Signature Ford, utilizing the Macomb County Contract Bid #21-18 program was the lowest priced vehicle which best met their needs.
- The vehicle purchased includes a minimum three-year or 36,000 mile bumper to bumper warranty and a 100,000 miles or 60 months powertrain warranty.
- Under the Macomb County contract, the cost of the new vehicle is \$34,129. Funding for the vehicle will be provided out of the General Government Insurable Property Repairs fund, which will then be reimbursed (except for \$129) by our insurance (MMRMA). The MMRMA will also reimburse all costs to replace any additional police equipment that was damaged during the accident. That cost has not been estimated yet due to the vehicle currently being de-commissioned.

RECOMMENDATION

- Based on the above information, it is recommended that City Council authorize the City Manager to issue a purchase order to Signature Ford for a 2022 Ford Police Interceptor in the amount of \$34,129.
- In addition, it is recommended that City Council authorize the City Manager to issue a purchase order for all replacement equipment for said vehicle in an as yet undetermined amount.

Prepared by: Kelly Monico, Director of Central Services

Reviewed by: Jeff King, Chief of Police

Reviewed by: Thomas Skrobola, Finance Director

Approved by: Gary Mekjian, City Manager

MINUTES
CITY OF FARMINGTON HILLS
CITY COUNCIL STUDY SESSION MEETING
COMMUNITY ROOM
NOVEMBER 8, 2021 – 6:00PM

The study session meeting of the Farmington Hills City Council was called to order by Mayor Barnett at 6:04pm.

Council Members Present: Barnett, Boleware, Bridges, Knol, Massey, and Newlin

Council Members Absent: Bruce

Others Present: City Manager Mekjian, City Clerk Smith, Assistant City Manager Valentine, Director Mondora, Police Chief King and City Attorney Young

ARPA FUNDING/EXPENDITURES

Tom Skrobola explained the American Rescue Plan Act that was passed into law to provide needed relief to state, local and Tribal governments to enable them to continue to support the public health response and lay the foundation for a strong and equitable economic recovery. He noted that the U.S. Treasury adopted an “Interim Final Rule”, which governs the eligibility for the reception of ARPA funds and the amount of funds allocated to specific state and local governments. He noted that Farmington Hills received \$8.9 million to be distributed in two equal installments; the first received June, 2021 and the next should be received in June, 2022. Mr. Skrobola spoke to reporting requirements by the City and strategy for utilizing the funding under the current Interim Final Rule. He explained that the city intends to utilize the funding similar to other funding received to pay for already-budgeted public safety payroll costs, which will free up the money originally intended for that purpose to be used for identified capital needs and pay for annual debt service on exiting capital improvements. He added that pending legislation may provide the opportunity to leverage ARPA funding for enhanced community goals, including economic development. Mr. Skrobola stated that should anything change once the “Final Rule” is issued, the city would adjust accordingly and come back to Council with any proposed changes.

Council expressed the desire to have input on the expenditure of these funds going forward.

Potential projects were identified by Council to be considered for ARPA funding, including:

- Sidewalk Replacement – expediting and particularly in close proximity to schools
- City Hall parking lot improvements
- Replacement tree planting throughout the city
- Culvert repair or replacement
- Storm drainage system repairs
- Installing fire hydrants throughout the city where needed
- Updating City facilities – Spicer House, Costick Center, etc.

City Manager Mekjian suggested that during budget discussion, Council and staff discuss best options for the ARPA funding. He agreed with Director Skrobola that it would not be wise to use the funding to create programs that would not have an on-going funding mechanism in place.

Mayor Pro-Tem Boleware suggested discussing this again prior to the budget sessions and to obtain some background information so they have a clear understanding of identified priorities and can make informed decisions.

NEIGHBORHOOD SAFETY3 PROGRAM

Mark Saksewski reviewed the city's SAFE TE3 Program that stands for Safety Awareness for Everyone through Education, Enforcement and Engineering. He discussed the history and development of the program, the location within the city where the program has been used and the types of issues that the program can address such as speeding, pedestrian safety, cut-through traffic, sight distance and collisions. Mr. Saksewski explained that there are three phases and it begins with an informational meeting and problem identification and data collection in Phase I and then Phase II consists of the development of an education and enforcement plan based on the data collected from Phase I and then Phase III would include engineering and installation of speed control devices in the roadway if the education and enforcement efforts prove ineffective.

