



CITY OF MADISON HEIGHTS
CITY HALL - COUNCIL CHAMBERS, 300 W. 13 MILE RD.
CITY COUNCIL REGULAR MEETING AGENDA
NOVEMBER 25, 2024 AT 7:30 PM

CALL TO ORDER

ROLL CALL

INVOCATION and PLEDGE OF ALLEGIANCE - COUNCILMAN FLEMING

APPROVAL OF THE AGENDA:

- [1.](#) Additions/Deletions

PRESENTATIONS

- [2.](#) City Auditors (Rehmann) - Financial Audit Presentation

PUBLIC HEARINGS:

ITEMS ON AGENDA OF INTEREST TO PARTIES IN THE AUDIENCE

MEETING OPEN TO THE PUBLIC:

CONSENT AGENDA:

- [3.](#) Director of Public Services - Scheduled Replacement of Vehicle #469
- [4.](#) City Council Regular Meeting Minutes of November 11, 2024

COMMUNICATIONS:

REPORTS:

- [5.](#) City Manager - Road Improvement Project Agreement with McNaughton-McKay on Pinehurst Drive

ITEMS FOR FUTURE PUBLIC HEARINGS:

BID AWARDS/PURCHASES:

- [6.](#) Finance Director - Workstations replacement for City Manager and Finance Departments
- [7.](#) Skynet IT Contractor - City-wide Copy Machine Replacement Lease Contract

ORDINANCES:

- [8.](#) CED Director - Ordinance 2201 - Rezoning PRZN 24-01 - 32275 Stephenson Hwy. [M-1 to MUI-1], First Reading

UNFINISHED BUSINESS:

EXECUTIVE SESSION:

ADJOURNMENT

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

DATE: November 21, 2024

TO: City Council

FROM: Melissa R. Marsh, City Manager

SUBJECT: Agenda Comments - Regular Council Meeting of Monday, November 25, 2024

The following are my comments on items appearing on the agenda of the Regular Council Meeting on Monday, November 25, 2024.

PRESENTATIONS:

CITY AUDITORS (REHMANN) - FINANCIAL AUDIT PRESENTATION

Daniel Clark, Principal from Rehmann, will be making a presentation regarding the annual financial statements for the Fiscal Year Ending June 30, 2024. After City Council has an opportunity to review the presentation and have questions addressed, staff and I recommend that the annual report be received and filed.

CONSENT:

SCHEDULED REPLACEMENT OF VEHICLE #469

The FY 2024-25 Budget includes funding carried forward for the scheduled replacement of Vehicle 469, a 2010 Ford E-350 Passenger Van, funded through the Active Adult division. Staff recommends that Council approve the purchase of one 2025 Chevrolet Express passenger van from Berger Chevrolet, of Grand Rapids, through the State of Michigan MiDeal Vehicle Purchasing Program, in the total amount of \$46,828.00. Funding is budgeted and available.

REPORTS:

ROAD IMPROVEMENT PROJECT AGREEMENT WITH MCNAUGHTON-MCKAY ON PINEHURST DRIVE

The City of Madison Heights has been presented with an agreement to undertake road improvements on Pinehurst Drive, specifically to facilitate semi-truck parking for McNaughton-McKay. This project is essential for improving access on E. Lincoln Ave. and to allow for access for other businesses. Staff and I recommend approval of the agreement between the City of Madison Heights and McNaughton-McKay authorizing the City Manager and City Clerk to sign on behalf of the City.

BID AWARDS/PURCHASES:**REPLACE WORKSTATIONS - FINANCE & CITY MANAGER DEPARTMENTS**

The FY 2024-25 Budget includes funding for the replacement of furniture in the Finance and City Manager's Departments. The workstations in these two City Hall Departments are not cohesive sets, are in fair to poor condition over 25 years old, and are the remaining Civic Center Project workstations to be replaced. Farmington Hills cooperative bid pricing has been extended to Madison Heights for purchase at Smart Business Source. Staff recommends Council approve the purchase of replacement workstations from Smart Business Source in the amount of \$50,732.58.

CITY-WIDE COPY MACHINE REPLACEMENT LEASE CONTRACT

The City's IT contractor, Skynet, has conducted a thorough review and analysis of the City's copier fleet including inventorying, compiling monthly costs, and helping staff identify the correct number of machines necessary to efficiently conduct business.

Currently, the city has 64 copy machines with 9 different manufacturers in City Hall, the Library and the Police Department, most of which are at the end of their practical lifecycle. The average age of the equipment is over 7 years old, with 70% being over 10 years old. The cost for toner for this equipment in FY 23/24 was \$6,662.53. The cost for continuing to lease the current equipment, maintenance and copies in FY 23/24 was \$28,264.84, for a total annual cost of \$34,927.37 or an average monthly cost of \$2,910.61

Ricoh provided a quote for the replacement of 11 devices at a monthly cost of \$1395.57 and a cost per copy for both black and white (.01) and color (.05) and includes the cost of toner and service for 60 months. Xerox proposes replacing 21 of the existing copiers with a monthly cost of \$2,408.90 for 60 months. This solution would allow the city to reduce the number of copy machines and manufacturers, have a shared print allowance of 28,983 copies between devices, includes the maintenance agreement that covers the cost of toner, drums, and waste containers for these devices, and provide for the removal and recycling of the machines being replaced.

After reviewing the proposed options, Skynet and staff conclude that Xerox provides more equipment, better maintenance and is a better overall solution to the city's needs. Therefore, Skynet and staff recommend that the City approve a 60-month lease agreement with Xerox Business Solutions Midwest in the amount of \$2,408.90 for 21 copy machines and maintenance and allow the City Manager to sign on behalf of the City.

ORDINANCES:**ORDINANCE 2201 - REZONING PRZN 24-01 - 32275 STEPHENSON HWY. [M-1 TO MUI-1], FIRST READING**

The applicant, Ahmad Nassar d/b/a Detroit 75 Kitchen, on behalf of the property owner, Raghunath Singh, requests to rezone one (1) parcel of land located at 32275 Stephenson Highway (TM# 44-25-02-101-036) from M-1, Light Industrial district, to MUI-1, Mixed-Use Innovation 1 district. The subject parcel is approximately 1 acre in size and is improved with a 3,300 square foot commercial building (currently operating as a restaurant and bar) and an associated parking lot. The property is located on the west side of Stephenson Hwy. just north of Whitcomb Ave. Staff recommends that the City Council adopt Ordinance #2201 (PRZN 24-01) upon first reading and schedule the required public hearing and second reading for the December 9th, 2024 City Council Meeting.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 11/25/24

PREPARED BY: Linda A. Kunath

AGENDA ITEM CONTENT: City Auditors (Rehmann) - Financial Audit Presentation

AGENDA ITEM SECTION: Presentations

BUDGETED AMOUNT: 0

FUNDS REQUESTED: 0

FUND:

EXECUTIVE SUMMARY:

Daniel Clark, Principal from Rehmann, will be making a presentation regarding the annual financial statements for the Fiscal Year Ending June 30, 2024.

RECOMMENDATION:

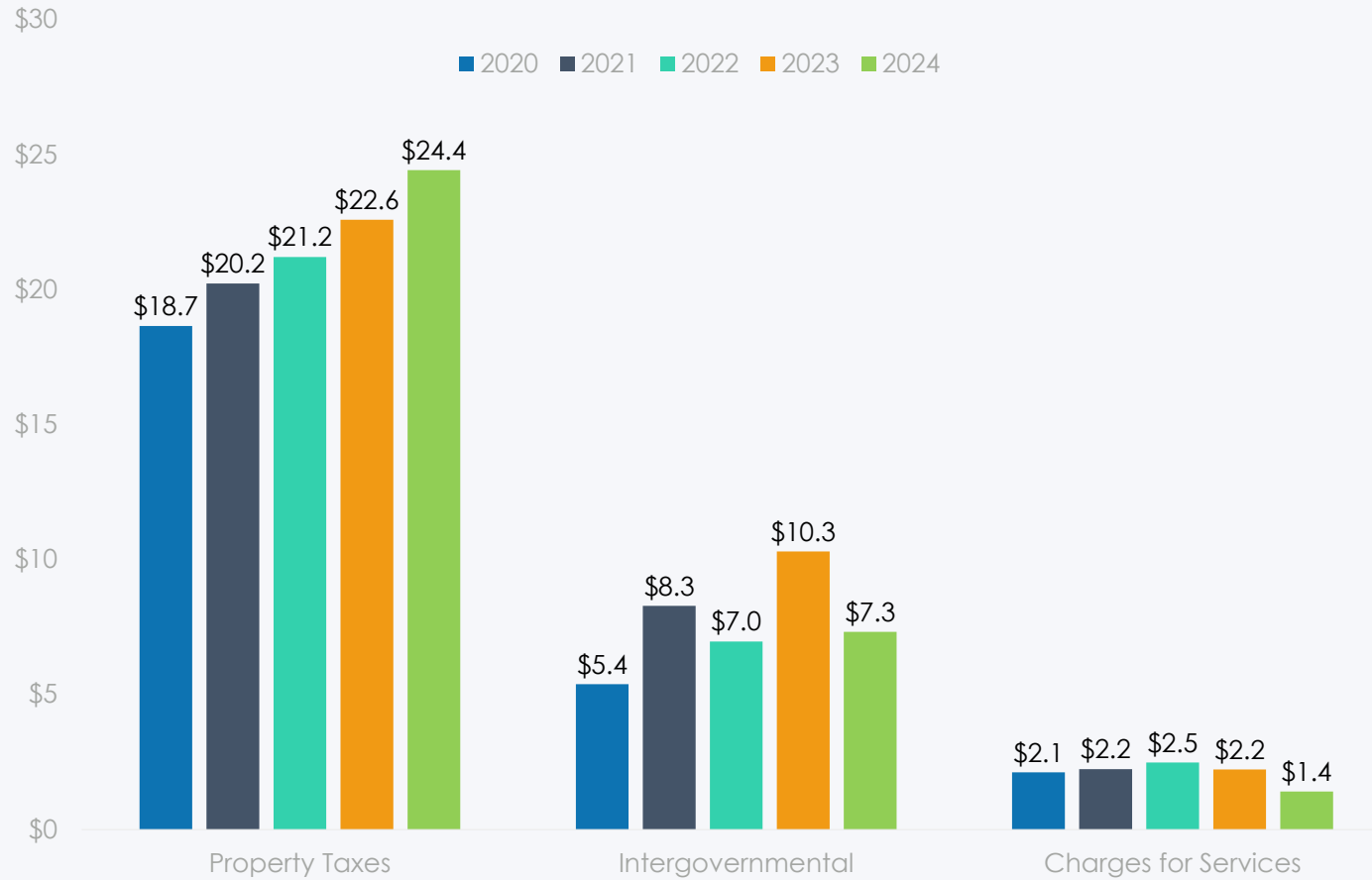
After City Council has an opportunity to review the presentation and have questions addressed, staff and I recommend that the annual report be received and filed.

CITY OF MADISON HEIGHTS

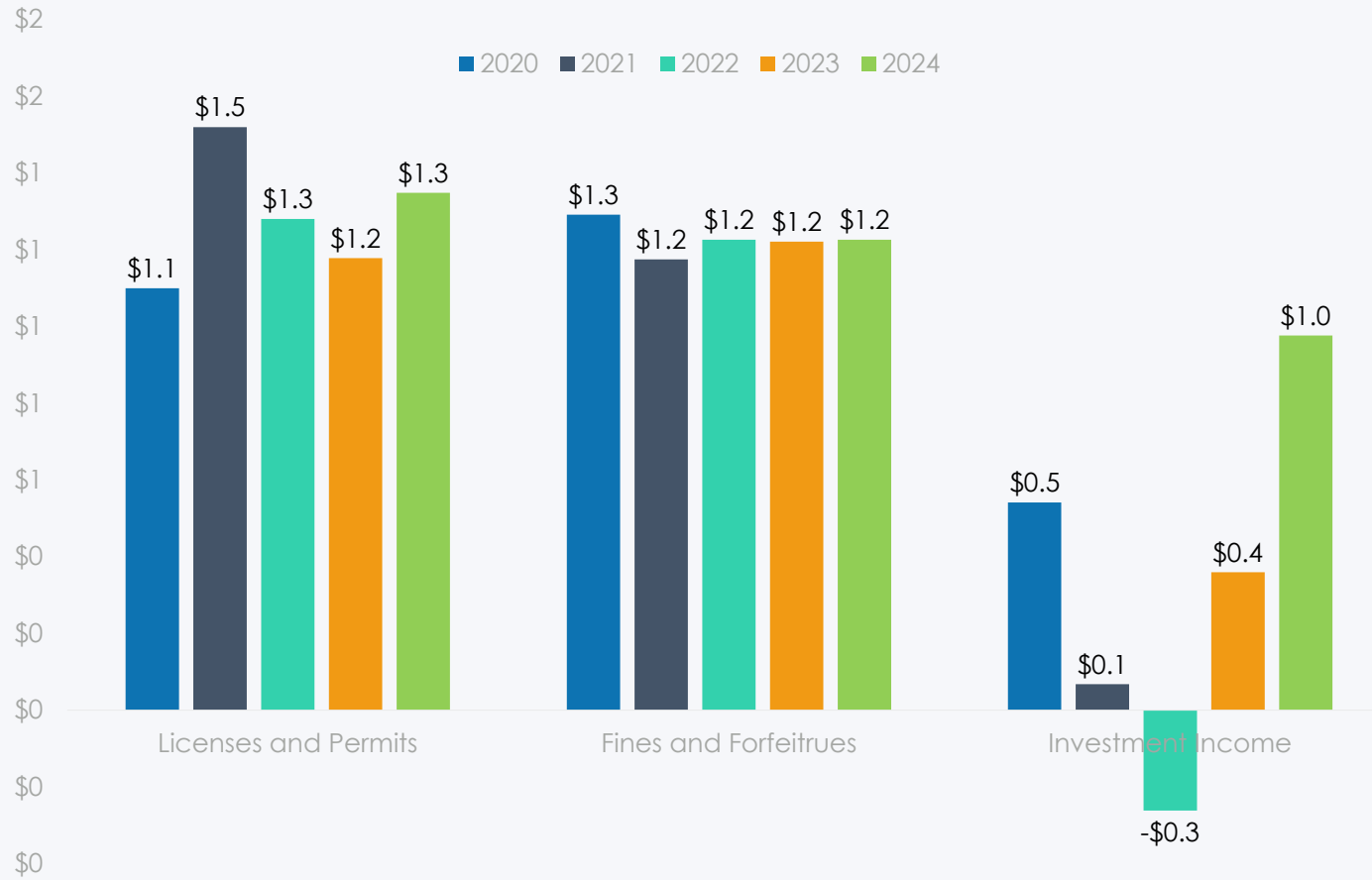
June 30, 2024

Rehmann
EMPOWER YOUR PURPOSE

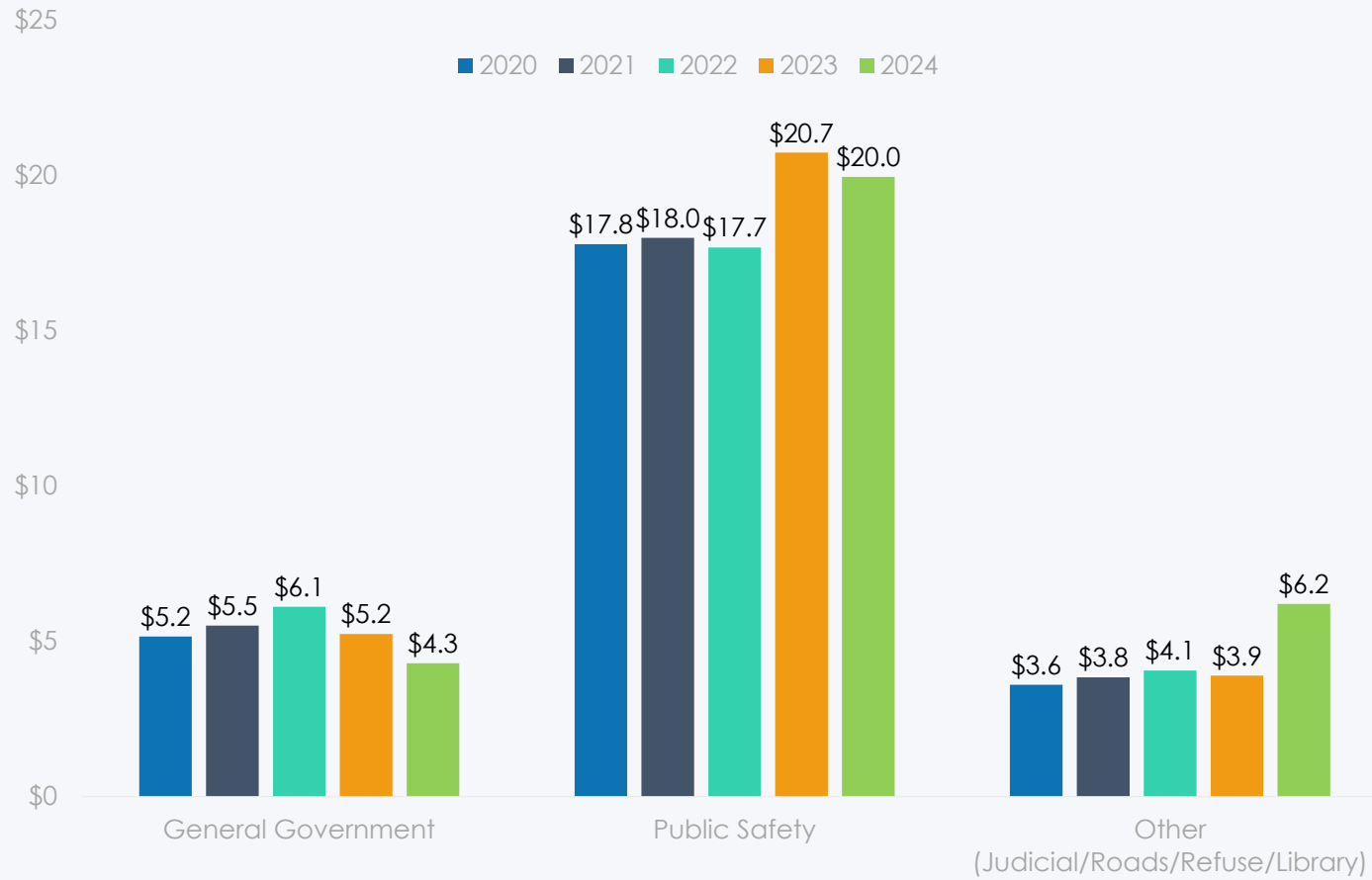
General Fund Revenue (in millions)



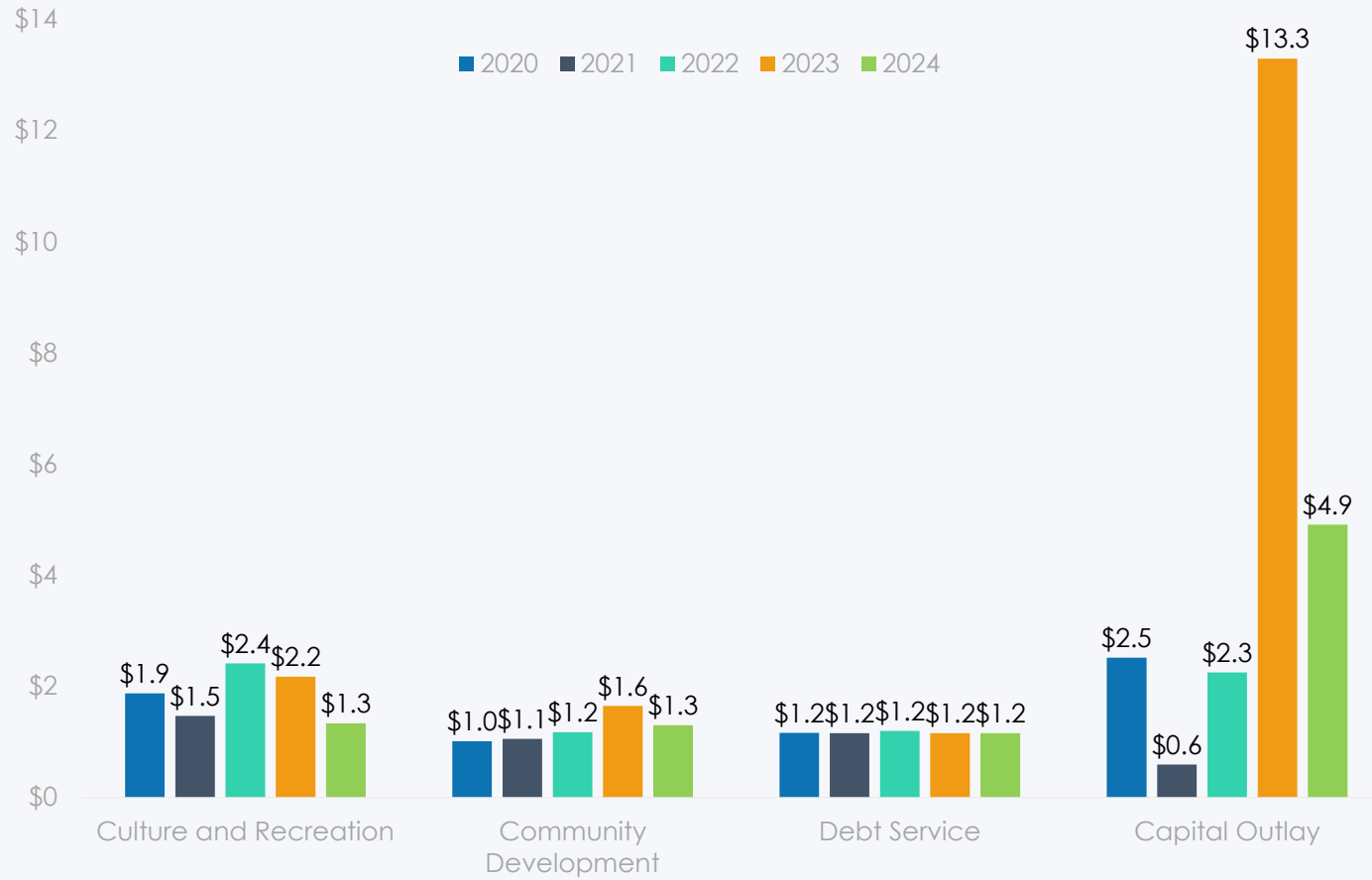
General Fund Revenue (in millions)