In response to Council, staff noted that the last time they implemented the program was pre-Covid but they have 2-3 subdivisions interested in starting this process. Mr. Saksewski noted they typically conduct 2-3 programs per year.

Councilmember Bridges requested that the city is assertive in advertising the program.

Public Services Director Mondora mentioned that the department recently created a video focusing on the program, which she presented to Council.

Council suggested posting the video on the city website and sending it out through a press release and to homeowners associations.

ADJOURNMENT

The study session meeting adjourned at 7:23pm.

Respectfully submitted,



Pamela B. Smith, City Clerk

MINUTES
CITY OF FARMINGTON HILLS
CITY COUNCIL MEETING
NOVEMBER 8, 2021 – 7:30 PM

The regular session meeting of the Farmington Hills City Council was called to order by Mayor Barnett at 7:37pm.

Council Members Present: Barnett, Boleware, Bridges, Knol, Massey, and Newlin

Council Members Absent: Bruce

Others Present: City Manager Mekjian, City Clerk Smith, Assistant City Manager Valentine, Directors Mondora and Monico, Police Chief King and City Attorney Young

PLEDGE OF ALLEGIANCE

State Representative Samantha Steckloff led the pledge of allegiance.

APPROVAL OF REGULAR SESSION MEETING AGENDA

MOTION by Knol, support by Massey, to approve the agenda as published.

MOTION CARRIED 6-0.

OATH OF OFFICE TO MAYOR AND COUNCIL MEMBERS ELECTED ON NOVEMBER 2, 2021

City Clerk Smith administered the Oath of Office to the newly elected Mayor and Council Members.

PROCLAMATION RECOGNIZING MOVEMBER 2021 AS MEN'S HEALTH AWARENESS MONTH

The following Proclamation was read by Council Member Bridges and accepted by former Mayor and current Planning Commissioner Barry Brickner, a survivor of prostate cancer:

**PROCLAMATION
Movember 2021
Men's Health Awareness Month**

WHEREAS, each year during the month of November, men across the globe are encouraged to band together and grow mustaches to promote and raise awareness of men's health issues; and

WHEREAS, since 2003, the Mustaches in November (or "Movember") campaign has generated a global health movement and raised thousands of dollars to fund more than 1,250 men's health projects around the world including prostate and testicular cancer research, mental health initiatives, and suicide prevention; and

WHEREAS, the newly grown mustaches of the Movember Men's Health Awareness Movement prompt conversations, create greater understanding of the health risks men face, and motivate them to take action for their health since men are 24% less likely than women to have an annual visit with a physician; and

WHEREAS, representatives from the City of Farmington Hills, including firefighters and police officers, have abandoned shaving for the month of November to “Gro a Mo” and show their support for the Movember Men’s Health Awareness Month cause.

NOW, THEREFORE, BE IT RESOLVED, that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby recognize **Movember 2021 as Men’s Health Awareness Month** and urge men to learn about their risks for prostate cancer, testicular cancer, and mental health issues, and to undertake screenings for early detection, talk to health care providers about treatment options if diagnosed, and to motivate their fellow men to take care of their health.

CORRESPONDENCE

The following correspondence was received and acknowledged regarding:

- Missing traffic lane lines at Halsted and Grand River Avenue
- Petitioning the City for sidewalks

CONSENT AGENDA

MOTION by Massey, support by Newlin, to approve the consent agenda as read.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, AND NEWLIN
Nays: NONE
Absent: BRUCE
Abstentions: NONE

MOTION CARRIED 6-0.

PUBLIC QUESTIONS AND COMMENTS

There were no public questions or comments.

COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS

The following council member comments and announcements were made:

- Mayor Barnett and Councilmembers Knol and Bridges thanked the residents for supporting them in the past Election and electing them back into office. They are looking forward to continuing to serve the residents. They also thanked the election inspectors and City Clerk’s Office for their efforts in running a smooth Election.

CITY MANAGER UPDATE

City Manager Mekjian made the following comments:

- Thank you to Central Services Director Monico and the IT staff for getting the audio fixed in the chamber
- Fall yard waste pickup ends the week of December 13th
- Provided an update on the 14 Mile Road watermain break

PUBLIC HEARING

PUBLIC HEARING AND CONSIDERATION OF AUTHORIZING THE CONVERSION OF SHADY RIDGE DRIVE FROM GRAVEL TO HARD SURFACE. CMR 11-21-105

Karen Mondora, Director of Public Services, reviewed the gravel road policy procedures and noted that Shady Ridge Drive originally had 92% of the residents in favor of an informational meeting to discuss converting the gravel road to hard surface. Following the informational meeting on the preliminary engineering, a 2nd petition was circulated representing 69.77% of the residents still in favor of the project.

Mayor Barnett opened the public hearing. She acknowledged a letter received from Jo Anne Zechar on Shady Ridge.

Jo Anne Zechar stated that her main question was why it was felt that the paving was needed. She also questioned if the road could be shown what it would look like with the paving and the canopy of trees removed or detailed plans shown and the steps involved for the proposed paving. She asked Council to drive the street and appreciate the canopy of trees that exist. She is concerned with those being removed.

Director Mondora stated that residents request their gravel road to be paved for various reasons, including leveraging the millage funding to pave the roads and increasing their property values, eliminate the dust and maintenance of the roads and vehicle maintenance.

Mayor Barnett explained that the informational meeting was held and that this step tonight was to approve the project to be engineered and designed. Many of the questions that Ms. Zechar had could not be answered until the project goes through the engineering and design phase. She suggested that Director Mondora meet with the residents following the hearing to discuss the project and moving forward if approved.

Mayor Barnett also acknowledged a letter from Darold and Lauren Ottersen, Shady Ridge, confirming that they are still in favor of the project.

Carolyn Bowden, Shady Ridge, stated that it was her understanding from the informational meeting that 3 trees would be removed to widen the street in one area but that they would be replaced. She commented on the horrible condition of the road when it rains and the need to have the road graded often. She indicated she was in favor of the project for those reasons.

There being no further comments, the public hearing was closed.

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby authorizes the conversion of Shady Ridge Drive from gravel to hard surface; and

IT IS FURTHER RESOLVED, that the City Council directs City staff to identify a specific project schedule for this conversion consistent with the Capital Improvement Program and within the City's Local Road budget and also accounting for any specific issues presented by this conversion.

MOTION CARRIED 6-0.

CONSENT AGENDA

RECOMMENDED APPROVAL OF AN AGREEMENT FOR MICHIGAN INDIGENT DEFENSE COMMISSION (MIDC) MANAGING ATTORNEY SERVICES WITH KIM WILSON IN AN AMOUNT NOT TO EXCEED \$12,000. CMR 11-21-106

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby authorizes the City Manager to enter into an agreement with Kim Wilson to provide MIDC managing attorney services as described in the grant application. The contractors pay will be \$100/hour, not to exceed \$12,000, with the contract valid from October 1, 2021 through September 30, 2022 or upon completion of all grant requirements.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, AND NEWLIN
Nays: NONE
Absent: BRUCE
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED ADOPTION OF A RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC FOR THE LEASE OF SPACE ON AND ADJACENT TO THE CITY WATER TOWER FOR A PERIOD OF 5 YEARS; WITH POSSIBLE EXTENSIONS. CMR 11-21-107

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON HILLS
**RESOLUTION APPROVING A LEASE AGREEMENT
FOR USE OF THE CITY WATER TOWER
RESOLUTION NO. R-200-21**

At a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, State of Michigan, held on November 8, 2021, at 7:30 o'clock p.m., Eastern Daylight Savings Time, with those present and absent being,

PRESENT: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY AND NEWLIN
ABSENT: BRUCE

the following preamble and resolution were offered by Councilperson Massey and supported by Councilperson Newlin:

WHEREAS, on March 29, 2016, the City of Farmington Hills entered into a lease agreement with Oakland County, by and through its Water Resource Commissioner, which authorizes the city to enter into lease agreements with wireless telecommunications service providers for placement and use of antennas and related equipment on and adjacent to the City Water Tower; and

WHEREAS, the city has received a request from New Cingular Wireless PCS, LLC to lease space on and near the Water Tower for the placement and use of its antennas and wireless telecommunications equipment; and

WHEREAS, pursuant to City Ordinance No. C-2-2016, adopted March 28, 2016, a lease agreement for use of the City Water Tower for the installation and operation of antennas and equipment must be approved by resolution of Council.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Farmington Hills hereby approves the lease agreement between the City of Farmington Hills and New Cingular

Wireless PCS, LLC for the lease of space on and adjacent to the City Water Tower upon the terms and conditions presented to City Council during its regular meeting on November 8, 2021.