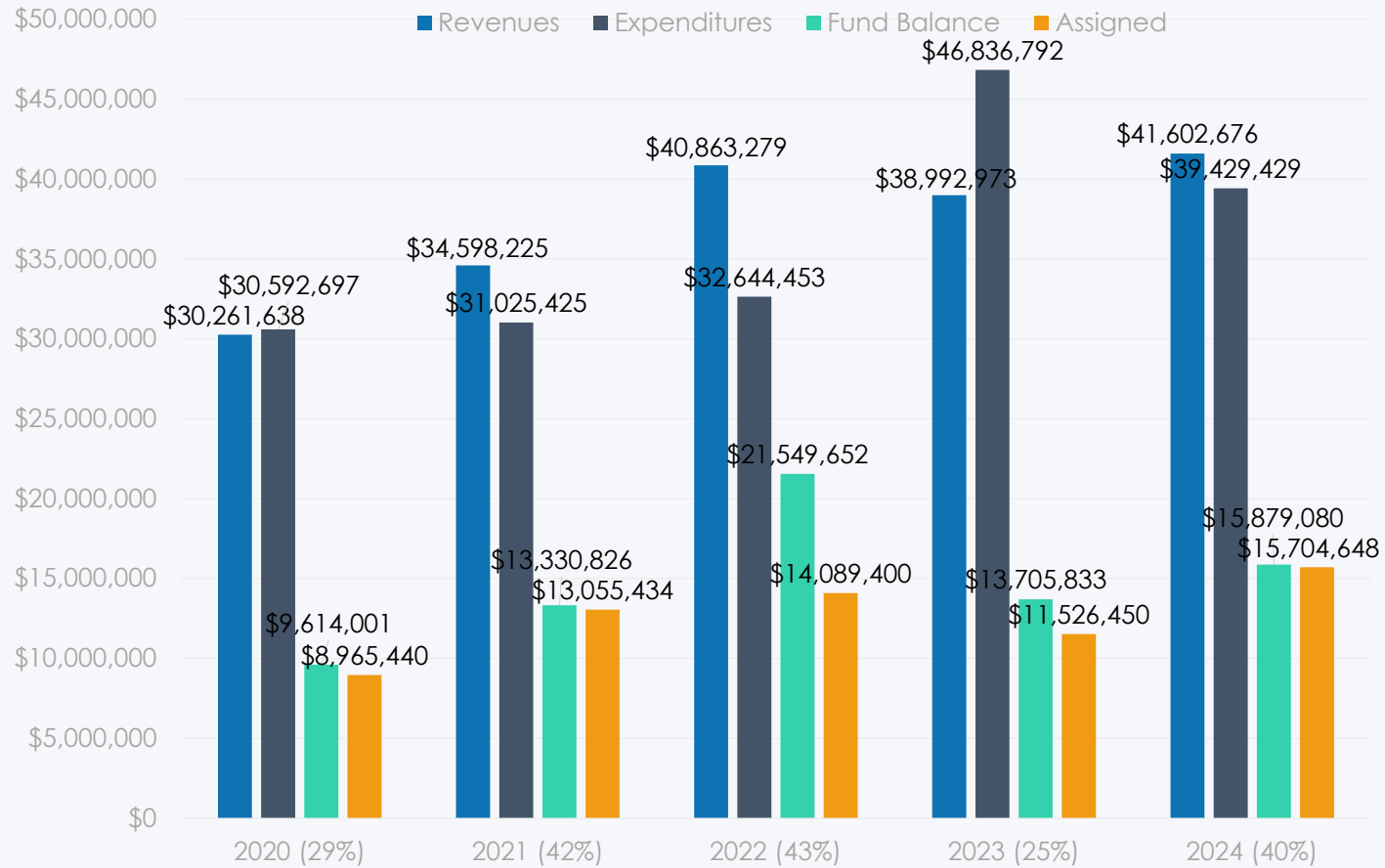
General Fund Expenditures (in millions), continued



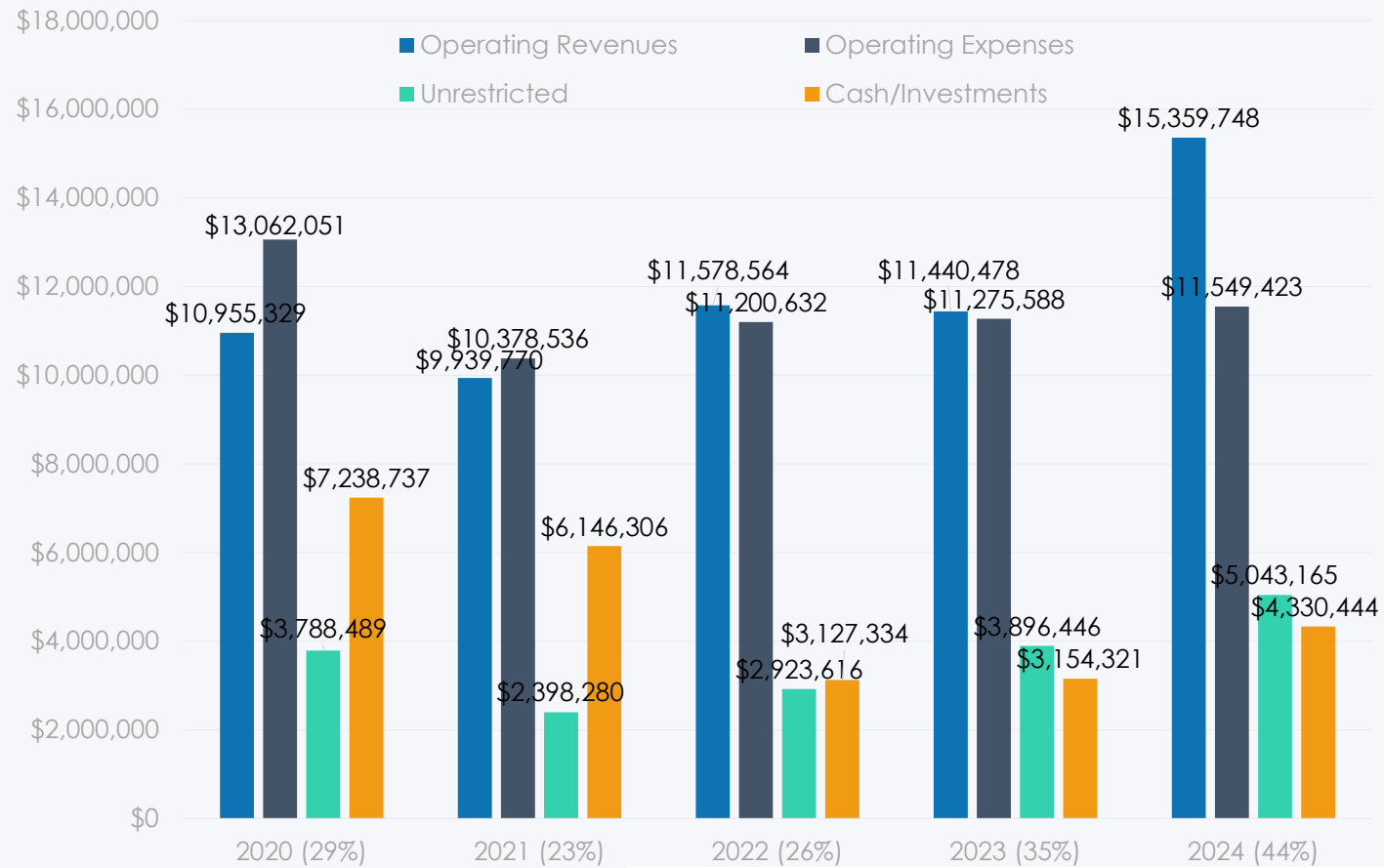
General Fund Expenditures (in millions), continued



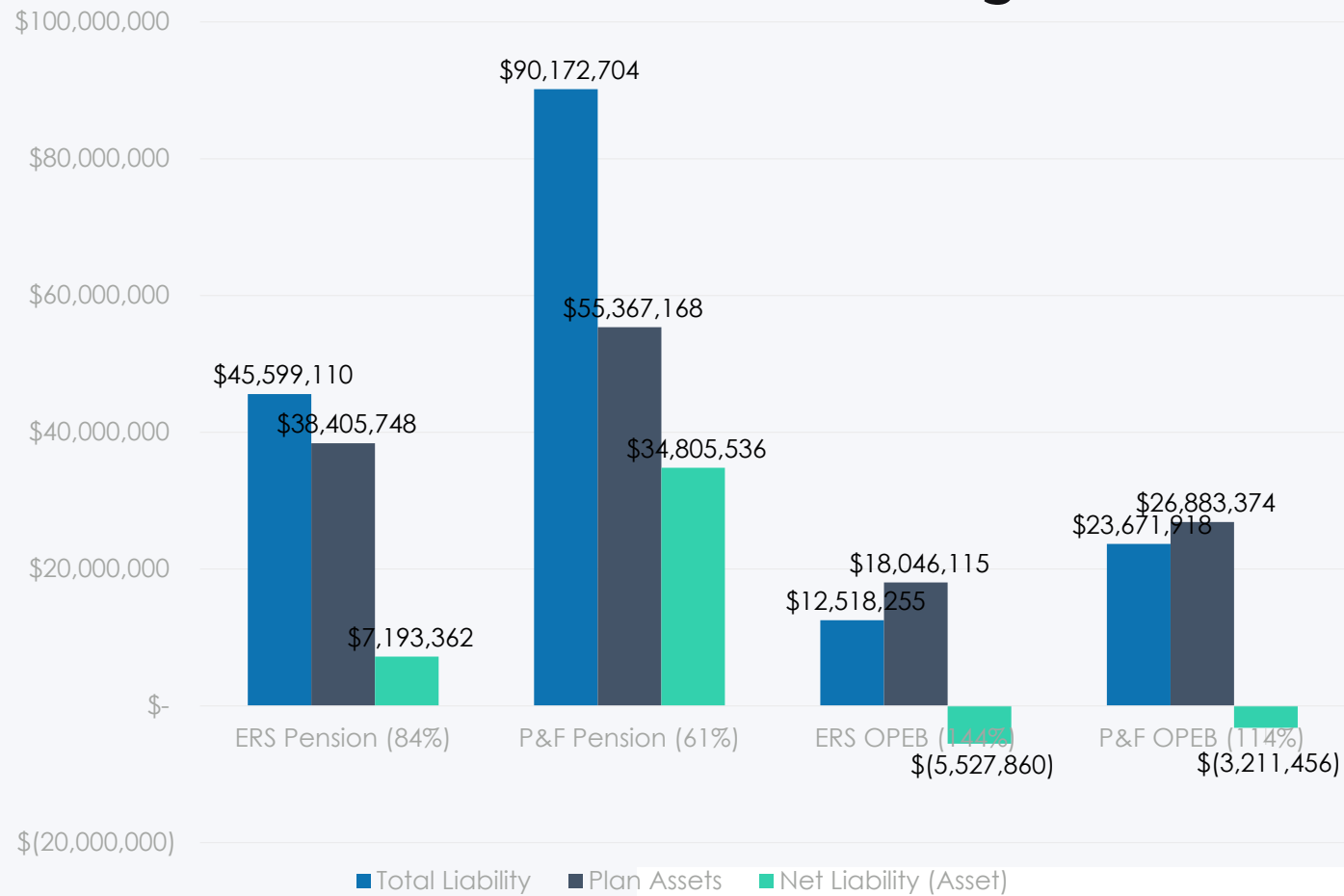
General Fund



Water and Sewer



Pension/OPEB Funding







AGENDA ITEM SUMMARY FORM

MEETING DATE: 11/25

PREPARED BY: Sean P. Ballantine, Director of Public Services

AGENDA ITEM CONTENT: Director of Public Services - Scheduled Replacement of Vehicle #469

AGENDA ITEM SECTION: Consent Agenda

BUDGETED AMOUNT: \$50,000

FUNDS REQUESTED: \$46,828

FUND: 101-758-985-0000

EXECUTIVE SUMMARY:

The FY 2024-25 Budget includes funding carried forward for the scheduled replacement of Vehicle 469, a 2010 Ford E-350 Passenger Van, funded through the Active Adult division. This vehicle is in fair condition, qualifying for replacement if the budget allows.

RECOMMENDATION:

Staff recommends that Council approve the purchase of one 2025 Chevrolet Express passenger van from Berger Chevrolet, of Grand Rapids, through the State of Michigan MiDeal Vehicle Purchasing Program, in the total amount of \$46,828.00. Funding is budgeted and available.

MEMORANDUM

Item 3.

DATE: November 7, 2024
TO: Melissa R. Marsh, City Manager
FROM: Sean P. Ballantine, Director of Public Services
SUBJECT: Scheduled Replacement of Vehicle #469

The FY 2024-25 Budget includes funding carried forward for the scheduled replacement of Vehicle 469, a 2010 Ford E-350 Passenger Van, funded through the Active Adult division. This vehicle is in fair condition, qualifying for replacement if the budget allows.

This is one of two standard passenger vans used by the Active Adult Center for the senior transportation program, as well as providing support for Recreation activities in the summertime. Due to ongoing supply chain issues and shortages, sourcing this vehicle has proven quite difficult, and has taken a significant amount of time. Fortunately, a vehicle which fits our needs and is within budget has become available through our GM dealership.

Staff therefore recommends that Council approve the purchase of one 2025 Chevrolet Express passenger van from Berger Chevrolet, of Grand Rapids, through the State of Michigan MiDeal Vehicle Purchasing Program, in the total amount of \$46,828.00. Funding is budgeted and available.

Department of Public Services
City of Madison Heights
801 Ajax Drive
Madison Heights, Michigan 48071

p: (248) 589-2294 | f: (248) 589-2679 | e: DPS@Madison-Heights.org

City of Madison Heights
Vehicle Replacement Guidelines & Evaluation Worksheet

Disposition: Auction

Item 3.

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

Date of Evaluation:11/7/2024

Vehicle #:469

Department / Division:Active Adults

Year / Make / Model:2010Ford Van

Vehicle Type:A

Type A = Sedans / Light Trucks ≤ 1 Ton

Type B = Medium / Heavy Duty > 1 Ton

Type C = Off Road Equipment

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

In Service Date:9/17/2009

Age in Months:181

Age in Years (rounded):15

Score:15

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

Actual Mileage:44,107

Actual Hours:(N/A)

Score:4

Service Type:

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

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

Score: 1

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

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

Number of times in shop within the last month:0

Number of times in shop within the last 3 months:0

Any Road Calls or Breakdowns (Y or N):N

Road Calls / Breakdowns within the last month:0

Road Calls / Breakdowns within the last 3 months:0

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

Score: 1

Maintenance & Replacement Costs:

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

Total Maintenance Cost: \$4,844 as of 11/7/2024

Estimated Purchase Price - New Veh.: \$46,000 as of 11/7/2024

Est. Resale Value of Car to be sold: \$3,500 as of 11/7/2024

Estimated Net Replacement Cost: \$42,500 as of 11/7/2024

Maintenance Cost as % of Replacement Cost: 11.4% as of 11/7/2024

Score: 1

Condition:

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

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

Type C

Points

Description

1

Good condition, fully functional.

2

Fair body, functional.

3

Minor body damage, weak operating system.

4

Severe damage, component not functional.

5

Extreme damage, inoperable.

Number of Notable Accidents:0

(list number)

Paint / Body:Good

comment

Interior:Fair

comment

Drive Train:Fair

comment

General Condition:3

(pick number from table)

Score: 3

Overall: Total Score: 25

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

Prepared By:Sean P. Ballantine

Date:11/7/2024

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BID PER ENCLOSED SPECIFICATIONSCost per vehicle \$46,828.00

Vehicle Description:

Number of units 1Year 2025Make Chevrolet\$46,828.00Model 2500 Express
passenger van

Vendor:

Berger Chevrolet Inc.

Bid Prepared For :

Address 2525 28th Street S.E.City of Madison HeightsGrand Rapids, MI 49512Phone (616) 575-9629Price includes title fee and delivery. Price based on
Municipal discount in the State of Michigan.Fax (616) 988-9178Signature *Robert Evans*Printed Signature Robert M. EvansDate 11/7/2024

City Council Regular Meeting
Madison Heights, Michigan
November 11, 2024

A City Council Regular Meeting was held on Monday, November 11, 2024 at 7:30 PM at City Hall - Council Chambers, 300 W. 13 Mile Rd.

PRESENT

Mayor Roslyn Grafstein
Mayor Pro Tem Mark Bliss
Councilman Sean Fleming
Councilman William Mier
Councilor Emily Rohrbach
Councilman David Soltis
Councilor Quinn Wright

OTHERS PRESENT

City Manager Melissa Marsh
City Attorney Larry Sherman
Deputy City Manager/City Clerk Cheryl Rottmann

The invocation was given by Mayor Pro Tem Bliss and the Pledge of Allegiance followed.

CM-24-228. Amendment to the Agenda.

Motion to move the following items to the Public Hearings section of the agenda:

2. CED Director - CDBG Yard Services Reprogram Request: Revise Program Description of Yard Services

7. CED Director - CDBG Program Year 2025 Application to the Public Hearing section of the agenda.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming,
Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

CM-24-229. CDBG Yard Services Reprogram Request: Revise Program Description of Yard Services

Mayor Grafstein opened that public hearing at 7:34 p.m. on the CDGB Yard Services Reprogram Request.

Seeing no one wishing to speak, Mayor Grafstein closed the public hearing at 7:35 p.m.

Motion to approve the resolution authorizing the Community & Economic Development Department by consent to prepare and submit a request to Oakland County to reprogram Yard Services Program Years 2022 through 2024 to revise program description to include snow removal and dangerous tree removal.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilman Mier.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming,
Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

CM-24-230. CDBG Program Year 2025 Application and Public Hearing.

Mayor Grafstein opened a public hearing at 7:36 p.m. to hear comments on the CDGB Program Year 2025 Application.

Seeing no one wishing to comment, Mayor Grafstein closed the public hearing at 7:37 p.m.

Motion to approve the CDBG Program Year 2025 Application Resolution with the funding of the PY 2025 application as follows:

1. Senior Service (Lawn Cutting Service) \$20,603.00
 2. Code Enforcement \$86,000.00
 3. Minor Home Repair \$30,756.00
- Anticipated Allocation Total \$137,359.00

and to authorize the PY 2025 CDBG application to be submitted to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and to further authorize the Mayor to execute all documents, agreements or contracts which result from this application to Oakland County:

City of Madison Heights, Michigan

WHEREAS, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs, and

WHEREAS, Oakland County has requested CDBG-eligible projects from participating communities for inclusion in the Action Plan, and

WHEREAS, the City of Madison Heights has duly advertised and conducted a public hearing as follows:

PUBLIC HEARING

City of Madison Heights

Notice of Public Hearing – Community Development Block Grant: Program Year 2025
Application & Reprogramming Yard Service Funds

NOTICE IS HEARBY GIVEN that the City of Madison Heights will hold a public hearing on the use of Community Development Block Grant Funds. The Hearing will be held in person on Monday, November 11th, 2024, at 7:30 pm in the City Council Chambers of the Municipal Building at 300 W 13 Mile Rd, Madison Heights, MI 48071 to hear public comments on the CDBG Program Year 2025 application, and the reprogramming of Yard Services to change the project summary to seasonal yard clean up.

Comments will also be received in writing or in person at the Community & Economic Development Department, 300 W 13 Mile Road, Madison Heights, MI 48071 until 4:30 pm, Thursday, November 7, 2024. Arrangements to reasonably accommodate special needs, including handicap accessibility or interpreter will be made upon receiving a 72-hour advance notice. All comments should be addressed to Giles Tucker, Community Development Director at gilestucker@madison-heights.org or call (248) 583-0831, including requests for special needs accommodations.

Giles Tucker, Community Development Director, Community & Economic Development Department

Published at www.madison-heights.org , 10/4/2024.

Posted at: North Entrance Display Case Madison Heights City Hall 300 W 13 Mile Rd, Madison Heights, MI 48071, 10/4/2024.

WHEREAS, the city staff has recommended that City Council apply for PY 2025 CDBG funds for the following projects:

THEREFORE, BE IT RESOLVED, that the City of Madison Heights City Council hereby authorizes the PY 2025 CDBG application to be submitted to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and hereby authorizes the Mayor to execute all documents, agreement or contracts which result from this application to Oakland County.

Motion made by Councilor Rohrbach, Seconded by Councilman Mier.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming,
Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

MEETING OPEN TO THE PUBLIC:

There were no members of the public wishing to speak.

CM-24-231. Consent Agenda.

Motion to approve the Consent Agenda as read.

Motion made by Councilman Mier, Seconded by Councilman Soltis.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming,
Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

CM-24-232. Purchase of Utility Vehicle.

Motion to approve the purchase of one Kubota RTV-X1100CWL utility vehicle from Weingartz, of Utica, in the amount of \$36,201.36 through the Sourcewell Cooperative Purchasing Program.

Motion made by Councilman Mier, Seconded by Councilman Soltis.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming,
Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

CM-24-233. Scheduled Replacement of Vehicle #435.

Motion to approve the purchase of one 2025 Chevrolet Express cargo van from Berger Chevrolet, of Grand Rapids, through the State of Michigan MiDeal Vehicle Purchasing Program, in the total amount of \$40,793.00.

Motion made by Councilman Mier, Seconded by Councilman Soltis.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming,
Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

CM-24-234. City Council Regular Meeting Minutes of October 14, 2024.

Motion to approve the City Council Regular Meeting Minutes of October 14, 2024, as printed.

Motion made by Councilman Mier, Seconded by Councilman Soltis.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming,
Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

CM-24-235. City Council Regular Meeting Minutes of October 28, 2024.

Motion to approve the City Council Regular Meeting Minutes of October 28, 2024, as printed.

Motion made by Councilman Mier, Seconded by Councilman Soltis.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming,
Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

**CM-24-236. CDBG & OLHSA Senior Home Chore Grant Funded Yard Service-
Snow Removal Service - Budget Amendment.**

Motion to approve a Budget Amendment in the amount of \$100,000 to both to Revenue 101-021-528-5288, Federal Grant – Other and Expenditure 101-728-818-0000, General Fund-Community Development-Contractual Services reflecting the awarded OLHSA grant funds.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming,
Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

**CM-24-237. CDBG & OLHSA Senior Home Chore Grant Funded Yard Service-
Snow Removal Service**

Motion to award the CDBG funded yard services/snow removal program contract to the lowest responsible bidder, Gratiot Landscaping DBA Winners Circle Turf & Landscaping, at a unit price of \$45.00 per lot for the 2024/25 Snow Removal season, and to authorize the City to proceed to the next lowest responsible bidder, Luxury Lawn & Snow at unit pricing of \$53.00 per lot in the unlikely event that the contract with Gratiot Landscaping DBA Winners Circle Turf & Landscaping is canceled due to non-performance or other issues.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming,
Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

CM-24-238. Replacement of 4 Police Patrol Vehicles.

Motion to approve the purchase of four Chevrolet Tahoe 4-wheel drive police packages, from Berger Chevrolet, of Grand Rapids, through the MiDeal vehicle purchasing program, for the total amount of \$211,968.

Motion made by Councilor Wright, Seconded by Councilman Fleming.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming,
Councilman Mier, Councilor Rohrbach

Motion carried.

COUNCIL COMMENTS:

Councilman Mier gave a shout out to all the veterans on Veteran's Day. He congratulated Clerk Rottmann and staff for the well-run election. Congratulations to all our local office winners throughout the City and congratulations to the Madison District on the success of their sinking fund. He stated that there are a lot of fun activities in the city that he has attended, including the Chamber Mad Hatter event and the Lamphere play.

Mayor Pro Tem Bliss thanked and stated that he appreciates veteran's service. The Heritage Room will open this Saturday from 10 a.m. to 12 p.m., including the Wall of Heros; so please come out and see this incredible space in the city

Councilor Wright wished all the veterans a Happy Veteran's Day thanked them for their service.

City Attorney Sherman wished Happy Veteran's Day to all our veterans and thanked them for their bravery and service

City Manager Marsh expressed thanks to all our veterans and those who serve or served in her family. She stated that the Women's Club puts up a Veterans tree and it is on display in the library. At the next Council meeting, there will be our tree lighting ceremony.

Deputy City Manager/City Clerk Rottmann thanked her staff for working tirelessly for weeks leading up to the election, through the 9 days of early voting, and on Election Day, as well as all the citizen volunteers that worked the election on November 5th, noting that it would not be possible to conduct an election with out them.

Councilor Rohrbach thanked our veterans and the Clerk's office and all the staff that put on the election. She reminded the residents that Council is here for the citizens and community, and we are here to serve you.

Councilman Fleming thanked the Clerk's office and volunteers that worked the election and for early voting. If you are new to the city or just don't know, you need to bag your leaves or put them at the curb to be vacuumed up. As a veteran, he wants to express his gratitude to all veterans for their service and thank you to those who served who never became veterans. He stated that there is a video showcasing local and city staff veterans on our social media. He stated that he is grateful to Senator Mike McFall for extending the veterans license plate to those with a disability of 50% to 100% and noted that it was a bipartisan effort and passed unanimously, and he is thankful for his efforts. He also noted that the Governor signed a bill honoring the service and sacrifice of womens veterans with a special license plate.

Councilman Soltis echoed the sentiments of the rest of council. He asked for a status report on Meals on Wheels. He commented that his Father was a veteran and served in the Air Force and he appreciates all the service members.

Mayor Grafstein thanked Councilman Fleming and all of the veterans in our community for all of their sacrifices. She thanked the Clerk's office for their work on the election and everyone who helped. November 25th is the Tree Lighting ceremony and noted that we are expecting a

special guest from the North Pole. Prior to the Tree Lighting, the seniors will be having a sale and afterwards will be the Council meeting. The next Council meeting is November 25th.

ADJOURNMENT:

Having no further business, Mayor Grafstein adjourned the meeting at 7:55 p.m.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 11/25/24

PREPARED BY: Melissa Marsh, City Manager

AGENDA ITEM CONTENT: Road Improvement Project Agreement with McNaughton-McKay on Pinehurst Drive

AGENDA ITEM SECTION: Reports

BUDGETED AMOUNT:

FUNDS REQUESTED:

FUND: 297 - Special Assessment

EXECUTIVE SUMMARY:

The City of Madison Heights has been presented with an agreement to undertake road improvements on Pinehurst Drive, specifically to facilitate semi-truck parking for McNaughton-McKay. This project is essential for improving access on E. Lincoln Ave. and to allow for access for other businesses.

RECOMMENDATION:

Staff and I recommend approval of the agreement between the City of Madison Heights and McNaughton-McKay authorizing the City Manager and City Clerk to sign on behalf of the City.

To: Mayor and City Council

From: Melissa R. Marsh, City Manager

Date: November 18, 2024

Subject: Road Improvement Project Agreement with McNaughton-McKay for Semi-Truck Parking on Pinehurst Drive

The City of Madison Heights is presented with an agreement to undertake road improvements on Pinehurst Drive, specifically to facilitate semi-truck parking for McNaughton-McKay, a Michigan-based corporation. This project is essential for improving access to McNaughton-McKay's property at 1357 E. Lincoln Ave, Madison Heights, and to allow for access for other businesses, such as Knickerbocker Bread, located at the end of the road. Below is a brief summary of the key elements of the project and the associated agreement:

This road improvement will include grading, paving, and infrastructure enhancements to accommodate semi-truck parking on Pinehurst Drive. The estimated cost of the project is \$127,066.38, with the final amount to be determined through a formal bidding process. Per this agreement, McNaughton-McKay will reimburse the City for the project costs, excluding engineering fees, currently estimated at \$110,975.

The City will manage the road improvement project, including soliciting bids, overseeing the construction process, and ensuring compliance with all applicable regulations.

Staff and I recommend approval of this agreement between the City of Madison Heights and McNaughton-McKay road improvements on Pinehurst Drive and authorize the City Manager and Clerk to sign on behalf of the City.

AGREEMENT TO REIMBURSE CITY FOR ROAD IMPROVEMENT PROJECT

This Agreement is made this 13 day of NOVEMBER, 2024, by and between the City of Madison Heights, a Michigan municipal corporation (hereinafter referred to as "City"), whose offices are located at 300 West 13 Mile Road, Madison Heights, Michigan 48071, and McNaughton-McKay, a Michigan corporation, whose address is 1357 E. Lincoln Ave, Madison Heights, MI 48701 (hereinafter referred to as "McNaughton-McKay").

This Agreement is based upon the following facts:

- A. McNaughton-McKay has requested road improvements specifically for semi-truck parking on Pinehurst Drive to benefit its property located at 1357 E. Lincoln Ave, Madison Heights, MI 48701, and the flow of vehicular traffic on Pinehurst Drive.
- B. The parties acknowledge that McNaughton-McKay shall reimburse the City for the cost of the project, and that the City shall be responsible for cost of engineering fees.
- C. The City agrees to undertake the road improvements, which include, but are not limited to, grading, paving, and any associated infrastructure enhancements.

In consideration of the mutual covenants contained herein, the parties agree as follows:

1. Reimbursement Obligation: The estimated cost for the road improvements, including construction and engineering, is \$127,066.38, with the final amount to be established through a formal bidding process. McNaughton-McKay agrees to reimburse the City for the road improvement construction costs upon completion, which are estimated at \$110,975.00. McNaughton-McKay understands that the total project cost, including engineering fees, may vary based on the results of the bidding process. The City will cover engineering fees at a rate of 14.5% of the construction costs, currently estimated to be \$16,091.38. The final reimbursement amount will be based on the actual costs determined through the formal bid process. McNaughton-McKay reserves the right to review final bids and total project price, before making final commitment to proceed. If final bids exceed the budgetary estimate, therefore increasing McNaughton-McKay's financial obligation, McNaughton-McKay may elect to cancel the project. In that event, McNaughton-McKay would be responsible for payment to City of any engineering fees which had already been incurred at that point.
2. Payment Terms: McNaughton-McKay agrees to make payment in full directly to the City within sixty (60) days of receiving written notification from the City that the project has been completed and the actual final cost has been determined.
3. City's Obligation: The City agrees to manage and oversee the Road Improvement Project, including soliciting bids, contracting with vendors, and ensuring the work is completed in accordance with all applicable standards and regulations.
4. Notice: All notices, demands, or requests required or permitted under this Agreement shall be in writing and sent to the respective parties at their addresses provided above.
5. Breach and Remedies: McNaughton-McKay's failure to make payment within the specified time frame shall constitute a breach of this Agreement. The City reserves the right to lien the property located at

1357 E. Lincoln in the event of nonpayment in full as contemplated herein. Said amount shall include interest at the rate of 6% annually for a maximum term of 15 years or until the amount is paid in full, whichever is sooner; at which time the City shall discharge its lien. In the event of such a breach, in addition to filing a lien on McNaughton-McKay property, the City may seek other legal remedies, including, but not limited to, collection of the owed amount, interest, attorney fees, and costs.

7. Entire Agreement: This Agreement constitutes the entire understanding between the parties with respect to the subject matter herein and supersedes all prior negotiations, understandings, and agreements.
8. Authority to Sign: The undersigned parties warrant that they have the authority to enter into this Agreement on behalf of their respective organizations.

Witness: 

Print: Randy Ningsper

McNaughton-McKay

By: 

Print: MATTHEW TRIPP

Title: DIRECTOR OF OPERATIONS, MR

Date: 11 / 13 / 2024

CITY OF MADISON HEIGHTS

Witness: _____

Print: _____

By: _____

Print: _____

Title: City Manager

CITY OF MADISON HEIGHTS

Witness: _____

Print: _____

By: _____

Print: _____

Title: City Clerk

Date: _____



AGENDA ITEM SUMMARY FORM

MEETING DATE: 11/25/24

PREPARED BY: Linda A. Kunath

AGENDA ITEM CONTENT: Replace Workstations - Finance & City Manager Departments

AGENDA ITEM SECTION: Consent Agenda

BUDGETED AMOUNT: \$56,700

FUNDS REQUESTED: \$0

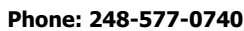
FUND: 101-248-981-5000

EXECUTIVE SUMMARY:

The FY 2024-25 Budget includes funding for the replacement of furniture in the Finance and City Manager's Departments. The workstations in these two City Hall Departments are not cohesive sets, are in fair to poor condition over 25 years old, and are the remaining Civic Center Project workstations to be replaced. Farmington Hills cooperative bid pricing has been extended to Madison Heights for purchase at Smart Business Source.

RECOMMENDATION:

Staff recommends Council approve the purchase of replacement workstations from Smart Business Source in the amount of \$50,732.58, as presented.



Direct Phone # : 248-577-0740 x115
Customer PO # :

Product Sub-total	\$ 49,732.58
Total from page 2	\$ -
Product Total	\$ 49,732.58
Sales Tax	
Delivery & Installation	\$ -
Demo/Removal of existing desks	\$ 1,000.00
Grand Total	\$ 50,732.58

Date

REPORT FROM THE CITY MANAGER TO CITY COUNCIL
November 14, 2022

Item 6.

SUBJECT: AWARD OF PROPOSALS FOR AS NEEDED CITY OFFICE FURNISHINGS

ADMINISTRATIVE SUMMARY

- Sealed proposals were advertised, available on the MITN e-procurement website, and after one postponement to encourage additional response, publicly opened read aloud on October 25, 2022, for office furnishings. Request for Proposals (RFP's) were sent to seventy-six (76) vendors (including nineteen (19) vendors that hold the classification of minority owned, woman owned, veteran owned, disabled, disadvantaged or service disabled) with four (4) responding. Once the award has been made it will be extendable to all MITN members. The past awarded agreement was also extendable and was utilized by multiple agencies throughout Michigan.
- Various office furnishings are required for departments at different times during the year. The agreement provides contract pricing for one (1) year from the date of award and four (4) additional one (1) year extensions through mutual consent under the same terms and conditions. The request for proposals requires vendors to quote a percentage off list price to design workstations, provide, deliver and install office furnishings from specified manufacturers. The specified manufacturers chosen are for products that have been standards for several years and are proven to be of superior quality.
- Central Services staff evaluated the responses and checked references and is recommending awarding to Smart Business Source. They offered very competitive pricing; they have in-house designers & installers and they have excellent references. In fact, the City has ordered several items from them in the past six (6) month's and received excellent service. Staff is confident that both companies understand the scope of the agreement and will provide satisfactory service. As with all similar agreements the City reserves the right to contract outside this agreement if the need arises.
- A minimum two (2) year warranty for all furnishings purchased was included as part of the specifications.
- All purchases are budgeted in department capital and operating accounts.

PRICING TABULATION

MANUFACTURER	LB Office Supply Madison Heights, MI	Resource Office Interiors Novi, MI	Smart Business Source Troy, MI	Nexttrinsk Corp. dba NextTech Professional Services Southfield, MI
	PERCENT OFF LIST PRICE	PERCENT OFF LIST PRICE	PERCENT OFF LIST PRICE	PERCENT OFF LIST PRICE
Hon Furniture	50%	N/A	53%	N/A
Intelligent Office Furniture (IOF)	50%	N/A	56%	N/A
Trendway Furniture	50%	*Omnia contract pricing	55%	N/A
Lacasse Furniture	50%	51%	50%	N/A
Great Openings	50%	58%	N/A	N/A
United Chair	50%	53%	53%	N/A
9-5 Seating	50%	53%	50%	48%
Lorell Furniture	50%	N/A	50%	N/A
LazyBoy	50%	N/A	50%	N/A
Seating Incorporated	N/A	N/A	50%	47%

RECOMMENDATION

In view of the above, it is recommended that City Council authorize the City Manager to approve all budgeted purchase orders for office furnishings to Smart Business Source for one (1) year with one or more administration-approved extensions not to exceed a total of four (4) additional years, under the same terms and conditions, through mutual consent by the City of Farmington Hills and each awarded vendor.

Prepared by: Michelle Aranowski, Senior Buyer
Reviewed by: Kelly Monico, Director of Central Services
Approved by: Gary Mekjian, City Manager

COPY

Item 6.

Smart Business Source

CITY OF FARMINGTON HILLS
DEPARTMENT OF CENTRAL SERVICES
PURCHASING DIVISION



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REQUEST FOR PROPOSALS

ITB: #rfp-fh-22-23-2359

ITEM: Office Furnishings

DEADLINE: Tuesday, October 25, 2022, 10:00 a.m. E.D.T.

QUESTIONS: Accepted via email to Michelle Aranowski, Senior Buyer, maranowski@fhgov.com

1. SUBMISSION AND RECEIPT OF PROPOSALS

Proposals to receive consideration shall be received prior to the specified time of opening as designated on the bid form. **NO LATE PROPOSALS WILL BE ACCEPTED.** The City reserves the right to postpone the opening for its own convenience. Bidders shall use the proposal documents furnished as none other may be accepted. Proposals are considered received when in the possession of the Farmington Hills City Clerk. All proposals shall be labeled with the above-identified RFP number, item, as well as the aforementioned deadline date& time and the vendor name and address on the outside of the envelope. Proposals shall be sealed when submitted. Separate proposals shall be submitted for each proposal RFP number and shall be typewritten or written in ink and legibly prepared. Proposals having any erasures or corrections thereon may be rejected unless explained or initialed by the bidder. **If you are submitting a "No Bid", do not follow the above directions but send a letter to the Purchasing Division indicating a "No Bid".** Proposals shall be mailed or delivered to City of Farmington Hills, City Clerk's Office, 31555 Eleven Mile Road, Farmington Hills, MI 48336-1165 **before** the stated deadline. **No faxed or emailed proposals will be accepted.**

2. RESPONSIVE PROPOSALS

All pages of this Request for Proposals document ("RFP") or "proposal document" and the information requested herein shall be furnished completely in compliance with instructions. The manner and format of submission is essential to permit prompt evaluation of all proposals on a fair and uniform basis. Unless otherwise specified, the City reserves the right to accept any item in the proposal. Bidders may submit proposals on any item or group of items, provided however, that the unit prices are shown as required. Accordingly, the City reserves the right to declare as non-responsive and reject any incomplete proposal if material information requested is not furnished, or where indirect or incomplete answers or information is provided. Alterations to the written requirements stated in this RFP will negate any response. The City of Farmington Hills promotes "green" technologies and the reduction of waste. When possible, your response should be double sided to reduce paper usage. Other factors including source of supply may be used in award recommendations

3. OFFICIAL DOCUMENTS

The City of Farmington Hills shall accept NO CHANGES to the proposal document made by the Vendor unless those changes are set out in the "Exceptions" provision of the Authorized Version of the proposal document. It is Vendor's responsibility to acquire knowledge of any change, modifications or additions to the Authorized Version of the proposal document. Any Vendor who submits a proposal and later claims it had no knowledge of any change, modifications or additions made by the City of Farmington Hills to the Authorized Version of the proposal document, shall be bound by the Authorized Version of the proposal document, including any changes, modifications or additions to the Authorized Version. If a proposal is awarded to a Vendor who claims that it had no knowledge of changes, modifications or additions made by the City of Farmington Hills to the Authorized Version of the proposal, and that Vendor fails to accept the award, the City of Farmington Hills may pursue costs and expenses to re-bid the item from that Vendor. The Authorized Version of the bid document shall be that

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document appearing on the MITN with amendments and updates. The City of Farmington Hills officially distributes bid documents from the Purchasing Division or through the Michigan Intergovernmental Trade Network (MITN). **Copies of documents obtained from any other source are not considered official copies.** Only those vendors who obtain documents from either the Purchasing Division or the MITN system is guaranteed access to receive addendum information, if such information is issued. If you obtained this document from a source other than MITN, it is recommended that you register on the MITN site, www.mitn.info and obtain an official copy and any addenda.

4. INTERPRETATION OF BID PROPOSAL AND/OR CONTRACT DOCUMENTS

Any interpretation to a bidder regarding the proposal and/or contract documents or any part thereof is valid only if given by the City's Purchasing Division staff. Any information given by departmental contacts is unofficial. Interpretations may or may not be given orally (may be written) dependent upon the nature of the inquiry. Interpretations that could affect other bidders will be in writing and issued by the Purchasing Division. All inquiries shall be made within a reasonable time prior to the stated deadline in order that a written response in the form of an addendum to this RFP, if required, can be processed before bids are opened. Inquires received that are not made in a timely fashion may or may not be considered.

5. CHANGES AND ADDENDA TO BID PROPOSAL DOCUMENTS

Each change or addendum issued in relation to this proposal document will be on file in the Purchasing Division. It shall be the bidder's responsibility to make inquiry as to the changes or addenda issued. All such changes or addenda shall become part of the contract and all bidders shall be bound by such changes or addenda.

6. SPECIFICATIONS

Unless otherwise stated by bidder, the bidder's proposal will be considered as being in strict accordance with the City's applicable standard specifications, and any special specifications outlined in the proposal document. Reference to a particular trade name, manufacturer's catalogue, or model number are made for descriptive purposes to guide the bidder in interpreting the requirements of the City and should not be construed as excluding bids on other types or materials, equipment and supplies unless otherwise stated. However, the bidder, if awarded the contract, will be required to furnish the particular item referred to in the specifications or description unless departure or substitution is clearly noted and described in the proposal. The City reserves the right and discretion to determine if equipment/product or service being bid is equal to the specified equipment/product or service requested.

7. ALTERNATES

Bidders are cautioned that any alternate bid, unless requested by the Purchasing Division, or any changes, insertions, or omissions to the terms and conditions, specifications, or any other requirements or this proposal document, may be considered non-responsive, and at the opinion of the City, may result in rejection of the bid.

8. PRICING

Prices shall be stated in units of quantity specified in this proposal document. In case of a discrepancy in computing the amount of the bid, the unit price will govern.

9. TAXES, TERMS AND CONDITIONS

The City of Farmington Hills & all agencies listed in this RFP are exempt from Federal Excise and State Sales Tax. Please review The State of Michigan's REVENUE ADMINISTRATIVE BULLETIN 1999 – 2 for clarification <http://www.treas.state.mi.us/lawrules/rabs/1999/rab9902.htm>. The City's tax number is 38-6006902. General payment terms are Net 30 days upon receipt of goods (unless otherwise stated below). Cooperative members will provide their tax-exempt status as required by the awarded vendor.

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10. QUANTITIES

All quantities stated, unless indicated otherwise are estimates and the City reserves the right to increase or decrease the quantity at the unit price bid as best fits its needs.

11. PROCESS OF REVIEW OF BIDS & AWARD OF CONTRACT

- A. To be considered your company must specialize in and have provided the services listed herein as indicated in the specification section. Submit one (1) original & Two (2) copies (PAGES 10-16) of the bid in one sealed envelope or box.
- B. The bid will be awarded to that responsible, responsive bidder whose bid, conforming to this solicitation, will be most advantageous to the City, price and other factors considered.
- C. If within the past ten (10) years, the vendor or any of its proposed subcontractors has sued the City of Farmington Hills, or has been sued by the City of Farmington Hills, with respect to project related claim or issue, the vendor shall not be eligible for consideration.
- D. Unless otherwise specified in the document the City reserves the right to accept any item in the bid on an individual basis. Bidders may submit bids on any item or groups of items provided unit prices are clearly shown and a notation is made on the document clearly indicating Bidder's intent.
- E. The City of Farmington Hills reserves the right, in their sole and exclusive discretion, to reject any or all bids for any or no reason at all, to not award this contract to any of the bidders for any or no reason, to waive irregularities and/or informalities, and to make the award that in the opinion of the City Council is in the best interest and to the best advantage of the City of Farmington Hills.

12. WITHDRAWAL OF PROPOSAL

Proposals may be withdrawn in person by a bidder, or authorized representative, provided their identity is made known and a receipt is signed for the proposal, but only if the withdrawal is made prior to the stated proposal deadline. No proposal may be withdrawn for at least 90 days after proposal opening except the successful company whose proposal may not be withdrawn and prices shall remain firm for all time and through the entire contract period. In case of error by the bidder in preparing a proposal, the Director of the Purchasing Division may, in her discretion, reject such a proposal, provided the bidder submits to the Purchasing Division, prior to the award of contract, a signed letter which sets forth the error, the cause thereof, and sufficient evidence to substantiate the claim.

13. DEFAULT CONDITIONS

In case of default by the contractor, the City of Farmington Hills may procure the articles or services from other sources and hold the contractor responsible for any excess cost occasioned thereby.

14. INFRINGEMENTS AND INDEMNIFICATIONS

The proponent, if awarded a contract, agrees to protect, defend, and save the City, its officials, employees, volunteers, departments and agents (together referred to as the "City") harmless against: any demand for payment for the use of any patented material, process, or device that may enter into the manufacture, construction, or from a part of the work covered by either order or contract; and from liability, actions, claims, suits, demands, judgements, expenses or charges of every nature and description brought against the City for, or on account of, any property damage, death, injuries or other damages received or sustained by the persons or parties as a result of any facts or omissions of the contractor or contractor's employees, or agents.

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15. PATENTS, COPYRIGHTS, ETC.

The Contractor shall release, indemnify and hold the City, its officers, agents and employees harmless from liability of any kind or nature, including the Contractor's use of any copyrighted or un-copyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in the performance of this contract.

16. NON-COLLUSION

By signing and submitting its proposal the bidder certifies that the proposal submitted, has been arrived at independently and has been submitted without collusion with, and without any agreement, understanding or planned common course of action with, any other vendor of materials, supplies, equipment or services described in the RFP, designed to limit independent bidding or competition.

17. CANCELLATION

Unless otherwise stated within this request, any Contract entered into in response to this Invitation to Bid, including any extension or amendment of a Contract, may be terminated at any time, with or without cause, with 30 days written notice by the City. The City shall not be responsible to make any further payments for work performed after the effective date of such termination and shall be responsible only for such work as has been completed and is eligible for payment under the terms of this Contract through the date of such termination. Termination shall not relieve Contractor of its obligation to provide City with all of the plans and product generated under this Contract through the effective date of termination. Prior to the effective date of any termination or prior to the completion of the work (including any extension of the timing for completion), whichever is the first to occur, Contractor shall deliver to the City all reports, opinions, compilations, research work, studies, data, materials, artifacts, samples, documents, plans, drawings, specifications, correspondence, ledgers, permits, applications, manuals, contracts, accountings, schedules, maps, Jogs, invoices, billings, photographs, videotapes and other materials in its possession or control that is gathered or generated in the course of performing the work or that relates to the work in any way; provided that Contractor may retain a copy of such materials for its files.