BE IT FURTHER RESOLVED that City Council authorizes the City Manager and City Clerk to enter into said lease agreement.

AYES: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY AND NEWLIN
NAYS: NONE
ABSENT: BRUCE
ABSTENTIONS: NONE

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF EXTENSION OF AWARD OF AGREEMENT FOR MASS NOTIFICATION (FH ALERT) AND EMPLOYEE ENGAGEMENT SUBSCRIPTION TO SHI, INC. FOR FIVE YEARS AT \$20,999.99 PER YEAR. CMR 11-21-108

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby authorizes the City Manager to approve purchase orders to SHI, Inc. for Everbridge for five (5) years at \$20,999.99 per year.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, AND NEWLIN
Nays: NONE
Absent: BRUCE
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED AUTHORIZATION OF AGREEMENT FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE HAWK STADIUM FIELD REPLACEMENT PROJECT WITH WAKELY ASSOCIATES IN THE AMOUNT OF \$80,000. CMR 11-21-109

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby authorizes the City Manager to enter into an agreement with Wakely Associates to provide Architectural & Engineering Services for the Hawk Stadium field replacement project in the amount of \$80,000 (\$69,000 + \$11,000 Contingency).

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, AND NEWLIN
Nays: NONE
Absent: BRUCE
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR LASER CUTTER SYSTEM TO FAIRWAY LASER SYSTEMS IN THE AMOUNT OF \$23,945. CMR 11-21-110

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order for an Epilog Fusion Edge 24 CO2 60W to Fairway Laser Systems in the amount of \$23,945.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, AND NEWLIN
Nays: NONE
Absent: BRUCE
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF A SPECIAL EVENT PERMIT FOR THE ANTHOLOGY OF FARMINGTON HILLS FAMILY FUN EVENT TO BE HELD ON THURSDAY, NOVEMBER 11, 2021.

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby approves a Special Event Permit for the Anthology of Farmington Hills Family Fun Event to be held on Thursday, November 11, 2021 from 4pm-7pm, subject to the following conditions:

- There will be approximately 150 attendees during the three-hour event
- A DJ will be on site for announcements and music
- Ample onsite parking
- The applicant is not requesting assistance from the Police Department at this time
- No one shall be allowed inside the building prior to the final Certificate of Occupancy being issued from the Building Department
- Egress shall be maintained
- Fire lanes shall not be blocked
- Food trucks shall operate according to the NFPA and Fire Prevention Code standards, specifically:
 - Ensure that fuel tanks are filled to the capacity needed for uninterrupted operation for the duration of the event
 - All connections/piping shall be checked for leaks prior to operating
 - Any cooking system which produces grease laden vapors shall be protected by listed fire extinguishing equipment
 - Fire extinguishers shall be installed and maintained according to NFPA 10
- The applicant must contact Fire Prevention to schedule an inspection prior to the beginning of the event
- The event shall comply with minimum Fire Code Requirements
- Use of the generator is subject to approval of an electrical permit and approved inspection prior to the event

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, AND NEWLIN
Nays: NONE
Absent: BRUCE
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF CANCELING THE DECEMBER 27, 2021 CITY COUNCIL MEETING.

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby cancels the regular City Council meeting of December 27, 2021.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, AND NEWLIN
Nays: NONE
Absent: BRUCE
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF OCTOBER 25, 2021

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby approves the City Council study session meeting minutes of October 25, 2021.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, AND NEWLIN
Nays: NONE
Absent: BRUCE
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR SESSION MEETING MINUTES OF OCTOBER 25, 2021.

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby approves the City Council regular session meeting minutes of October 25, 2021.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, AND NEWLIN
Nays: NONE
Absent: BRUCE
Abstentions: NONE

MOTION CARRIED 6-0.

ADDITIONS TO AGENDA

There were no additions to the agenda.

ATTORNEY REPORT

The attorney report was received by Council.

ADJOURNMENT

MOTION by Bridges, support by Massey, to adjourn the regular session City Council meeting at 8:30pm.

MOTION CARRIED 6-0.

Respectfully submitted,



Pamela B. Smith, City Clerk