18. DEFAULT AND REMEDIES

Any of the following events shall constitute cause for the City of Farmington Hills to declare Contractor in default of the contract: (A) Nonperformance of contractual requirements or (B) A material breach of any term or condition of this contract. Please note the City of Farmington Hills shall issue a written notice of default providing a period of no more than thirty (30) days in which Contractor shall have an opportunity to cure. Time allowed for cure shall not diminish or eliminate Contractor's liability for liquidated or other damages. If the default remains, after the designated period of time to cure, the City of Farmington Hills may do one or more of the following: (A) Exercise any remedy provided by law; (B) Terminate this contract and any related contracts or portions thereof; (C) Impose liquidated and other damages; or (D) Suspend contractor from receiving future bid solicitations.

19. LAWS AND REGULATIONS

Any and all supplies, services and equipment offered and furnished shall comply fully with all applicable Federal, State and City laws, ordinances, codes and regulations.

20. GOVERNING LAW

This procurement and any resulting contract shall be governed by and construed in accordance with the laws of the State of Michigan. Jurisdiction and venue for any claim, dispute or action concerning this procurement process or any resulting contract shall be in Oakland County, Michigan.

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21. ASSIGNMENT/SUBCONTRACT

Contractor shall not assign, sell, transfer, subcontract or sublet rights, or delegate responsibilities under this contract, in whole or in part, without the prior written approval of the City of Farmington Hills.

22. NONDISCRIMINATION

The bidders and contractor agree to abide by the provisions of Title VI and Title VII of the Civil Rights Act of 1964 (42 USC 2000e), which prohibit discrimination against any employee or applicant for employment, or any applicant or recipient of services, on the basis of race, religion, color, or national origin; and further agrees to abide by Executive Order No. 11246, as amended, which prohibits discrimination on basis of sex; 45 CFR 90 which prohibits discrimination on the basis of age, and Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990 which prohibits discrimination on the basis of disabilities. The bidders and contractor further agree to furnish information and reports to requesting agencies, upon request, for the purpose of determining compliance with these statutes. The bidders and contractor agree to comply with each individual agency's certification requirements, if any, as stated in the additional terms and conditions listed in the solicitation. This contract may be canceled if the contractor fails to comply with the provisions of these laws and regulations. The contractor must include this provision in every subcontract relating to performance of this contract to ensure that subcontractors are bound by this provision.

23. SEVERABILITY

If any provision of this contract is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected; and the rights and obligations of the parties shall be construed and enforced as if the contract did not contain the particular provision held to be invalid.

24. FORCE MAJEURE

Neither party to this contract shall be held responsible for delay or default caused by fire, riot, acts of God and/or war which is beyond that party's reasonable control. The City of Farmington Hills may terminate this contract after determining such delay or default will reasonably prevent successful performance of the contract.

25. BID PREPARATION COSTS

The City of Farmington Hills is not liable for any costs incurred by the bidder in the preparation or administration of its proposal materials.

26. CONFLICT OF INTEREST

The City of Farmington Hills Code of Ethics prohibits City officials and employees from using their official position to unreasonably secure, request, or grant any privileges, exemptions, advantages, contracts or preferential treatment for themselves or others, and further, requires the reporting of certain financial or other interests held by themselves or their family members in any organization that does business with the City. Consistent with the principles of the City of Farmington Hills Code of Ethics, and in accordance with applicable federal regulations, no employee, officer or agent of the City shall be permitted to participate in the selection, the award, or the administration of a contract if the employee, officer or agent of the City, or his or her immediate family member or members, or his or her business partner or partners, works for, or has any financial or other interest in any company bidding for the contract.

In order to determine whether your company presents any potential conflict of interest with respect to the award of the subject contract, on a separate piece of paper, please disclose any familial or business relationships you have with any current or former employee, agent, consultant, officer or elected or appointed official of the City of Farmington Hills, or others who are or have been within the past year, in a decision making position with the City

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of Farmington Hills, and who may be able to grant favorable treatment with respect to being awarded this contract. Please disclose the full nature and extent of your relationship.

The City will review the relationship for conflict of interest. If a determination is made that the relationship is contrary to any Federal Regulations your company will be removed from the bid process. Violation of the City's Code of Ethics as the result of non-disclosure will be reviewed in accordance with Section 5 of the City of Farmington Hills Code of Ethics and may result in disciplinary action, and/or termination of the subject contract.

27. INDEPENDENT CONTRACTOR

The contractor shall be an independent contractor, and as such shall have no authorization, express or implied to bind the City of Farmington Hills or the respective agencies to any agreements, settlements, liability or understanding whatsoever, and agrees not to perform any acts as agent for the City of Farmington Hills or participating agencies, except as expressly set forth herein.

28. THIRD PARTY BENEFICIARIES

There are no third party beneficiaries to this contract, and nothing expressed or referred to in this contract will be construed to give any person or entity other than the parties to this contract any legal or equitable right, remedy, or claim under or with respect to this contract or any provision of this contract. This contract and all of its provisions and conditions are for the sole and exclusive benefit of the parties named.

29. CITY POLICY ON SMOKING

The bidder, if awarded a contract, agrees to follow the City of Farmington Hills Smoking Policy which states: "The City of Farmington Hills is dedicated to providing a healthy, smoke free workplace for employees, residents and visitors." To that end; smoking is prohibited in all municipal buildings, in all municipal owned, leased or rented vehicles and within twenty five (25) feet from any municipal building entrance, outdoor air intakes and operable windows. Smoking is permitted in outside designated smoking areas or in personal vehicles. Smokers are responsible for properly disposing of all smoking related litter, which includes cigarette and cigar butts, tobacco, etc. Disposal of any smoking litter is not permitted on City property except in the provided receptacles.

30. NON-IRAN LINKED BUSINESSES

By signing the proposal, I certify and agree on behalf of myself and the company submitting the proposal the following: (1) that I am duly authorized to legally bind the company submitting this bid; and (2) that the company submitting this bid is not an "Iran linked business," as that term is defined in Section 2(e) of the Iran Economic Sanctions Act, being Michigan Public Act No. 517 of 2012; and (3) That I and the company submitting this bid will immediately comply with any further certifications or information submissions requested by the City in this regard.

31. PRICES BID

The prices, or costs, in this proposal shall cover the costs of any nature, incident to and growing out of the work and services provided or to be provided. In explanation, but not in limitation thereof, the prices and costs stated in this proposal and contract shall include the cost of everything necessary for or resulting from the performance and completion of this contract in the manner and time prescribed, including without limitation, all of the following: the furnishing of all material, tools, vehicles, equipment, transportation, labor, supervision; all costs on account of loss by damage or destruction of the work performed or the material, tools, vehicles and equipment used in the performance of the work; all costs due to unforeseen weather, surface conditions, safety precautions, circumstances, situations or difficulties encountered; all money damages, costs and expenses for personal injuries or replacement or repair of damage to vehicles

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PURCHASING DIVISION

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FARMINGTON HILLS, MI 48336-1165
www.fhgov.com



PHONE 248-871-2435
FAX 248-871-2431

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- F.** Proof of Insurance Coverage: The Contractor shall provide the City of Farmington Hills at the time the contracts are returned by him/her for execution a Certificate of Insurance as well as the required endorsements. In lieu of required endorsements, a copy of the policy sections, where coverage is provided for additional insured and cancellation notice, may be acceptable. Copies of all policies mentioned above shall be furnished, if so requested.
- G.** Required liability limits may be obtained by using an Excess/Umbrella Liability policy in addition to the primary liability policy(ies). If coverage limits are satisfied by an Excess and/or Umbrella policy, coverage must follow form of the primary liability policy(ies).
- H.** If any of the above coverages expire during the term of this contract, the Contractor shall deliver renewal certificates, endorsements, and/or policies to City of Farmington Hills at least ten (10) days prior to the expiration date.

CITY OF FARMINGTON HILLS
DEPARTMENT OF CENTRAL SERVICES
PURCHASING DIVISION

31555 W. ELEVEN MILE ROAD
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or other property caused, partly or wholly, by the contractor's defective, improper or negligent performance of the work or services required under this contract; and for all else necessary therefore and incidental thereto.

32. COVID-19 MANAGMENT ADHERANCE

As a result of the Covid-19 pandemic, in the event of the issuance of any order by federal, state or local health authorities, which requires the suspension of any or all activities for any time period, all Vendors are hereby on notice that in the event that certain types of public works projects, including but not limited to the Project set forth in this Invitation to Bid, are at any time determined by the City or other governmental authorities, to be required to be suspended, in accordance with the applicable order, this project may be delayed or terminated, as set forth in Section 26 of this Invitation to Bid, and/or Article II of this Agreement. The City shall not be responsible for additional costs relating to delay of the Project, and the Project schedule may be revised to reflect requirements of the order.

33. INSURANCE (REQUIRED FOR WORK ON OR WITHIN CITY PROPERTY/FACILITIES)

The contractor, or any of their subcontractors, shall not commence work under this contract until they have obtained the insurance required under this paragraph, and shall keep such insurance in force during the entire life of this contract. All coverage shall be with insurance companies licensed and admitted to do business in the State of Michigan and acceptable to The City of Farmington Hills. The requirements below should not be interpreted to limit the liability of the Contractor. All deductibles and SIR's are the responsibility of the Contractor.

The Contractor shall procure and maintain the following insurance coverage:

- A. Worker's Compensation Insurance including Employers' Liability Coverage, in accordance with all applicable statutes of the State of Michigan.
- B. Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000.00 per occurrence and aggregate. Coverage shall include, but not limited to, the following: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Explosion, Collapse, and Underground, if applicable.
- C. Automobile Liability including Michigan No-Fault Coverages, with limits of liability not less than \$1,000,000. per occurrence combined single limit for Bodily Injury, and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
- D. Additional Insured: Policy(ies) and coverages as described above, excluding Workers' Compensation Insurance, shall include an endorsement stating the following shall be Additional Insureds: The City of Farmington Hills, all elected and appointed officials, all employees and volunteers, agents, all boards, commissions, and/or authorities and board members, including employees and volunteers thereof. It is understood and agreed by naming the City of Farmington Hills as additional insured, coverage afforded is considered to be primary and any other insurance the City of Farmington Hills may have in effect shall be considered secondary and/or excess.
- E. Cancellation Notice: Policy(ies), as described above, shall be endorsed to state the following: It is understood and agreed Thirty (30) days, Ten (10) days for non-payment of premium, Advance Written Notice of Cancellation, Non-Renewal, Reduction, and/or Material Change shall be sent to: City of Farmington Hills, Attention: Mr. Thomas Skrobola, 31555 West Eleven Mile Road, Farmington Hills, Michigan 48336.

34. GENERAL INFORMATION

- A. The City of Farmington Hills is accepting proposals for the purchase & installation of office furnishings as required. The City is purchasing items to work in conjunction and/or match existing furniture to accommodate the needs of departments going forward. For this reason the brands listed herein are manufacturers that the City has standardized on. These manufactures' products have proven to be durable, long lasting and easy to work with. **The City retains the right to award this agreement to one or more vendors.**
- B. Please carefully review this document. This document is a Request for Proposal. It differs from a Request for Bid/Quotation in that the City of Farmington Hills is seeking a solution as described herein, not a bid/quotation meeting firm specifications for the lowest price. Proposers are to provide their proposal based on their professional knowledge and developed around the general requirements defined within this proposal. As such, the lowest priced proposed will not guarantee an award recommendation. Competitive sealed proposals will be evaluated based upon criteria formulated around the most important features of the service requested, of which experience, references, or capability, may be overriding factors, and price may not be determinative in the issuance of a contract or award.

35. PROPOSAL INFORMATION- **PROPOSALS NOT INCLUDING ALL THIS INFORMATION MAY BE REJECTED. Documents have been uploaded in their native format (Word) for ease of information entry. Vendors are prohibited from making changes or additions to the document except as requested (in the document).**

- A. Bidder's General Questionnaire
- B. Subcontractor form
- C. Legal Status of Bidder form
- D. Proposal form
- E. Extension & Authorization form.
- F. A list of links to 2022 published list prices for products specified below OR current catalogs of published list prices.

36. SPECIFICATIONS & SCOPE

- A. Awarded vendor(s) will provide & deliver office furnishings as needed.
- B. Due to the nature of this agreement the City requires interested vendor(s) bid a straight percent off list price.
- C. All design, re-design, delivery and installation will be done at zero (0) additional cost to the City of Farmington Hills. No additional truck, fuel or other charges will be accepted.**
- D. Unless otherwise specified (for a specific project) please schedule all work with the Central Services Department.
- E. All items will be shipped via the vendor's delivery system. No items will be dropped shipped to the City of Farmington Hills. The awarded vendor will provide complete installation. The work site will be maintained in a clean and safe manner during installation. The awarded vendor will remove all shipping containers, packaging. If a dumpster is needed on-site (for larger projects), it will be provided by the vendor to dispose of materials.
- F. All labor and materials are fully guaranteed for a minimum of two (2) years.
- G. All percentages off list pricing will remain firm for ninety (90) days or award, whichever comes first, except for the successful bidder whose prices are to remain firm for one (1) year from date of award. The City of Farmington Hills reserves the right to extend the agreement for an additional four (4) years term through mutual consent under the same terms and conditions.

BIDDER'S GENERAL QUESTIONNAIRE

Please give the following information regarding your proposal for this bid:

1. Number of years' experience in this work: 34 YEARS

2. Provide a brief narrative of your company's relative work experience and services you provide.

SMART IS A FULL SERVICE OFFICE FURNITURE SUPPLIER
WE OFFER OVER 100 MANUFACTURERS AS WELL AS
OUR OWN INTERNAL INSTALLATION AND DESIGN TEAM
OUR SALES STAFF HAS A COMBINED 70 YEARS OF
FURNITURE SALES EXPERIENCE

3. What makes your firm better qualified to perform the services listed herein than your competitors:

OUR EXPERIENCE IN SALES AND OUR COMMITMENT
TO CUSTOMER SERVICE.

4. Please give information about your project team. Who is our main contact? What is their experience? Etc.

DALE WOOD DIRECTOR OF SALES 34 YEARS
EXPERIENCE IN CONTRACT FURNITURE SALES
MANAGEMENT

5. Give us an overview of your customer service Department? On a scale of 1-10 how would you personally rate your customer service and why?

OUR CUSTOMER SERVICE DEPT RATES A 9!
OUR GOAL IS TO RETURN EMAIL/CALL WITHIN 2 HOURS
IF THAT ISNT POSSIBLE AT LEAST WITHIN THAT DAY

6. List the Michigan Municipalities that you have contracted with for this type of work during the past three (3) years.

Name: City of Farmington Hills Contact Person: Michelle Aranowski
Phone #: 248-671-2426 E-mail address: maranowski@shaw.com

Name: City of Madison Heights Contact Person: Melissa Marsh
Phone #: 248-583-0829 E-mail address: Melissa.Marsh@madison-heights.org

Name: City of Novi, Fire Contact Person: Capt Mark Thiesen
Phone #: 248-756-4550 E-mail address: mthiesen@cityofnovi.org

7. Have you ever failed to complete any work awarded to you? NO
a. If so, note when, where and why?

8. Name of your bank and other financial references:

SEE ATTACHED

9. Please list any & all exceptions to specifications & scope:

ALL PRODUCTS AS SPECIFIED

SIGNED: Dale Wood PRINTED NAME: DALE WOOD

TITLE: DIRECTOR OF SALES DATE: 10/10/2022

NAME AND ADDRESS OF FIRM: (Print or Type) SMART BUSINESS SOURCE
1940 NORTHWOOD

TROY MI ZIP CODE: 48084 PHONE NO. 248-577-0740

FAX NO. 248-577-0739 E-MAIL ADDRESS: dwood@smrtbz.com

SUBCONTRACTORS

The contractor shall not sublet, assign or transfer the contract or any portion of any payment due the contractor hereunder, without the written consent of the City. If it is the intention of the bidder to use subcontractor(s) for any of the work called for herein, the bidder shall provide the information required for each subcontractor, below.

NONE WILL BE USED

Name of Firm: _____

Contact Person: _____ Title: _____

Address: _____

Phone: _____

Work to be performed for general contractor: _____

Name of Firm: _____

Contact Person: _____ Title: _____

Address: _____

Phone: _____

Work to be performed for general contractor: _____

Name of Firm: _____

Contact Person: _____ Title: _____

Address: _____

Phone: _____

Work to be performed for general contractor: _____

LEGAL STATUS BIDDER

Fill out the appropriate section below for your company and strike out the other three. Provide additional sheets if more space is needed for your responses.

Corporation:

State and County in which incorporated: _____

Official title of person signing proposal: _____

Address of signer: _____

Full names, addresses and titles of all the corporation's directors and officers:

Partnership:

State and County in which established: _____

Official title of person signing proposal: _____

Address of signer: _____

Full names, addresses and titles of all partners:

Limited Liability Company (LLC):

State and County in which established: MICHIGAN, OAKLAND

Official title of person signing proposal: DIRECTOR OF CORPORATE FURNITURE

Address of signer: 1940 NORTHWOOD DR, TROY MI 48064

Full names, addresses and titles of all members and managers of the LLC:

CURT ILG 1940 NORTHWOOD DR, TROY MI 48084 - CFO
JOHN ALLEN 1940 NORTHWOOD DR, TROY MI 48084 - CEO

NON-IRAN LINKED BUSINESS CERTIFICATION

Pursuant to Michigan law before accepting any bid or proposal or entering into any contract for goods & services with any prospective firm, the firm must certify that it is not an "Iran Linked Business."

By signing below, I certify and agree on behalf of myself and the company submitting this bid the following: (1) that I am duly authorized to legally bind the company submitting this bid; and (2) that the company submitting this bid is not an "Iran Linked Business," and that term is defined in section 26 of the Iran Economic Sanctions Act, being Michigan Public Act No. 517 of 2012; and (3) That I and the firm submitting this proposal will immediately COMPLY with any further certifications or information submissions requested by the City in this regard.

Company Name: SMART BUSINESS SOURCE

Authorized Representative Signature: Dale Wood

Printed: DALE WOOD

Date: 10/7/2022

PROPOSAL FORM

PROJECT: OFFICE FURNISHINGS

OWNER: CITY OF FARMINGTON HILLS
31555 W. 11 MILE ROAD
Farmington Hills, Michigan 48336
Phone 248-871-2430, Fax 248-871-2431

Pursuant to notices given, the undersigned proposes to furnish all materials and labor necessary to supply office furnishings as described and in strict accordance with specifications listed above. I, the undersigned, having familiarized myself with the attached Specification Documents do hereby propose to supply office furnishings to the City of Farmington Hills. By my submission of this Bidding Proposal I acknowledge that **ALL DESIGN, DELIVERY AND INSTALLATION WILL BE DONE BY MY COMPANY OR SUBCONTRACTORS AT ZERO (0) ADDITIONAL COST TO THE CITY OF FARMINGTON HILLS AT THE PERCENTAGE OFF THE PUBLISHED LIST PRICE LISTED BELOW.**

MANUFACTURER	PERCENT OFF PUBLISHED LIST PRICE
Hon Furniture	53 %
Intelligent Office Furniture (IOF)	56 %
Trendway Furniture	55 %
Lacasse Furniture	50 %
Great Openings	NOT A DEALER %
United Chair	53 %
9-5 Seating	50 %
Lorell Furniture	50 %
LazyBoy	50 %
Seating Incorporated	50 %

EXTENSION & AUTHORIZATION

EXTENSION OF AWARD TO THE MEMBERS OF THE MITN PURCHASING COOPERATIVE

_____ is a member of the MITN Purchasing Cooperative.

(City, Township or Entity will fill out as applicable)

If your company is awarded item(s) referenced in the bid proposal, the cooperative governmental entities may wish to use this contract and will use a purchase order for the item(s) awarded in this bid proposal following requirements set forth in the bid document. Each entity will provide their own purchase order and delivery location (s) and must be invoiced separately to the address indicated on the purchase order.

If an award is made to SMART BUSINESS SOURCE, it is agreed that
(Company)

(X) The contract will be extended to any entity in the MITN Purchasing Cooperative under the same prices, terms, and conditions.

Signature of Company Representative

Dale Wood

() Our company is NOT interested in extending the contract to additional un-named agencies.

AUTHORIZATION OF PROPOSAL

The undersigned herein submits this proposal and agrees to enter into an agreement with the City of Farmington Hills on behalf of the aforementioned entities and MITN Purchasing Cooperative in accordance with the Contract documents. In submitting this completed and signed proposal, it is understood that the right is reserved by the City of Farmington Hills to reject any or all bids and to make such award that, in the opinion of the City Council, is in the best interest of the City of Farmington Hills.

NAME OF COMPANY: SMART BUSINESS SOURCE

BUSINESS ADDRESS OF COMPANY: 1940 NORTHWOOD TROY, MI 48084

AUTHORIZED SIGNATURE:

Dale Wood

PRINTED:

DALE WOOD

TITLE OF SIGNER:

DIRECTOR OF SALES

DATE OF SIGNATURE:

10/7/2022

EMAIL:

dwood@smartbiz.com

WEBSITE:

www.smartbusinesssource.com

PHONE:

248-703-6268

FAX:

248-577-0739

FEIN#

cell

Smart Business Source (F.K.A Detroit Pencil Company)
1940 Northwood Dr
Troy, Michigan 48084

NAICS Codes

Phone Number 424120, 337214, 337211
 Fax Number 248-577-0740
 FEIN 248-577-0739
 Contact 38-3612763
 Duns: Curt Ilg/CFO
 Tax Exempt # (M)075906847
 38-3612763

Banking References

Company	Address	City	State	Zip	Phone	Fax	Contact	Acct #
Huntington Bank	801 W Big Beaver	Troy	MI	48083	(248) 244-9802	(888) 371-8646	Fred Nazarko	

Trade References

Company	Address	City	State	Zip	Phone	Fax	Contact	Acct #
Thalerus Group	1280 Iroquois Ave	Naperville	IL	60563	630-955-9990		Accounting	DPC001
SP Richards Co	6300 Highlands Pkwy	Smyrna	GA	30082	770-436-6861	678-309-7098	Accounting	1233449.00
HON	PO Box 404422	Atlanta	GA	30384	800-833-3964		Accounting	1416
Ford Credit	PO Box 552679	Detroit	MI	48255	800-727-7000	318-841-6329	Accounting	46034325

Curt Ilg Owner



AGENDA ITEM SUMMARY FORM

MEETING DATE: 11/25/24

PREPARED BY: Cheryl Rottmann, Deputy City Manager/City Clerk

AGENDA ITEM CONTENT: City-Wide Copy Machine Replacement Lease

AGENDA ITEM SECTION: Bid Awards/Purchases

BUDGETED AMOUNT:

FUNDS REQUESTED:

FUND:

EXECUTIVE SUMMARY:

Please see attached memo.

RECOMMENDATION:

Skynet and City staff recommend that the City approve a 60-month lease agreement with Xerox Business Solutions Midwest in the amount of \$2,408.90 for 21 copy machines and maintenance and allow the City Manager to sign on behalf of the City.



MEMO

Office of the City Clerk

To: Melissa Marsh, City Manager
From: Cheryl Rottmann, Deputy City Manager/City Clerk
Date: November 13, 2024
RE: City-wide Copy Machine Replacement

The City's IT contractor, Skynet, has conducted a thorough review and analysis of the City's copier fleet including inventorying, compiling monthly costs, and helping staff identify the correct number of machines necessary to efficiently conduct business. Skynet had both Ricoh and Xerox study the city's current inventory and propose new assets for the city. Each vendor has provided State contract pricing.

Currently, the city has 64 copy machines with 9 different manufacturers in City Hall, the Library and the Police Department, most of which are at the end of their practical lifecycle. The average age of the equipment is over 7 years old, with 70% being over 10 years old. Each city department is currently paying for their supply of toner and the cost for maintenance since most of these copiers are past being covered by maintenance contracts. The cost for toner for this equipment in FY 23/24 was \$6,662.53. The cost for continuing to lease the current equipment, maintenance and copies in FY 23/24 was \$28,264.84, for a total annual cost of \$34,927.37 or an average monthly cost of \$2,910.61

Ricoh provided a quote for the replacement of 11 devices at a monthly cost of \$1395.57 and a cost per copy for both black and white (.01) and color (.05) and includes the cost of toner and service for 60 months. They would, however, charge \$250 for each device they need to remove. Xerox proposes replacing 21 of the existing copiers with a monthly cost of \$2,408.90 for 60 months. This solution would allow the city to reduce the number of copy machines and manufacturers, have a shared print allowance of 28,983 copies between devices, includes the maintenance agreement that covers the cost of toner, drums, and waste containers for these devices, and provide for the removal and recycling of the machines being replaced. Overage rates above 28,983 copies will be .005 for black and white and after 7,925 will be .009 for color copies up to legal size. Overage costs are slightly higher for tabloid or larger sizes.

After reviewing the proposed options, Skynet and staff conclude that Xerox provides more equipment, better maintenance and is a better overall solution to the city's needs. Therefore, Skynet and staff recommend that the City approve a 60-month lease agreement with Xerox Business Solutions Midwest in the amount of \$2,408.90 for 21 copy machines and maintenance and allow the City Manager to sign on behalf of the City.



Date: September 26, 2024

City of Madison Heights

Prepared By: Hans Nicholsen and Susan Mencer

Current Validated Environment :

Asset Breakdown

NUMBER OF ASSETS	
TYPE	TOTAL
B&W Laser Printers/MFPs	28
B&W MFPs	5
Color MFPs	10
Color Laser Printers/MFPs	7
Wide Format	2
InkJet	6
Fax	1
Scanner	5
TOTAL DEVICES	64

ASSETS BY MANUFACTURER	
TYPE	TOTAL
Xerox	6
HP	32
Brother	4
Canon	4
Epson	2
Konica Minolta	5
Ricoh	8
Panasonic	2
Colortrac Smart	1
TOTAL MANUFACTURERS	9

NUMBER OF MODELS	
TYPE	TOTAL
Printers	27
MFPs	10
Wide Format	2
Scanner	4
Fax	1
TOTAL # OF MODELS	44

Workflow Observations

- Of the 64 assets, there are 44 different models from 9 different manufacturers. The high number of models means there are a lot of different types of toner, drivers, and parts that need to be managed by your team.
- 6 of the assets are Inkjet printers. Inkjet printers have a low initial purchase price but have an extremely high overall cost of ownership.
- Currently only the MFPs appear to be on managed print contracts. All printers are managed by each department for toner, supplies, and service.
- Average age of print fleet is over 7 years old. Thirty percent of the fleet is over 10 years old.
- Have Average Monthly Volume for 32 Devices.
- Number of Devices per Department:
 - Active Adult Center – 1
 - Library – 5
 - CED – 6
 - City Clerk – 3
 - Finance – 5
 - Admin/HR – 2
 - Police Dept – 14
 - 43rd District Court – 11
 - Fire Dept – 7
 - DPW – 6
 - Heritage Room – 2
 - IT Office – 1

Proposed New Assets:



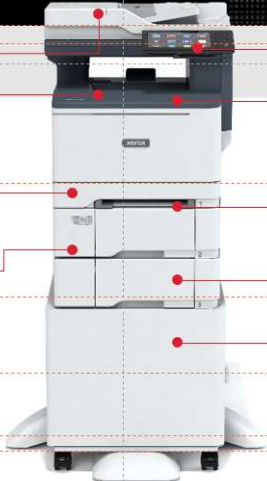
Xerox® Xerox EC8036/EC8056
Color Multifunction Printer



Xerox® VersaLink® B7135
Black White Multifunction Printer

Proposed New Assets:

C415 Color Printer Features




- 100-Sheet Single-Pass DADF
- 150 Sheet Output Tray
- Main Tray – Up to 250 sheets of 75 gsm paper
- 550+100-Sheet Tray (optional) – Up to 550 sheets and 100 sheets of 75 gsm paper
- 7-inch Color LCD Touch Screen
- USB port allows users to quickly print from any standard USB memory device
- Manual Feed Slot – 1 sheet
- 550-Sheet Tray (optional)
- Printer Stand (optional)

22 August 2023

xerox

B415 Color Printer Features



- 100-Sheet Single-Pass DADF
- 250 Sheet Output Tray
- Main Tray – Up to 550 sheets of 75 gsm paper
- 550-Sheet Tray (optional)
- 7-Inch Color LCD Touch Screen
- USB port allows users to quickly print from any standard USB memory device
- Bypass Tray – 100 sheet
- Printer Stand (optional)

22 August 2023

xerox

Meet the C410 Color Printer and B410 Printer



- User-friendly experience
- Comprehensive security
- Performance packed into a compact, footprint
- A sustainable choice

22 August 2023

xerox

City of Madison Heights

Proposed Solution:

Included Monthly BW Volume	Included Monthly Color Volume	Monthly Expense Lease & Service Base
28,983	7925	\$2,408.90

- Overage Rates A3 (Tabloid): B/W: \$0.005 Color: \$.05822
- Overage Rates A4 (Up to Legal): B/W: \$0.009 Color: \$.09

60 Month FMV Lease. Volume reconciled quarterly.

Includes: Delivery, Install, Training, and Assistance with Leased Assets Returned.

Proposal Details:

Included New Color Assets:

- 2 – Xerox C8056
 - Office Finisher
 - 2/3 Hole Punch
 - Fax
- 3 – Xerox C8056
 - Office Finisher
- 3 – Xerox C8036
 - Office Finisher
 - 2/3 Hole Punch
- 1 – Xerox C8036
 - Office Finisher
- 1 – Xerox C8036
 - Fax
 - Foreign Interface Device
- 1 – Xerox C410
- 1 – Xerox C415
 - Extra Tray

Included New B/W Assets:

- 1 – Xerox B7135
 - Office Finisher and Fax
- 4 – Xerox B415
 - 3 with Stand and Extra Tray
- 4 – Xerox B410

Proposed Device Location List included. See attached excel.

Proposed Device Solution:

Item 7.

Dept.	User	Make	Model	B&W AMV	Color AMV	Revised Solution
Active Adult Center	Main Office	Ricoh	C3504ex	1154	1353	C8056 OF
Library	Public Kiosk	Xerox	C7025	474	75	C8036 Fax and Foreign Interface
Library	Front Desk	Xerox	C405	2215	1077	C415 Xtray
Library	Back Office	Xerox	C7025	491	209	C8036 OF
CED	Main Device	Xerox	C8055	2191	156	C8056 OF
City Clerk	Main Office	Konica Minolta	C558	1455	995	C8056 OF 2/3
Finance	Main Device	Ricoh	C3004	3096	740	C8056 OF 2/3
Admin/HR	Main Device	Xerox	C8055	4700	14	C8056 OF
Police Dept	Basement Property Room	HP	M404dn			B415
DPW	Recreation	Xerox	C8070	2144	25	C8056 OF 2/3
DPW	Water & Sewer	HP	M451dw	37	37	C410
Police Dept	Dispatch	Ricoh	IM 2500	1818	0	Xerox B415 Extra Tray Stand
Police Dept	Report Writing	Ricoh	MP 305	1331	0	Xerox B415 Extra Tray Stand
Police Dept	Records	Ricoh	MP 4055	1908	0	B7135 OF Fax
Police Dept	Admin Main Device	Ricoh	C3504ex	882	333	C8056 OF 2/3 Fax
Police Dept	Detectives Main Device	Ricoh	C3504ex	1877	2913	C8056 OF 2/3 Fax
Police Dept	Basement SIU	Ricoh	MP 305	351	0	Xerox B415 Extra Tray Stand
City Clerk	Election Desk	HP	M501dn			B410
Finance	Tax Printer	HP	M401n	823	0	B410
Finance	Front Counter	HP	M402dne	1124	0	B410
Finance	Linda	HP	M506dn	592	0	B410
Admin/HR	City Manager Melissa March	HP	M402n	319	0	B410
				28983	7925	

Solution Benefits

Solution Benefits

- Reduction in Models and Manufacturers.
- Print allowance shared between all contracted devices.
- XDA – Xerox Device Management Tool – Auto Toner, Drums, and Waste Container Replenishment
- All assets on same lease agreement with same end date.
- Assist with returning all leased assets, as well as removal and recycling of old customer assets that we are replacing, if desired.
- Pricing includes annual personal property tax expense.

Program Benefits

- XBS Midwest recommends placing 22 new assets on an all-inclusive maintenance agreement. This agreement will support the fleet with parts, labor, and consumables (except for paper and staples) at no additional charge. This includes toners, drums, waste toner containers and all other parts/supplies for all assets on the agreement.
- Utilizing the XBS Midwest Customer Care Center and device service tags will allow for any employee to place service or supply requests. Overall process will be streamlined and easy to budget accurately; monthly, quarterly and annually.
- All assets would be managed for supplies and service. One number to call, one bill to receive. Overages are billed quarterly to assist in controlling costs.
- Account reviews performed quarterly to annually depending on your current goals and by request.
- City of Madison Heights has the option to participate in the Xerox Toner Recycling Program to assist with sustainability initiatives.
- Network eligible assets may take advantage of auto toner and supply replenishment program based upon toner thresholds set by City of Madison. Supply levels will be monitored via our app.

NEXT STEPS

WHERE DO WE GO FROM HERE?

March 19, 2024	Walk Through
April 11, 2024	Validation Meeting/Co-Authored Solution
May 21, 2024	Co-Authored Proposal
September 26, 2024	Revised Proposal
TBD	Implementation
TBD	Delivery/Install
TBD	Training

Our Team of Experts

Dedicated to You

Hans Nicholsen
Major Account Sales Executive
hans.nicholsen@Xerox.com
248.688.7734

Susan Mencer
Assessment Specialist
susan.mencer@Xerox.com
248.697.8724



AGENDA ITEM SUMMARY FORM

MEETING DATE: 11/25/24

PREPARED BY: Matt Lonnerstater, AICP

AGENDA ITEM CONTENT: Rezoning PRZN 24-01(Ordinance 2201): 32275 Stephenson Hwy. - M-1 to MUI-1 - First Reading

AGENDA ITEM SECTION: Ordinances

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

The applicant, Ahmad Nassar d/b/a Detroit 75 Kitchen, on behalf of the property owner, Raghunath Singh, requests to rezone one (1) parcel of land located at 32275 Stephenson Highway (TM# 44-25-02-101-036) from M-1, Light Industrial district, to MUI-1, Mixed-Use Innovation 1 district. The subject parcel is approximately 1 acre in size and is improved with a 3,300 square foot commercial building (currently operating as a restaurant and bar) and an associated parking lot. The property is located on the west side of Stephenson Hwy. just north of Whitcomb Ave.

NOTE: The applicant had originally applied to rezone the subject property to MUI-2. However, after meeting with staff, the applicant has requested an alternative rezoning to the MUI-1 district in lieu of the MUI-2 district.

RECOMMENDATION:

Staff recommends that the City Council adopt Ordinance #2201 (PRZN 24-01) upon first reading and schedule the required public hearing and second reading for the December 9th, 2024 City Council Meeting.



MEMORANDUM

Date: November 21st, 2024
 To: City of Madison Heights City Council
 Meeting Date: November 25th, 2024
 From: Matt Lonnerstater, AICP – City Planner
 Subject: Rezoning Request PRZN 24-01 (Ord. 2201)– 32275 Stephenson Hwy. - M-1 to MUI-1

Introduction

The applicant, Ahmad Nassar d/b/a Detroit 75 Kitchen, on behalf of the property owner, Raghunath Singh, requests to rezone one (1) parcel of land located at 32275 Stephenson Highway (TM# 44-25-02-101-036) from M-1, Light Industrial district, to MUI-1, Mixed-Use Innovation 1 district. The subject parcel is approximately 1 acre in size and is improved with a 3,300 square foot commercial building (currently operating as a restaurant and bar) and an associated parking lot. The property is located on the west side of Stephenson Hwy. just north of Whitcomb Ave.

NOTE: The applicant had originally applied to rezone the subject property to MUI-2. However, after meeting with staff, the applicant has requested an alternative rezoning to the MUI-1 district in lieu of the MUI-2 district.

Planning Commission Action and Findings

At their November 19th, 2024 meeting, the Planning Commission approved the following motion pertaining the proposed rezoning:

Motion by Commissioner Grant, seconded by Commissioner Graettinger, to recommend that City Council approve rezoning PRZN 24-01 of 32275 Stephenson Highway (parcel #44-25-02-101-36) from M-1, Light Industrial, to MUI-1, Mixed Use Innovation 1, as supported by staff and as requested by the applicant, in lieu of the original rezoning request to the MUI-2, Mixed-Use Innovation 2 district. This recommendation of approval was made after the required public hearing based upon the following findings:

(1) A rezoning to MUI-1 satisfies the map amendment review standards contained in Section 15.07 of the Zoning Ordinance and contained within the staff report dated November 12th, 2024. In particular, the Planning Commission finds that, in lieu of the MUI-2 district originally requested in the application, a rezoning to MUI-1 more satisfactorily addresses the following standards:

- Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed MUI-1 district.*
- Compatibility of all the potential uses allowed in the MUI-1 district with surrounding uses and zoning in terms of land suitability, impacts on the*

environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

- *Consistency of the MUI-1 district with the goals, policies, and objectives of the Master Plan (including the Future Land Use Plan).*
- *The boundaries of the MUI-1 district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*
- *The MUI-1 district is considered to be more appropriate from the city's perspective than another zoning district.*
- *Rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*
- *The requested MUI-1 district will not create an isolated or incompatible zone in the neighborhood.*
- *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the MUI-1 district.*
- *The amendment will not be expected to result in exclusionary zoning.*

(2) The applicant has provided an email letter dated November 14th, 2024, stating their support for a rezoning to the MUI-1 district in lieu of the MUI-2 district originally stated on the rezoning application.

Motion carries unanimously.

Background

The applicant requests a rezoning to MUI-1, Mixed-Use Innovation 1 district, to permit the operation of a food truck in association with a brick-and-mortar restaurant on the property. Per the newly adopted Madison Heights Zoning Ordinance, accessory food trucks, formally called “Mobile Food Vehicles”, are only permitted to operate from approved “Mobile Food Sites.” A “Mobile Food Site” is defined as, “a private property which has been approved under the provisions of the Zoning Ordinance for operation of a single mobile food vehicle as an accessory use.” Mobile Food Sites are only permitted as an accessory use within the City Center, Mixed-Use Innovation 1 (MUI-1) and Mixed-Use Innovation 2 (MUI-2) zoning districts. The subject property’s current M-1, Light Industrial zoning designation does not permit Mobile Food Sites.

The applicant requests a rezoning to the MUI-1 zoning designation as the first step in obtaining Mobile Food Site approval on the property. Within the MUI-1 district, Mobile Food Site approval may be granted administratively without the need for additional Planning Commission or City Council action. However, additional approval through Community and Economic Development Department will be required.

Existing Street View



Subject Parcel – Aerial View



Map Amendment (Rezoning) Review Standards

Section 15.07 of the new Zoning Ordinance contains standards that the Planning Commission and City Council shall consider when reviewing and acting upon a rezoning request:

- (1) *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*
- (2) *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*
- (3) *Consistency with the goals, policies, and objectives of the Master Plan (including the Future Land Use Plan), and any sub-area or corridor plans. If conditions have changed since such plans were adopted, consistency with recent development trends in the area shall be considered.*
- (4) *The boundaries of the requested zoning district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*
- (5) *The requested zoning district is considered to be more appropriate from the city's perspective than another zoning district.*
- (6) *If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*
- (7) *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*
- (8) *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*
- (9) *That the amendment will not be expected to result in exclusionary zoning.*

These standards are touched upon throughout this memo.

Zoning and Land Use Considerations

Per the Zoning Ordinance, the intent of the existing M-1, Light Industrial zoning district is to, *"primarily accommodate wholesale activities, warehouses, and industrial operations whose external, physical effects are restricted to the area of the district and in no manner affects in a detrimental way any of the surrounding districts."*

The intent of the proposed MUI-1, Mixed-Use Innovation 1 district is to,

"Promote the reuse of older, character giving structures that may no longer be suitable for their original purposes. The MUI-1 district is intended to provide for an eclectic mix of uses reflective of long-established development patterns at a pedestrian scale, including the adaptive reuse of existing, smaller industrial spaces into new commercial, residential, artisan industrial, and mixed-use projects. The MUI-1 district supports a variety of residential, commercial, and light industrial uses that are compatible with surrounding neighborhoods, and accounts for the appropriate mitigation of other potential adverse impacts on adjacent residential uses."

While the applicant intends to continue operating a restaurant as the principal use of the site with the addition of an accessory food truck, the Planning Commission should consider all of the potential uses that could be developed on this site if it were to be rezoned to MUI-1. The Planning Commission should also consider the list of M-1 industrial uses currently allowed on-site which would no longer be permitted in an MUI-1 district or may require Special Land Use approval. Some of these more intense uses and significant use departures are highlighted in the table below:

USE	M-1	MUI-1
CURRENT USE: Restaurant/Bar	P	P
PROPOSED ACCESSORY USE: Mobile Food Site		P
Residential Uses		
Townhomes		P
Residential/Commercial Mixed-Use		P
Senior Housing		P
Commercial Uses		
Auto Repair and Service	S	S
Auto Sales	P/S	S
Banquet Halls (Large)		S
Commercial Kennels and Boarding Facilities	S	S
Drive-Through Facilities		A+S
General Retail		P
Hotels and Lodging		S
Indoor Recreation Business	P	P/S
Medical Office		P
Personal Service Establishments		P
Self-Storage Facility	S	
Veterinary Clinic or Animal Grooming		P
Industrial Uses		
Artisan Manufacturing/Makerspace	P	P
Light Industrial, Assembly, Repair and Manufacturing	P	P
Lumber Yard	S	
Fleet Vehicle and Trucking Storage Yard. Commercial Storage of Boats, Trailers, RVs	S	
Research, Development and Testing Facilities	P	P
General Warehouse and Distribution	P	P
Wholesale Sales/Retail	S	S
Recycling Drop-Off Centers	S	

P = Permitted by Right S = Special Approval Required A=Accessory Use Blank = Not Permitted

The full Permitted Use Table is attached to this memorandum.

A rezoning to the Mixed-Use Innovation 1 district would open the site to commercial and mixed-use (including residential) uses, while continuing to allow certain light industrial uses. The existing restaurant use would remain a use permitted by-right.

Existing Land Use and Zoning

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

Existing Land Uses and Zoning

	Existing Land Use	Existing Zoning
Site	Restaurant	M-1, Light Industrial
North	Light Industrial	M-1, Light Industrial
South	Mobility Equipment Supplier	M-1, Light Industrial
East (Across Stephenson)	Industrial Wholesale	M-1, Light Industrial
West	High School	R-2, One-Family Residential

Adjacent land uses on Stephenson Highway consist primarily of light industrial uses. However, there are several hotels (zoned MUI-2 or B-3) along the stretch of Stephenson between 13 and 14 Mile Roads. As Stephenson approaches 14 Mile Road to the north, the zoning transitions to MUI-2 and B-3, Regional Business District, and the character becomes more commercial in nature. Additionally, properties to the south at the intersection of Stephenson and 13 Mile Road are currently zoned MUI-2.

Future Land Use and Master Plan

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

Future Land Use

	Future Land Use
Site	Industrial
North	Industrial
South	Industrial
East (across Stephenson)	Industrial
West	Public & Schools

The future land use designation of the subject site is *Industrial*. Per the Master Plan, the Industrial designation is intended to, “accommodate manufacturing, processing, warehousing, storage of raw materials and intermediate and finished products, industrial service providers, industrial parks, and industrial research activities. These more intense uses are intended for existing industrial areas along Stephenson, I-75 and 14 Mile Road.”

Adjacent future land use designations are primarily industrial.

Pertinent Goals & Objectives from the Master Plan include:

Community Character:

- Enhance the city’s commercial corridors to support walkability and improve community identity.
- Promote the city’s positive identity in the region.

Commercial & Industrial Development:

- Encourage entrepreneurship and growth for diverse businesses of all sizes to promote a balanced local economy.
- Provide incentives and flexible zoning mechanisms for commercial and industrial property owners and tenants to upgrade existing commercial and industrial sites.
- Promote the mix of commercial, office, and industrial uses in a way that fosters collaboration and business growth, while creating a desirable environment for the local workforce.

Transportation

Per the 2021 Master Plan, this stretch of Stephenson Highway is designated as a minor arterial road and typically handles through-traffic for local traffic generators. Per SEMCOG, this stretch of Stephenson Highway accommodates approximately 12,400 vehicles per day.

Staff Discussion and Policy Analysis

After a pre-application meeting with staff on October 8th, 2024 the applicant formally applied to rezone the subject property to the MUI-2 district, primarily due to the existing MUI-2-zoned properties on the east side of Stephenson Highway. However, after additional analysis, staff concluded that, in lieu of the MUI-2 district, the MUI-1 district would better align with the industrial character of Stephenson Highway and would continue to allow for light industrial uses which would not be permitted under the MUI-2 district. As such, the applicant requested an alternate rezoning to the MUI-1 district; the Planning Commission recommended approval of the MUI-1 district in lieu of the MUI-2 district at their November 19th, 2024 meeting.

The MUI-1 district permits Mobile Food Sites similar to the MUI-2 district but continues to permit light industrial and flexible industrial uses that are more consistent with the Stephenson Highway industrial corridor and the Industrial future land use classification. Please refer to the full Permitted Use Table attached to this memorandum.

The subject property is located mid-block along the primarily industrial Stephenson Highway corridor. Stephenson Highway transitions to more a regional commercial character approximately a quarter mile to the north as it approaches 14 Mile Road. The east side of Stephenson between Whitcomb Ave. and 14 Mile Rd. contains several MUI-2-zoned parcels, improved with hotel uses, as well as B-3, Regional Business zoned parcels at the intersection of 14 and Stephenson. The proposed MUI-1 district is better aligned with the existing and proposed restaurant use than the existing M-1 district.

As an alternative to rezoning, the City Council may consider a text amendment to permit Mobile Food Sites as an accessory use in the M-1, Light Industrial zoning district.

If the rezoning request is approved, any major redevelopment on the subject parcel will be subject to site plan approval through the Technical Review Committee and, if necessary, Special Land Use approval through the Planning Commission and City Council. Further, the proposed Mobile Food Site would be subject to administrative approval through the Community and Economic Development Department.

Next Step

Based on the aforementioned findings and recommendation of approval from the Planning Commission, staff recommends that the City Council adopt Ordinance #2201 (PRZN 24-01) upon first

reading and schedule the second reading for the December 9th, 2024 City Council Meeting. An additional public hearing is not required.

Attachments

- *Rezoning Application PRZN 24-01*
- *Compiled Maps*
- *Section 15.07 – Zoning Ordinance Amendments (Map and Text)*
- *Section 3.06 – Permitted Use Table*
- *Section 3.17 – M-1 Light Industrial District*
- *Section 3.20 – MUI-1 Mixed Use Innovation District 1*
- *Section 3.21 – MUI-2 Mixed Use Innovation District 2*
- *Public Hearing Notice*

ORDINANCE NO. 2201

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2198, BEING AN ORDINANCE CODIFYING AND ADOPTING A NEW ZONING ORDINANCE FOR THE CITY OF MADISON HEIGHTS, BY AMENDING THE ZONING MAP CONTAINED WITHIN APPENDIX A.

THE CITY OF MADISON HEIGHTS ORDAINS:

SECTION 1. That the Zoning Map in connection with the Zoning Ordinance of the City of Madison Heights shall be amended so that the zoning on the following described property, to-wit:

T1N, R11E, SEC 2, MALLYS INDUSTRIAL SUB NO 2, LOT 66

PIN 44-25-02-101-036. 32275 STEPHENSON HIGHWAY

Shall be changed from M-1, LIGHT INDUSTRIAL, to MUI-1, MIXED-USE INNOVATION 1.

SECTION 2. All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. This ordinance shall take effect ten (10) days after its adoption and upon publication.

Roslyn Grafstein
Mayor

Cheryl E. Rottmann
City Clerk

CERTIFICATION:

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on _____, 2024.

Cheryl E. Rottmann
City Clerk

FIRST READING: November 25th, 2024

SECOND READING:

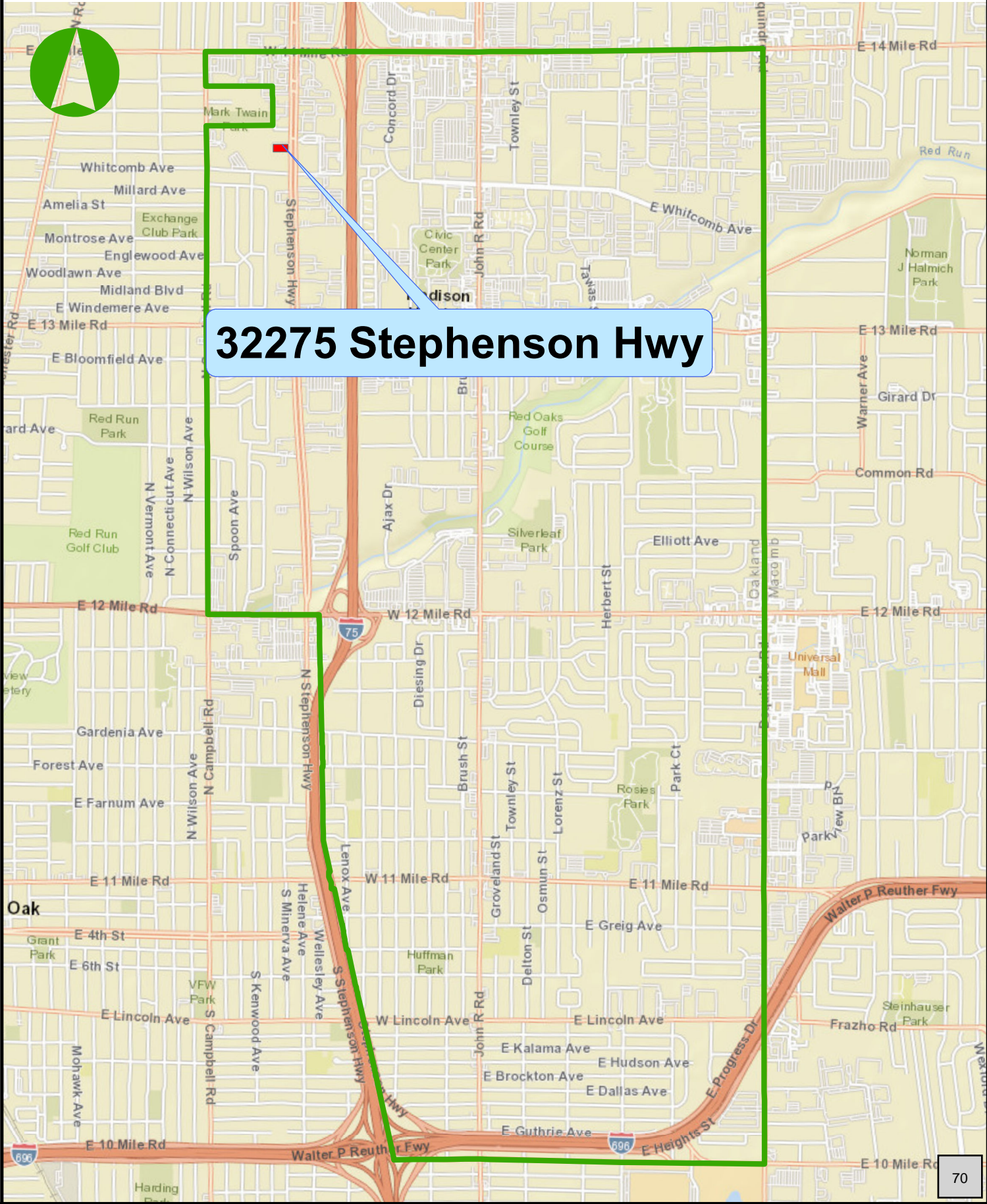
ADOPTED:

PUBLISHED:

EFFECTIVE:

PRZN 24-01: 32275 Stephenson Hwy

Item 8.



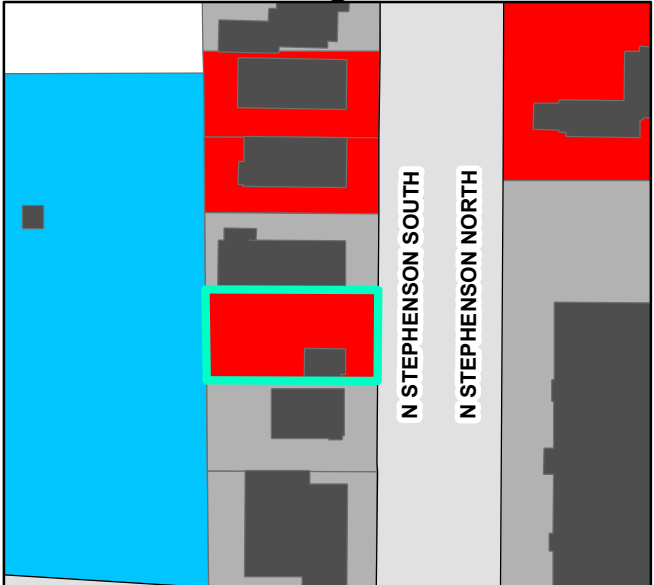
Site Address: 32275 Stephenson Hwy



Aerial



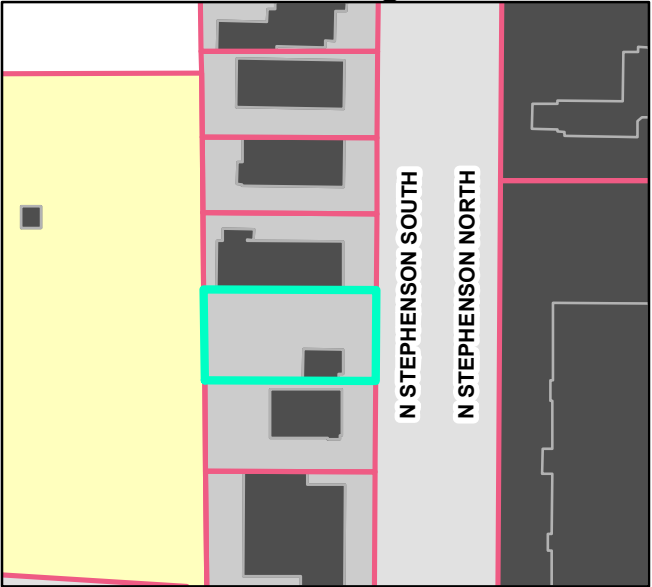
Existing Land Use



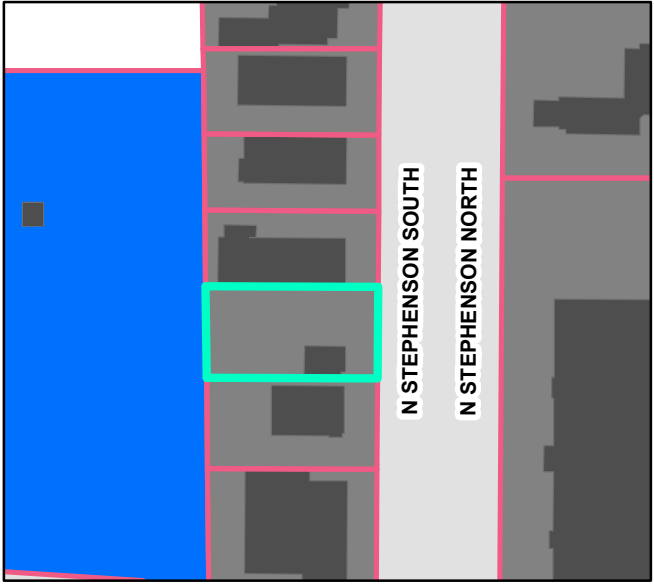
- 32275 Stephenson Hwy
- Industrial
- Parcels

- 32275 Stephenson Hwy
- Commercial
- Industrial
- Buildings
- Quasi -Public

Zoning



Future Land Use



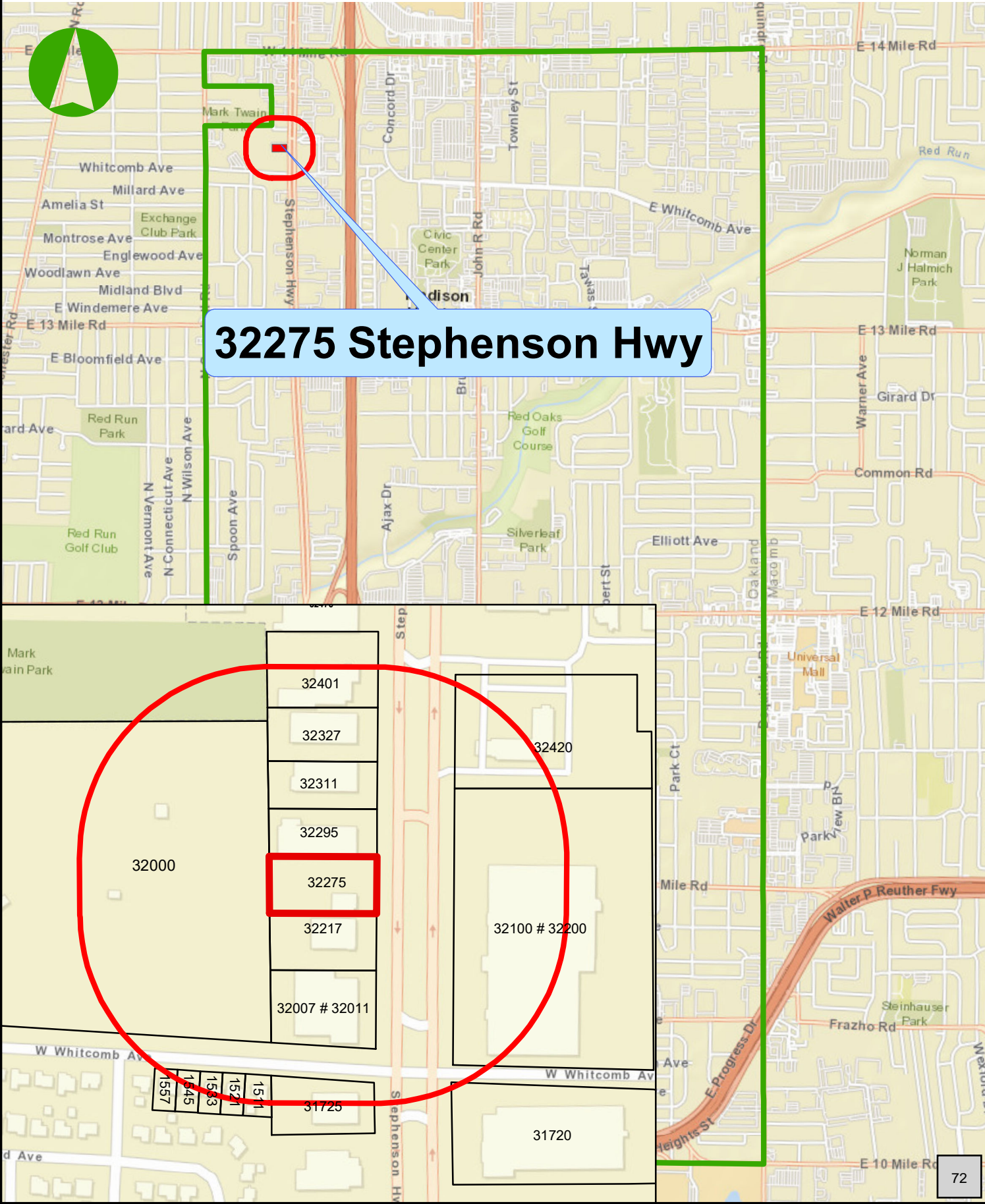
- 32275 Stephenson Hwy
- Parcels
- R-2 Residential
- Buildings
- M-2 Heavy Industrial
- M-1 Light Industrial

- 32275 Stephenson Hwy
- Industrial
- Public and Schools
- Parcels

PRZN 24-01: 32275 Stephenson Hwy

Buffer: 500 FT

Item 8.



Section 3.06 Permitted Use Table

Uses not listed in a particular Zoning District but permitted elsewhere in the Zoning Ordinance shall be considered prohibited in that Zoning District. However, the Planning and Zoning Administrator or their designee may determine that a use which is not specifically mentioned in this Ordinance is comparable to a permitted or prohibited use in any district, either by right or as a Special Land Use. The Planning and Zoning Administrator may refer a use interpretation to the Zoning Board of Appeals.

The City Center Zoning District is regulated in [City Center District, Section 6.02](#)

Key:

P = Principal Uses Permitted By-Right

S = Uses Permitted on Special Land Use Approval

A = Permitted as an Accessory Use

P/S = May be Permitted By-Right or as a Special Land Use. Refer to use-specific standards

A+S = Permitted as an Accessory Use upon Special Land Use Approval

[blank] = Not Permitted

* = Refer to City Center, [Section 6.02](#), for additional use matrix based on building type.

† = Only permitted in Primary Caregiver Marihuana Grow Overlay District, [Section 5.01](#)

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Residential Uses																	
Accessory Dwelling Unit	A	A	A	A	A												7.03(1)
Detached One-Family Dwelling	P	P	P	P	P											S	7.03(10)
Townhomes, Attached One-Family Dwellings				P	P						P	P					7.03(45)
Duplexes				P	P												7.03(12)
Multiplexes				P	P												7.03(29)
Multi-Family Dwellings					P					P*		P					7.03(30)
Residential/Commercial Mixed-Use							P	P	P	P*	P	P					7.02(2)
Live/Work				S	S		P				P	P					7.03(23)
Manufactured Homes															P		3.12
Senior Housing, Assisted					S	S						S					7.03(41)
Senior Housing, Independent					P					P*		P					7.03(42)
Child Family Day Care Homes	P	P	P	P	P						P	P				P	7.03(7)
Child Group Day Care Homes	S	S	S	S	S						S	S				S	7.03(7)
Foster Care Family Homes	P	P	P	P	P						P	P				P	7.03(14)
Foster Care Group Homes	S	S	S	S	S						S	S				S	7.03(14)
Commercial Uses																	
Artist Studio						P	P	P	P	P*	P	P	P	P			
Auto Repair and Service (Minor)								S	P		S		S	S			7.03(2)
Auto Repair and Service (Major)								S	S		S		S	S			7.03(2)
Auto Sales (New and Used) and Rental								S	S		S	S	P/S	P/S			7.03(3)
Auto Wash									S								7.03(4)
Banquet/Assembly/Meeting Halls (less than 75 persons)						S	S	P	P	P/S*	P	P	P	P			7.03(5)
Banquet/Assembly/Meeting Halls (greater than 75 persons)								P	P	P/S*	S	P					7.03(5)
Bars and Taprooms							S	P	P	P/S*	P	P	P	P			
Business or Trade Schools						P	S	P	P	P*	S	P	P	P			

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Child/Adult Day Care Center and Preschools	S	S	S	S	S	P	P	P	P	P*	S	P					7.03(6)
Commercial Kennels and Boarding Facilities								S	S			S	S	S			7.03(8)
Drive-Through Facilities						A+S	A+S	A	A		A+S	A					7.03(11)
Financial Institutions						P	P	P	P	P*	P	P	P	P			
Firearm Retail Sales								P	P				A	A			7.03(13)
Funeral Homes						S		S	S			S					7.03(15)
Gasoline/Recharging Stations								S	S								7.03(16)
General Retail, Small to Mid-Format (up to 30,000 sq. ft.)							P	P	P	P*	P	P					
General Retail, Large Format (>30,000 sq. ft.)								P	P		S	S					
Home Improvement Centers and Garden Centers, Small to Mid-Format (up to 30,000 sq. ft.)							P	P	P	P/S*	P	P	S	S			7.03(17)
Home Improvement Centers and Garden Centers, Large Format (>30,000 sq. ft.)								P	P		S	S	S	S			7.03(17)
Hotels and Lodging Facilities								S	P	P/S*	S	P					7.03(20)
Incubator Kitchen or Catering Facility						S	P	P	P	P*	P	P	P	P			
Indoor Recreational Business							P/S	P	P	P/S*	P/S	P/S	P	P			7.03(21)
Indoor Shooting Range									S				S	S			7.03(22)
Medical Office						P	P	P	P	P*	P	P					
Microbreweries, Wineries and Distilleries							S	P	P	P*	P	P	P	P			
Mobile Food Court (Principal Use)										S*	S	S					7.03(27)
Mobile Food Site (Accessory Use)										A*	A	A					7.03(28)
Outdoor Dining and Seating						A	A	A	A	A*	A	A	A	A			7.03(31)
Outdoor Recreational Business								S	S			S					7.03(32)
Outdoor Sales and Display						A+S	A+S	A	A	A*	A	A	A	A			7.03(33)

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Personal Service Establishments						P	P	P	P	P*	P	P					
Pharmacy						P	P	P	P	P*	P	P					
Professional Office						P	P	P	P	P*	P	P	P	P			
Restaurant						P	P	P	P	P*	P	P	P	P			
Self-Storage Facility									S				S	S			<u>7.03(40)</u>
Tutoring and Instructional Services						P	P	P	P	P*	P	P					
Tobacco/Smoke Shop or Smoke Lounge								P	P	S*	S	P					<u>7.03(44)</u>
Theater							S	P	P	P*	P	P					
Veterinary Clinic or Animal Grooming						S	S	P	P	P*	P	P					<u>7.03(46)</u>
Industrial Uses																	
Artisan Manufacturing/Makerspace										P*	P	P	P	P			
Contractor's Office						P	P	P	P	P*	P	P	P	P			<u>7.03(9)</u>
Light Industrial, Assembly, Repair and Manufacturing											P		P	P			
Heavy Industrial, Assembly, Repair and Manufacturing														P			
Lumber Yard													S	S			<u>7.03(17)</u>
Fleet Vehicle and Trucking Storage Yard. Commercial Storage of Boats, Trailers, Recreational Vehicles, or other Operable Vehicles or Equipment.													S	S			
Research, Development and Testing Facilities										S*	P		P	P			
General Warehouse and Distribution											P		P	P			
Wholesale Sales/Retail									P		S	S	S	S			
Industrial Tool and Equipment Sales, Rental, Service, Storage and Distribution								P	P	S*	S	P	P	P			
Incubator Workspaces								P	P	P*	P	P	P	P			
Yard Waste Transfer and Composting Facilities														S			
Junk, Tow, or Salvage Yard														S			

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Recycling Drop Off Centers													S	S			
Recycling Transfer and Processing Facilities														S			
Public & Quasi-Public Uses																	
Hospital						S		S	S								7.03(19)
Public Library, Museum, Art Center, Community Center	S	S	S	S	S	P	P	P	P	P*	P	P	P	P	S	S	
Government Office Building/Courthouse/Public Police and Fire Services	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	
Post Office					P	P	P	P	P	P*	P	P	P	P			
Religious Institutions, Private Clubs, and Lodges (less than 75 persons)	S	S	S	S	S	S	S	P	P	P*	P	P	P	P			7.03(39)
Religious Institutions, Private Clubs, and Lodges (greater than 75 persons)	S	S	S	S	S			P	P	S*	S	P					7.03(39)
K-12 Schools, Public or Private	S	S	S	S	S	P	S	S	S	S*	S	S					
Institutions of Higher Learning						P	S	P	P	S*	P	P					
Public Parks	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	
Cemetery	S	S															
Essential Public Utility Services	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	
Other Uses																	
Accessory Buildings, Structures and Uses	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	8.03
Temporary Buildings/Uses	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	7.03(43)
Home Occupation, Minor	A	A	A	A	A					A*	A	A			A	A	7.03(18)
Home Occupation, Major	A+S	A+S	A+S	A+S	A+S					A+S*	A+S	A+S			A+S	A+S	7.03(18)
Parking as a Principal Use	S	S	S	S	S	S	S	S	S	S*	S	S	S	S	S		7.03(34)
Regulated Uses								S	S								7.03(38)
Wireless Communication Facilities	Refer to Section 7.03(47)																
Medical Marihuana Caregiver											P ⁺	P ⁺	P ⁺	P ⁺			7.03(24)
Medical Marihuana and Adult Use Marihuana Safety Compliance Facility						P					P	P	P	P			7.03(25)

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Medical Marihuana and Adult Use Marihuana Facilities	Refer to Section 7.03(26)																

Section 3.20 MUI-1 Mixed Use Innovation

PREAMBLE

The Mixed-Use Innovation-1 (MUI-1) District is established to promote the reuse of older, character giving structures that may no longer be suitable for their original purposes. The MUI-1 district is intended to provide for an eclectic mix of uses reflective of long-established development patterns at a pedestrian scale, including the adaptive reuse of existing, smaller industrial spaces into new commercial, residential, artisan industrial, and mixed-use projects. The MUI-1 district supports a variety of residential, commercial, and light industrial uses that are compatible with surrounding neighborhoods, and accounts for the appropriate mitigation of other potential adverse impacts on adjacent residential uses.

PERMITTED USES	SPECIAL LAND USES	ACCESSORY USES
<ul style="list-style-type: none"> Artisan Manufacturing/Makerspace Artist Studio Banquet/Assembly/Meeting Halls (less than 75 persons 7.03(5)) Bars and Taprooms Child Family Day Care Homes 7.03(7) Contractor's Office 7.03(9) Essential Public Utility Services Financial Institutions Foster Care Family Homes 7.03(14) General Retail, Small to Mid-Format (up to 30,000 sq. ft.) General Warehouse and Distribution Government Office Building/Courthouse/Public Police and Fire Services Home Improvement Centers and Garden Centers, Small to Mid-Format (up to 30,000 sq. ft.) 7.03(17) Incubator Kitchen or Catering Facility Incubator Workspaces Indoor Recreational Business 7.03(21) Institutions of Higher Learning Light Industrial, Assembly, Repair and Manufacturing Live/Work 7.03(23) Medical Marihuana Caregivers (Primary Caregiver Marihuana Grow Overlay District only) 7.03(24) Medical Marihuana and Adult Use Marihuana Safety Compliance Facility 7.03(25) Medical Office Microbreweries, Wineries and Distilleries Personal Service Establishments Pharmacy Post Office Professional Office Public Library, Museum, Art Center, Community Center Public Parks 	<ul style="list-style-type: none"> Auto Repair and Service (Major) 7.03(2) Auto Repair and Service (Minor) 7.03(2) Auto Sales (New and Used) and Rental 7.03(3) Banquet/Assembly/Meeting Halls (greater than 75 persons) 7.03(5) Business or Trade Schools Child Group Day Care Homes 7.03(7) Child/Adult Day Care Center and Preschools 7.03(6) Drive-Through Facilities 7.03(11) Foster Care Group Homes 7.03(14) General Retail, Large-Format (>30,000 sq. ft.) Home Improvement Centers and Garden Centers, Large Format (> 30,000 sq. ft.) 7.03(17) Home Occupation, Major 7.03(18) Hotels and Lodging Facilities 7.03(20) Indoor Recreational Business 7.03(21) Industrial Tool and Equipment Sales, Rental, Service, Storage and Distribution K-12 Schools, Public or Private Mobile Food Court (Principal Use) 7.03(27) Parking as a Principal Use 7.03(34) Religious Institutions, Private Clubs, and Lodges (greater than 75 persons) 7.03(39) Tobacco/Smoke Shop or Smoke Lounge 7.03(44) Wholesale Sales/Retail 	<ul style="list-style-type: none"> Accessory Buildings, Structures and Uses Section 8.03 Drive-Through Facilities 7.03(11) Home Occupation, Major 7.03(18) Home Occupation, Minor 7.03(18) Mobile Food Site (Accessory Use) 7.03(28) Outdoor Dining and Seating 7.03(31) Outdoor Sales and Display 7.03(33)

<ul style="list-style-type: none"> Religious Institutions, Private Clubs, and Lodges (less than 75 persons) 7.03(39) Research, Development and Testing Facilities Residential/Commercial Mixed-Use 7.02(2) Restaurant Temporary Buildings and Uses 7.03(43) Theater Townhomes, Attached One-Family Dwellings 7.03(45) Tutoring and Instructional Services Veterinary Clinic or Animal Grooming 7.03(46) 		
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The above list is a summary of Principal Permitted Uses, Special Land Uses, and Accessory Uses in the district. Uses provided with a section reference indicates uses that have specific use standards. Refer to [Article 2](#) for definitions of uses.

DIMENSION REGULATIONS

Lot Standards		Minimum Setbacks	
Min. Lot Area	—	Front Yard	Minimum: 0 ft. Maximum: 10 ft.
Min. Lot Width	—	Side Yard (interior)	0 ft (where sharing party wall); 5 ft. otherwise
Max. Lot Coverage	—	Side Yard (street)	Minimum: 5 ft.
Max. Building Height (ft.)	45 ft.	Rear Yard	5 ft. (alley-loaded); 15 ft. otherwise
Max. Building Height (stories)	4		

- Footnotes to Dimensional Regulations.** The following supplemental standards apply to the MUI-2 dimensional regulations:
 - Any portion of a building within twenty (20) feet of a residentially-zoned property shall not exceed twenty-five (25) feet in height. Each additional story above twenty-five (25) feet (up to fifteen (15) feet in height per story) shall be further stepped back a distance of ten (10) feet from this setback line.
 - Townhome structures are further subject to the dimensional standards of [Section 7.03\(45\)](#). Where the dimensional/design standards of the MUI-1 district and the use-specific standards for townhomes conflict, the use-specific standards for townhomes shall take precedence.
 - Rear yard setbacks may be reduced to 10 feet where alley loaded, or adjacent to E. Heights Street or the I-696 service drive, with the exception of footnote A above.
- Design Standards.** The following design standards apply to buildings and sites within the MUI-1 districts.
 - Façade Design.**
 - Large expanses of highly reflective wall surface material, including mirrored glass on exterior walls, are prohibited.
 - Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of 4 inches in depth a maximum of every 25 linear feet.
 - The ground floor of the front façade must maintain a minimum transparency of 30%, measured between 2 and 10 feet in height from grade.
 - Portions of the front façade at second floor or higher must maintain a minimum transparency of 15% of the wall area on each story.

(5) Only the following principal exterior wall building materials shall be permitted:

- (a) Rock face block, natural finish.
- (b) Solid brick or brick veneer.
- (c) Portland Cement Stucco, natural finish.
- (d) Decorative metal siding (up to 20% of total wall area)
- (e) Finished Concrete (up to 20% of total wall area).
- (f) Steel or painted wood windows and storefronts.
- (g) Cedar lap siding and shingles, painted or stained.
- (h) Painted wood trim.
- (i) Limestone and terra cotta for decorative elements and trim
- (j) Other principal materials which, at the determination of the Planning and Zoning Administrator, are compatible and consistent with the aforementioned materials in both appearance and quality.

B. Roof Design (flat roofs).

- (1) Green roof, blue roof, and white roof designs are encouraged.
- (2) Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.

C. Entrance Design.

- (1) Public entrances and primary building elevations must be oriented toward public streets or private streets. Main entrances to the building must be well defined.

D. Site Design. Parking areas shall be placed in the interior side yard or rear yard, per Section 10.01.

Section 3.21 MUI-2 Mixed Use Innovation District

PREAMBLE

The Mixed-Use Innovation-2 (MUI-2) District is established to promote the redevelopment of moderate to larger-scale regional commercial centers into walkable, compact developments featuring a cohesive mix of commercial, residential, and recreational land uses. MUI-2 development standards are intended to allow for the creation of integrated mixed-use, walkable districts, which prioritize pedestrian connectivity over vehicle circulation and parking. The MUI-2 district is also intended as an alternative format for larger-scale commercial uses than that of the Business (B) zoning districts.

PERMITTED USES	SPECIAL LAND USES	ACCESSORY USES
<ul style="list-style-type: none"> Artisan Manufacturing/Makerspace Artist Studio Banquet/Assembly/Meeting Halls (greater than 75 persons) 7.03(5) Banquet/Assembly/Meeting Halls (less than 75 persons) 7.03(5) Bars and Taprooms Business or Trade Schools Child Family Day Care Homes 7.03(7) Child/Adult Day Care Center and Preschools 7.03(6) Contractor's Office 7.03(9) Essential Public Utility Services Financial Institutions Foster Care Family Homes 7.03(14) General Retail, Small to Mid-Format (up to 30,000 sq. ft.) Government Office Building/Courthouse/Public Police and Fire Services Home Improvement Centers and Garden Centers, Small to Mid-Format (up to 30,000 sq. ft.) 7.03(17) Hotels and Lodging Facilities 7.03(20) Incubator Kitchen or Catering Facility Incubator Workspaces Indoor Recreational Business 7.03(21) Industrial Tool and Equipment Sales, Rental, Service, Storage and Distribution Institutions of Higher Learning Live/Work 7.03(23) Marihuana Safety Compliance Facility 7.03(25) Medical Marihuana Caregivers (Primary Caregiver Marihuana Grow Overlay District only) 7.03(24) Medical Office Microbreweries, Wineries and Distilleries Multi-Family Dwellings 7.03(30) Personal Service Establishments Pharmacy Post Office 	<ul style="list-style-type: none"> Auto Sales (New and Used) and Rental 7.03(3) Child Group Day Care Homes 7.03(7) Commercial Kennels and Boarding Facilities 7.03(8) Foster Care Group Homes 7.03(14) Funeral Homes 7.03(15) General Retail, Large-Format (>30,000 sq. ft.) Home Improvement Centers and Garden Centers, Large Format (> 30,000 sq. ft.) 7.03(17) Home Occupation, Major 7.03(18) K-12 Schools, Public or Private Mobile Food Court (Principal Use) 7.03(27) Outdoor Recreational Business 7.03(32) Parking as a Principal Use 7.03(34) Senior Housing, Assisted 7.03(41) Wholesale Sales/Retail 	<ul style="list-style-type: none"> Accessory Buildings, Structures and Uses Section 8.03 Drive-Through Facilities 7.03(11) Home Occupation, Major 7.03(18) Home Occupation, Minor 7.03(18) Mobile Food Site (Accessory Use) 7.03(28) Outdoor Dining and Seating 7.03(31) Outdoor Sales and Display 7.03(33)

<ul style="list-style-type: none"> Professional Office Public Library, Museum, Art Center, Community Center Public Parks Religious Institutions, Private Clubs, and Lodges (greater than 75 persons) 7.03(39) Religious Institutions, Private Clubs, and Lodges (less than 75 persons) 7.03(39) Residential/Commercial Mixed-Use 7.02(2) Restaurant Senior Housing, Independent 7.03(42) Temporary Buildings and Uses 7.03(43) Theater Tobacco/Smoke Shop or Smoke Lounge 7.03(44) Townhomes, Attached One-Family Dwellings 7.03(45) Tutoring and Instructional Services Veterinary Clinic or Animal Grooming 7.03(46) 		
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The above list is a summary of Principal Permitted Uses, Special Land Uses, and Accessory Uses in the district. Uses provided with a section reference indicates uses that have specific use standards. Refer to [Article 2](#) for definitions of uses.

DIMENSION REGULATIONS			
Lot Standards		Minimum Setbacks	
Min. Lot Area	—	Front Yard	Minimum: 10 ft. Maximum (arterial/collector streets only): 25 ft.
Min. Lot Width	—	Side Yard (interior)	0 ft (where sharing party wall); 5 ft. otherwise
Max. Lot Coverage	—	Side Yard (street)	5 ft.
Max. Building Height (ft.)	100 ft.	Rear Yard	15 ft.
Max. Building Height (stories)	10		

1. **Footnotes to Dimensional Regulations.** The following supplemental standards apply to the MUI-2 dimensional regulations:
 - A. Front setbacks of buildings shall be measured from an existing or new street right-of-way line (or to a line established 10' from existing service drive pavement edge).
 - B. Any portion of a building within twenty (20) feet of a residentially-zoned property shall not exceed twenty-five (25) feet in height. Each additional story up to fifteen (15) feet in height shall be further stepped back a distance of ten (10) feet from this setback line.
 - C. Townhome structures are further subject to the dimensional standards of [Section 7.03\(45\)](#). Where the dimensional/design standards of the MUI-2 district and the use-specific standards for townhomes conflict, the use-specific standards for townhomes shall take precedence.

2. **Design Standards.** The following design standards apply to buildings and sites within the MUI-2 districts.

A. **Façade Design.**

- (1) Large expanses of highly reflective wall surface material, including mirrored glass on exterior walls, are prohibited.
- (2) Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of 4 inches in depth a maximum of every 25 linear feet.
- (3) The ground floor of the front façade must maintain a minimum transparency of 30%, measured between 2 and 10 feet in height from grade.
- (4) Portions of the front façade at second floor or higher must maintain a minimum transparency of 15% of the wall area on each story.
- (5) Only the following principal exterior wall building materials shall be permitted:
 - (a) Rock face block, natural finish.
 - (b) Solid brick or brick veneer
 - (c) Portland Cement Stucco, natural finish
 - (d) Decorative metal siding (maximum 20% of total wall area)
 - (e) Finished Concrete (maximum 20% of total wall area).
 - (f) Steel or painted wood windows and storefronts.
 - (g) Cedar lap siding and shingles, painted or stained.
 - (h) Painted wood trim.
 - (i) Limestone and terra cotta.
 - (j) Other principal materials which, at the determination of the Planning and Zoning Administrator, are compatible and consistent with the aforementioned materials in both appearance and quality.

B. **Roof Design (flat roofs).**

- (1) Green roof, blue roof, and white roof designs are encouraged.
- (2) Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.

C. **Entrance Design.**

- (1) Public entrances and primary building elevations shall be oriented toward public streets or private streets. Main entrances to the building shall be well defined.

D. **Site Design.** Parking areas shall be placed in the interior side yard or rear yard, per Section 10.01.

3. **New Street Standards.** Where new internal streets are proposed, the following standards shall apply:

- A. Street spacing max 500' o.c.
- B. Allowable Right-Of Way widths: 66' to 100'.
- C. Allowable pavement widths: 17' to 46'.
- D. On-street parallel parking required. (For pavement less than 25' in width, one side parking shall be deemed sufficient).
- E. Street trees shall be planted 40' to 66' o.c. at regular intervals.

- F. Multiple streets must be laid out forming an interconnected network of streets and blocks, block sizes max. 500' in any direction (measured to and from street centerlines).
- G. Sidewalks and curbs are required on both sides of new streets.
- H. New Cul-de-sacs shall be prohibited.
- I. New streets must terminate at other streets or extend to a lot line or development limit to accommodate off-site connections.

Section 3.17 M-1 Light Industrial District

PREAMBLE

The M-1 Light Industrial District is designed so as to primarily accommodate wholesale activities, warehouses, and industrial operations whose external, physical effects are restricted to the area of the district and in no manner affects in a detrimental way any of the surrounding districts.

REQUIRED CONDITIONS

Any use established in the M-1 District shall be operated so as to comply with the performance standards set forth hereinafter in [Article 9](#)

PERMITTED USES	SPECIAL LAND USES	ACCESSORY USES
<ul style="list-style-type: none"> Artisan Manufacturing/Makerspace Artist Studio Auto Sales (New and Used) and Rental 7.03(3) Banquet/Assembly/Meeting Halls (less than 75 persons) 7.03(5) Bars and Taprooms Business or Trade Schools Contractor's Office 7.03(9) Essential Public Utility Services Financial Institutions General Warehouse and Distribution Government Office Building/Courthouse/Public Police and Fire Services Incubator Kitchen or Catering Facility Incubator Workspaces Indoor Recreational Business 7.03(21) Industrial Tool and Equipment Sales, Rental, Service, Storage and Distribution Light Industrial, Assembly, Repair and Manufacturing Medical Marihuana and Adult Use Marihuana Safety Compliance Facility 7.03(25) Medical Marihuana Caregivers (Primary Caregiver Marihuana Grow Overlay District only) 7.03(24) Microbreweries, Wineries and Distilleries Post Office Professional Office Public Library, Museum, Art Center, Community Center Public Parks Religious Institutions, Private Clubs, and Lodges (less than 75 persons) 7.03(39) Research, Development and Testing Facilities Restaurant Temporary Buildings and Uses 7.03(43) 	<ul style="list-style-type: none"> Auto Repair and Service (Major) 7.03(2) Auto Repair and Service (Minor) 7.03(2) Auto Sales (New and Used) and Rental 7.03(3) Commercial Kennels and Boarding Facilities 7.03(8) Fleet Vehicle and Trucking Storage Yard. Commercial Storage of Boats, Trailers, Recreational Vehicles, or other Operable Vehicles or Equipment. Home Improvement Centers and Garden Centers, Small and Mid-Format (up to 30,000 sq. ft.) and Large-Format (>30,000 sq. ft.) 7.03(17) Indoor Shooting Range 7.03(22) Lumber Yard 7.03(17) Parking as a Principal Use 7.03(34) Recycling Drop Off Centers Self-Storage Facility 7.03(40) Wholesale Sales/Retail 	<ul style="list-style-type: none"> Accessory Buildings, Structures and Uses Section 8.03 Firearm Retail Sales 7.03(13) Outdoor Dining and Seating 7.03(31) Outdoor Sales and Display 7.03(33)

The above list is a summary of Principal Permitted Uses, Special Land Uses, and Accessory Uses in the district. Uses provided with a section reference indicates uses that have specific use standards. Refer to [Article 2](#) for definitions of uses.

DIMENSION REGULATIONS			
Lot Standards		Minimum Setbacks	
Min. Lot Area (sq. ft.)	--	Front Yard (ft.)	50 ft.
Min. Lot Width (ft.)	--	Side Yard (one) (ft.)	20 ft. (A)
Max. Lot Coverage	--	Side Yard (total of 2) (ft.)	40 ft. (A)
Min. Floor Area/Unit	--	Street Sides (ft.)	50 ft.
Max. Building Height (ft.)	40 ft.	Rear Yard (ft.)	25 ft.
Max. Building Height (stories)			
Footnotes: Refer to Section 4.02 wherever a footnote is referenced in parentheses after one of the design regulations.			

- C. That plight of the owner is due to the unique circumstances of the property, such as the shape of the parcel, unique topographic or environmental conditions, or any other physical situation on the land, building or structure deemed by the Zoning Board of Appeals to be extraordinary; and
- D. That the requested variance is the minimum amount necessary to permit reasonable use of the land, building or structure; and
- E. That the authorization of such variance will not be of substantial detriment to adjacent properties and will not materially impair the intent and purpose of this Ordinance or the public health, safety, and general welfare of the community; and
- F. That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).

In granting any variance, the Zoning Board of Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance, provided that said conditions:

- (1) Are designed to protect natural resources, the health, safety, and welfare and social and economic well-being of the public; and
 - (2) Are necessary to meet the intent and purpose of this Ordinance, are related to the standards established in the section for the land use or activity under consideration and are necessary to ensure compliance with those standards.
3. **Use Variances Prohibited.** The Zoning Board of Appeals shall not have the authority to grant a use variance to permit a use that is not permitted in a zoning district. However, the Zoning Board of Appeals may consider expansions or alterations of non-conforming uses in accordance with [Section 13.01](#).
 4. **Approval Period.**
 - A. No order of the Zoning Board of Appeals permitting the erection or alteration of buildings shall be valid for a period longer than one year unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is commenced and proceeds to completion in accordance with the terms of such permit.
 - B. No order of the Zoning Board of Appeals permitting a use of a building or premises shall be valid for a period longer than one year unless such use is established within such period; provided, however, that the use of such permit is dependent upon the erection or alteration of a building, such order shall continue in full force and effect if a building permit for such use, erection or alteration is obtained within such period and such erections or alterations are commenced and proceed to completion in accordance with the terms of such permit.
 5. **Appeals of Decisions to Circuit Court.** The decision of the ZBA shall be final. An appeal of a decision of the Zoning Board of Appeals shall be taken to the Oakland County Circuit Court within a time period specified in the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended) and by such persons permitted by State statute and common law. Upon appeal, the court shall review the record and decision of the ZBA to ensure that the decision complies with the constitution and laws of the state, is based upon proper procedure, is supported by competent, material, and substantial evidence on the record and represents the reasonable exercise of discretion granted by law to the ZBA. As a result of this review required by this Section, the court may affirm or modify the decision of the ZBA.
 6. **Resubmittal.** No application for a variance which has been denied in whole or in part by the Zoning Board of Appeals shall be re-submitted for a period of three hundred sixty five (365) days from such denial, except on the ground of new evidence or proof of changed conditions found by the Zoning Board of Appeals to be valid.

Section 15.07 Zoning Ordinance Amendments (Map and Text)

The City Council may amend, supplement, or change the regulations or the district boundaries of this Ordinance pursuant to the authority and according to the procedure set forth in Act 110, of the Public Acts of 2006, as amended. Changes in the text or zoning district boundaries of this Ordinance may be proposed by the Planning Commission, Planning and Zoning Administrator, other City Staff, or any interested person or organization.

1. **Application for Amendment.** An application for an amendment to the text of this Ordinance or an amendment to change the zoning classification of a particular property shall be commenced by filing an application with the Community and Economic Development Department on the forms provided by the Department and accompanied by the fees specified. The application shall describe the proposed amendment and shall be signed by the applicant. Applications for rezoning of a specific site shall be accompanied by a plot plan or survey which specifies the boundaries and legal description of the site. The Planning and Zoning Administrator, Planning Commission, and City Council may request additional information with the application.
2. **Amendment Review Procedures.** The amendment, be it a text or a map amendment, and application materials shall be prepared in accordance with the provisions of this Article and shall be reviewed in accordance with the following procedure. Amendments or application materials that do not meet the stipulated requirements shall be considered incomplete and shall not be eligible for consideration by the Planning Commission:
 - A. **Technical Review.** Prior to Planning Commission consideration, the proposed amendment and application materials shall be distributed to the Technical Review Committee for review, comment, and recommendations. The proposed amendment and application materials may also be distributed to applicable outside agencies and designated city consultants for review.
 - B. **Public Hearing.** A public hearing shall be held at a Planning Commission meeting in accordance with [Section 15.01](#)
 - C. **Planning Commission Consideration of the Proposed Amendment.** The Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies, and any public comments. The Planning Commission shall identify and evaluate all factors relevant to the petition, including the appropriate criteria listed in this Section, and shall report its findings and recommendation to the City Council.
 - D. **City Council Action on the Proposed Amendment.** Upon receipt of the report and recommendation from the Planning Commission, the City Council may approve or deny the proposed amendment. If determined to be necessary, the City Council may refer the amendment back to the Planning Commission for further consideration. City Council may, but is not required to, hold an additional public hearing. In the case of an amendment to the official Zoning Map, the City Council shall approve or deny the amendment, based upon its consideration of the criteria contained in this Ordinance.
3. **Standards of Review for Amendments.**
 - A. **Text Amendments.** In considering any petition for an amendment to the text of this Ordinance, the Planning Commission and City Council shall consider the following criteria in making findings, recommendations, and a decision. The Planning Commission and City Council may also take into account other factors or considerations that are applicable to the application but are not listed below.
 - (1) Consistency with the goals, policies and objectives of the Master Plan and any sub-area or corridor plans. If conditions have changed since such plans were adopted, consistent with recent development trends in the area shall be considered.
 - (2) Consistency with the basic intent and purpose of this Zoning Ordinance.
 - (3) Consideration of changing conditions since the Zoning Ordinance was adopted or a finding that there is an error in the Zoning Ordinance that justifies the amendment.
 - B. **Map Amendments.** In considering any petition for an amendment to the Zoning Map, the Planning Commission and City Council shall consider the following criteria in making findings, recommendations, and a decision. The Planning Commission and City Council may also take into account other factors or considerations that are applicable to the application but are not listed below.
 - (1) Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.
 - (2) Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

- (3) Consistency with the goals, policies and objectives of the Master Plan (including the Future Land Use Plan), and any sub-area or corridor plans. If conditions have changed since such plans were adopted, consistent with recent development trends in the area shall be considered.
- (4) The boundaries of the requested rezoning district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.
- (5) The requested zoning district is considered to be more appropriate from the city's perspective than another zoning district.
- (6) If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.
- (7) The requested rezoning will not create an isolated or incompatible zone in the neighborhood.
- (8) The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.
- (9) That the amendment will not be expected to result in exclusionary zoning.

C. **Rezoning with Conditions.** The Planning Commission and City Council recognize that, in certain instances, it would be an advantage to both the City and to a property owner seeking rezoning if the property owner proposes certain conditions and limitations as part of a petition for rezoning. Therefore, it is the intent of this Section to provide a process consistent with the provision of Section 405 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, being MCL 125.3405, to permit property owners to offer conditions regarding the use and/or development of land as part of the rezoning request. It is the further intent of this ordinance to accomplish, among other things, the objectives of the Zoning Ordinance and the Master Plan to achieve integration of the proposed land development project with the characteristics of the surrounding area.

(1) **Authorization and Eligibility.**

- (a) The standards of this Section shall grant a property owner the option of voluntarily proposing conditions for the development and use of property in connection with the submission of a petition seeking a rezoning. Such conditions may be proposed at the time the application for rezoning is filed, or at a subsequent point in the process of review of the proposed rezoning.
- (b) In order to be eligible for consideration of a Rezoning with Conditions, a property owner must propose a rezoning of property to a new zoning district classification, and must, as part of such proposal, voluntarily offer certain site-specific conditions (to be set forth in a Rezoning with Conditions Agreement) that are more strict or limiting than the regulations that would apply to the land under the proposed new zoning district. Such conditions may include, but are not limited to, the following:
 - (i) The location, size, height or other measure for and/or of buildings, structures, improvements, setbacks, landscaping, buffers, design, architecture and other physical features of the proposed development.
 - (ii) Specification of maximum density or intensity of development and/or use, expressed in terms fashioned for the particular development and/or use. For example: units per acre, maximum usable floor area, or hours of operation.
 - (iii) Preservation of open space, natural resources and/or natural features.
 - (iv) Improvements to address traffic issues, including paving, substantial improvements to or funding of improvements to major roads to the benefit of the entire City.
 - (v) Site improvements such as signage, lighting, landscaping, building materials for the exterior of some or all structures above and beyond what would otherwise be required by City Ordinance.
 - (vi) Limitations on permissible uses of the property.
 - (vii) Any other conditions that may be voluntarily proposed by the property owner.

(2) **Application and Review Procedures.**

- (a) Application.

- (i) At the time of making application for amendment of this ordinance seeking a rezoning of property, or at a later time during the process of City consideration of such rezoning a property owner may submit a complete application for approval of a Rezoning with Conditions to apply in conjunction with the rezoning.
 - (ii) The application, which may be amended by the applicant during the process of consideration, shall specify the Rezoning Conditions proposed by the applicant, recognizing that Rezoning Conditions shall not authorize uses or development not permitted in the district proposed by the rezoning.
 - (iii) An application for a Rezoning with Conditions shall include a Rezoning with Conditions Agreement ("the Agreement"). The Agreement shall set forth the rezoning conditions and may incorporate a Rezoning with Conditions Plan.
 - (iv) The application shall include a notarized signature of the property owner indicating that the conditions attached to the rezoning are voluntarily offered.
 - (b) Technical Review Committee Review. The proposed Rezoning with Conditions will become an agenda item for the Technical Review Committee, with comments forwarded to the Planning Commission.
 - (c) Planning Commission Review.
 - (i) The proposed Rezoning with Conditions shall be noticed for public hearing in accordance with Section 15.01 before the Planning Commission as a proposed legislative amendment of the Zoning Ordinance.
 - (ii) Following the public hearing, and further deliberations as deemed appropriate by the Planning Commission, the Planning Commission shall make a recommendation to the City Council on the proposed Rezoning with Conditions.
 - (d) City Council Review. Upon recommendation by the Planning Commission, the City Council shall make a final determination to approve or deny the Rezoning with Conditions as offered by the applicant. The City Council may only consider the conditions offered by the applicant and may not attach any other conditions to the rezoning other than those offered by the applicant. Any new conditions voluntarily offered by the applicant shall require Planning Commission review and a new public hearing. The City Council's deliberations shall include, but not be limited to, a consideration of the review criteria for a Rezoning with Conditions.
- (3) **Review Criteria.** A Rezoning with Conditions shall only be approved if it meets the following requirements and standards:
- (a) The proposed Rezoning with Conditions will further the goals and objectives of the City Master Plan.
 - (b) Rezoning conditions shall not authorize uses or development not permitted in the district proposed by the rezoning (and shall not permit uses or development expressly or implicitly prohibited in the Rezoning with Conditions Agreement).
 - (c) The use of the property in question shall be in complete conformity with all regulations governing development and use within the zoning district to which the property is proposed to be rezoned, including, without limitation, permitted uses, lot area and width, setbacks, height limits, required facilities, buffers, open space areas, and land use density; provided, however, the following shall apply:
 - (i) Development and use of the property shall be subject to the more restrictive requirements shown or specified in the Rezoning with Conditions Agreement, and/or in other conditions and provisions set forth in the Rezoning with Conditions Agreement required as part of the Rezoning with Conditions approval. Such Rezoning with Conditions Agreement shall supersede all inconsistent regulations otherwise applicable under the Zoning Ordinance.
 - (d) The proposed Rezoning with Conditions will result in integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area as compared to the existing zoning, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a Rezoning with Conditions.
 - (e) As compared to the existing zoning and considering the site-specific conditions and/or land use proposed by the applicant, it would be in the public interest to grant the Rezoning with Conditions. In determining whether approval of a proposed application would be in the public interest, the benefits

which would reasonably be expected to accrue from the proposal shall be balanced against and be found to clearly outweigh the reasonably foreseeable detriments, taking into consideration reasonably accepted planning, engineering, environmental and other principles, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.

- (f) The proposed conditions will not preclude future zoning and planning actions by or on behalf of the municipality.
 - (g) Existing and available public services will be capable of serving proposed or potential development that will occur as a result of the Rezoning with Conditions without negatively impacting the delivery of public services to other properties in the City, or the conditions will ensure that public services will be sufficient to serve both the site and other properties in the City.
 - (h) The offered condition(s) are beneficial to the public good and likely to be enforceable.
 - (i) The condition does not have the same effect as a use variance.
 - (j) The proposed conditions do not relieve the applicant of the responsibility of securing any applicable site plan, plat, condominium, or special land use approvals.
- (4) **Effect of Approval.** Approval of the Rezoning with Conditions and Rezoning with Conditions Agreement confirms only the rezoning of the property, subject to any conditions reflected in the Rezoning with Conditions Agreement. Any applicable site plan, plat, condominium, special land use, or variance approvals shall be required before any improvements to the property may be undertaken.

If approved, the zoning district classification of the rezoned property shall consist of the district to which the property has been rezoned, accompanied by a reference to "CR Rezoning with Conditions". The Zoning Map shall specify the new zoning district plus a reference to "CR" e.g., the district classification for the property might be "B-1, Neighborhood Business District (CR, Rezoning with Conditions)", with a Zoning Map Designation of "B-1/CR." Use of the property so classified and approved shall comply with the conditions set forth in the Rezoning with Conditions Agreement. No development or use of the land inconsistent with the conditions of the Rezoning with Conditions Agreement shall be permitted.

(5) **Compliance with Conditions.**

- (a) Any person who establishes a development or commences a use upon land that has been rezoned with conditions shall continuously operate and maintain the development or use in compliance with all of the conditions set forth in the Rezoning with Conditions Agreement. Any failure to comply with a condition contained within the Rezoning with Conditions Agreement shall constitute a violation of this Zoning Ordinance and shall be punishable accordingly. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.
- (b) No permit or approval shall be granted under this Ordinance for any use or development that is contrary to an applicable Rezoning with Conditions Agreement.

(6) **Period of Approval.**

- (a) The Rezoning with Conditions and Agreement shall expire after a period of one (1) year from the effective date of the Rezoning unless substantial progress towards obtaining site plan and other required approvals has been made, and shall expire after a period of two (2) years unless development of the property is substantially begun within such two (2) year period and proceeds diligently and in good faith as required by ordinance to completion.
- (b) In the event substantial progress towards obtaining site plan and other required approvals has not commenced within one (1) year and bona fide development has not commenced within two (2) years from the effective date of the rezoning, the Rezoning with Conditions and the Rezoning with Conditions Agreement shall be void and of no effect.
- (c) The property owner may apply for a one (1) year extension two (2) times. The request must be submitted to the Community and Economic Development Department before the approval time limit expires. The property owner must demonstrate why the extension should be granted, and must also demonstrate that there is a strong likelihood that the development or use will commence within the period of extension and proceed diligently thereafter to completion, and if the City Council finds that there has not been a change

in circumstances that would render the Rezoning with Conditions incompatible with adjacent or nearby use and zoning of land or is otherwise inconsistent with sound zoning policy.

- (d) An extension request shall be considered by the City Council following a recommendation by the Planning Commission.
- (e) If the Rezoning with Conditions becomes void in the manner provided in this section, the following procedures shall apply:
 - (i) The property owner may seek a new rezoning of the property within thirty (30) days of the expiration of the period of approval.
 - (ii) If no application is made for a new rezoning of the property, the land shall revert to its former zoning classification as set forth in MCL 124.286i (as amended). The City Council shall direct the Planning Commission to proceed with consideration of rezoning the land to its former zoning designation following the standard rezoning procedures set forth in this Zoning Ordinance.
 - (iii) Until such time as a new zoning district classification of the property has become effective, no development shall be undertaken or permits for development issued.
- (7) **Rezoning with Conditions Agreement Requirements.** A Rezoning with Conditions Agreement shall be executed between the applicant and the City at the time of City Council approval of a Rezoning with Conditions.
 - (a) Rezoning with Conditions Agreements shall, at a minimum, contain all of the following items:
 - (i) Identification of the requested zoning district and a listing of the conditions offered by the applicant.
 - (ii) A statement acknowledging that the Rezoning with Conditions was proposed by the applicant, and further agreement and acknowledgment that the conditions and Rezoning with Conditions Agreement are authorized by all applicable state and federal law and constitution, and that the Agreement is valid and was entered into on a voluntary basis and represents a permissible exercise of authority by the City.
 - (iii) Agreement and understanding that the property in question shall not be developed or used in a manner inconsistent with the Rezoning with Conditions Agreement.
 - (iv) Agreement and understanding that the approval and Rezoning with Conditions Agreement shall be binding upon and inure to the benefit of the property owner and City, and their respective heirs, successors, assigns, and transferees.
 - (v) If the City Council grants an extension of approval, a new Rezoning with Conditions Agreement with the new expiration date shall be recorded.
 - (vi) Agreement and understanding that, if a Rezoning with Conditions becomes void, no development shall be undertaken or permits for development issued until a new zoning district classification of the property has been established.
 - (vii) Agreement and understanding that each of the requirements and conditions in the Rezoning with Conditions Agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved Rezoning with Conditions, taking into consideration the changed zoning district classification and the specific use authorization granted.
 - (viii) A legal description of the property affected by the Rezoning with Conditions.
 - (ix) Development regulations affected by the conditions of rezoning, including but not limited to density, setbacks, height, site coverage, signs, parking, architecture, etc.
 - (x) Revocation of approval provisions returning the property to its original zoning designation if the developer violates the terms of the Agreement. A Rezoning with Conditions Plan may be included as an exhibit to the Agreement.
 - (b) The Rezoning with Conditions Plan may show the conceptual layout of the proposed development or use, along with any other information deemed relevant by the applicant. Inclusion of a Rezoning with Conditions Plan as an exhibit to a Rezoning with Conditions Agreement shall not replace the

requirement for preliminary and final site plan, subdivision, condominium, special land use or variance review and approval.

- (8) **Amendment of Rezoning with Conditions Agreement.** Amendment of a Rezoning with Conditions Agreement shall be proposed, reviewed and approved in the same manner as a new Rezoning with Conditions.
 - (9) **Recordation of Rezoning with Conditions Agreement.** A Rezoning with Conditions shall become effective following publication in the manner provided by law, and, after recordation of the Rezoning with Conditions Agreement, whichever is later.
 - (10) **Termination.** The City Council shall be the only body with the authority to terminate a Rezoning with Conditions agreement. The consideration to terminate the agreement shall be for reasons of expiration of the agreement, discovery of false information upon which the initial approval was based, or the existence or discovery of new information that alters the viability of the approved rezoning. The Termination shall comply with any applicable provisions of this ordinance or the Rezoning with Conditions Agreement.
 - (11) **City Right to Rezone.** Nothing in the Rezoning with Conditions Agreement or in the provisions of this Section shall be deemed to prohibit the City from rezoning all or any portion of land that is subject to a Rezoning with Conditions to another zoning classification. Any such rezoning shall be conducted in compliance with this Ordinance and the Michigan Zoning Enabling Act.
 - (12) If land that is subject to a Rezoning with Conditions Agreement is thereafter rezoned to a different zoning classification or to the same zoning classification but with a different or no Rezoning with Conditions Agreement, the Rezoning with Conditions Agreement attached to the former zoning classification shall cease to be in effect.
4. **Notice of Adoption of Amendment.** Following adoption of an amendment by the City Council, one (1) notice of adoption shall be filed with the City Clerk and one (1) notice shall be published in a newspaper of general circulation in the City within fifteen (15) days after adoption, in accordance with the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended. A record of all amendments shall be maintained by the City Clerk. A Zoning Map shall be maintained by the City Clerk, which shall identify all map amendments. The required notice of adoption shall include all of the following information:
- A. In the case of a newly adopted Zoning Ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by the City of Madison Heights."
 - B. In the case of an amendment(s) to the existing Zoning Ordinance, either a summary of the regulatory effect of the amendment(s), including the geographic area affected, or the text of the amendment(s).

Section 15.08 Temporary Use Permits

1. **Purpose.** This section sets forth the requirements for the application, review, approval, and enforcement of temporary use permits in the City of Madison Heights. Temporary use permits may be reviewed and acted upon by the Planning and Zoning Administrator, Technical Review Committee, or Planning Commission.
2. **Use-Specific Standards.** Temporary uses are subject to the use-specific standards of [Section 7.03\(43\)](#)
3. **Planning and Zoning Administrator/Technical Review Committee Review.** The Planning and Zoning Administrator may review and approve certain temporary uses addressed in Section 7.03(XXXX). The Planning and Zoning Administrator reserves the right to refer any request for a temporary use permit to the Technical Review Committee or Planning Commission for review and approval.
4. **Planning Commission Review.** The Planning Commission shall review and act upon temporary use permit requests where the applicant seeks approval for a time period longer than otherwise allowed by [Section 7.03\(43\)](#) or for a temporary use not specifically permitted in [Section 7.03\(43\)](#) nor deemed similar by the Planning and Zoning Administrator; provided, that the temporary use complies with all other relevant development and operational standards for the use as provided in this Zoning Ordinance.



Outlook

Detroit 75 <> MUI-1 - Acknowledgment

From ahmad@detroit75.com <ahmad@detroit75.com>

Date Thu 11/14/2024 9:18 AM

To Matt Lonnerstater <MattLonnerstater@madison-heights.org>

Cc Jason Miles Lorimer <jason@detroit75.com>

Hello Matt,

I am reaching out to confirm that, after our most recent discussions, we believe applying for the MUI-1 zoning type is more relevant than the MUI-2 we initially discussed, and we support that application.

I look forward to seeing you at the public planning meeting on the 19th of this month.

Thank you,
Ahmad Nassar



CITY OF MADISON HEIGHTS
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
ZONING MAP AMENDMENT (REZONING) APPLICATION

I. APPLICANT INFORMATION

Applicant Ahmad Nassar / Detroit 75 Kitchen
 Applicant Address 4800 West Fort Street
 City Detroit State MI ZIP 48209
 Interest in Property (owner, tenant, option, etc.) Next Owner
 Contact Person Ahmad Nassar
 Telephone Number 313-587-1862 Email Address ahmad@detroit75.com

II. PROPERTY INFORMATION

Property Address(es) 32275 Stephenson Hwy
 Tax ID(s) 25-02-101-036 Zoning District M-1 Light Industrial District
 [PROVIDE SURVEYS AND LEGAL DESCRIPTIONS OF ALL PROPERTIES ON SEPARATE SHEETS]
 Owner Name (if different than applicant) Raghunath Singh
 Address 5249 Orchard Ridge Dr
 City Rochester State MI Zip 48306
 Telephone Number (248) 925-7261 Email Address singh.rs05@gmail.com

III. CONSULTANT INFORMATION (IF APPLICABLE)

Name _____ Company _____
 Address _____
 City _____ State _____ Zip _____
 Telephone Number _____ Email Address _____

IV. NATURE OF REQUEST

☒ Standard Rezoning ☐ Rezoning with Conditions

Current Zoning Designation M1 - Light Industrial Proposed Zoning Designation MUI-2 Mixed Use Innovation

V. PROJECT DESCRIPTION AND SCOPE OF WORK

Brief description explaining need for proposed map amendment:

Please see attached document for response.

Required Attachments:

- ☐ **Plot Plan/Survey** specifying the boundaries of the site, with legal descriptions of all properties subject to the request.
- ☐ **Review Standards Response Form** (Standard Rezoning or Rezoning with Conditions Form)
- ☐ **For Rezoning with Conditions Only:** Rezoning with Conditions Agreement and, if proposed, Rezoning with Conditions Site Plan

VI. APPLICANT CERTIFICATION

I (we) the undersigned do hereby apply to the City of Madison Heights for review and approval of the above-described Map Amendment application. Applicant(s) and the property owner(s) do hereby consent to city staff to assess the property for purposes of evaluating the site for requested action(s).

Printed Name Ahmad Nassar Signature _____ Date 10/17/2024

VII. PROPERTY OWNER CERTIFICATION

IF YOU ARE NOT THE PROPERTY OWNER, YOU MUST HAVE THE PROPERTY OWNER PROVIDE A NOTARIZED SIGNATURE, BELOW, OR PROVIDE A NOTARIZED LETTER OF AUTHORIZATION OR NOTARIZED POWER OF ATTORNEY AUTHORIZING YOU TO ACT ON THEIR BEHALF.

Printed Name Notarized Letter of Authorization Attached Signature _____ Date _____

Notary for Property Owner:

Subscribed and sworn before me, this ___ day of _____, 20__.

A Notary Public in and for _____ County, Michigan.

Notary Name (Print): _____

Notary Signature: _____

My Commission Expires: _____

Notary Stamp

STAFF USE ONLY [DO NOT ACCEPT INCOMPLETE APPLICATIONS]

FILING FEE (\$1,500): _____ REZONING NO.: PRZN # _____
DATE APPLICATION RECEIVED: _____ RECEIVED BY: _____

STANDARD REZONING: RESPONSE FORM

Section 15.07.3.B of the Zoning Ordinance contains review standards/ criteria for standard map amendments. Please provide responses to the following review standards for consideration by staff, the Planning Commission, and City Council. (Provide additional sheets, if necessary).

- A.** Describe how the site's physical, geological, hydrological and other environmental features are compatible with the uses permitted in the proposed zoning district.

Please see attached document for responses.

- B.** Describe how the uses permitted in the proposed zoning district are compatible with surrounding uses and zoning districts in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.

Please see attached document for responses.

- C.** Describe how the proposed zoning district is compatible with the goals, policies and objectives of the Madison Heights Master Plan (including the Future Land Use Plan) and any sub-area or corridor plans. If conditions have changed since such plans were adopted, describe how the proposed rezoning is consistent with recent development trends.

Please see attached document for responses.

- D.** Describe how the boundaries of the requested zoning district will be reasonable in relationship to surrounding districts and explain how construction on the site will be able to meet the dimensional regulations of the proposed district.

Please see attached document for responses.

- E. Describe how the requested zoning district is considered to be more appropriate for the site than the existing zoning district.

Please see attached document for responses.

- F. If a rezoning is requested to allow for a specific use, explain why rezoning the land is considered to be a more appropriate mechanism than amending the list of permitted or special land uses in the current zoning district to allow the use.

Please see attached document for responses.

- G. Describe how the requested rezoning will not create an isolated or incompatible zone in the neighborhood. Explain how the map amendment will not result in exclusionary zoning.

Please see attached document for responses.

- H. Explain how the capacity of the street system will be able to safely and efficiently accommodate the expected traffic generated by the uses permitted in the requested zoning district.

Please see attached document for responses.

Notarized Letter of Authorization

To: The City of Madison Heights
Community & Economic Development Department

Subject: Authorization for Zoning Amendment Application Submission

I, **Raghunath Singh**, the current legal owner of the property located at **32275 Stephenson Highway, Madison Heights, Oakland County, MI**, hereby grant **Ahmad Nassar** the authority to submit The City of Madison Heights Zoning Amendment Application on my behalf.

Ahmad Nassar, along with an entity to be formed, is in the process of purchasing the above-listed property and is authorized to submit this application for review by the city.

Signatures:

Raghunath Singh

Signature: _____

Date: 10/17/2024

Ahmad Nassar

Signature: _____

Date: 10/17/2024

Notary Acknowledgment:

State of Michigan

County of Oakland

On this 17th day of Oct, 2024 ^{S.S.M}, before me personally appeared Raghunath Singh, known to me (or satisfactorily proven) to be the person whose name is subscribed to the above instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

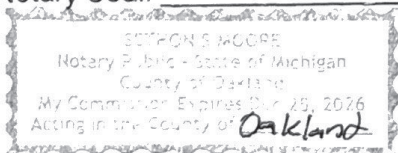
Notary Public, State of Michigan

Signature: _____

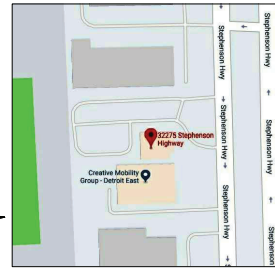
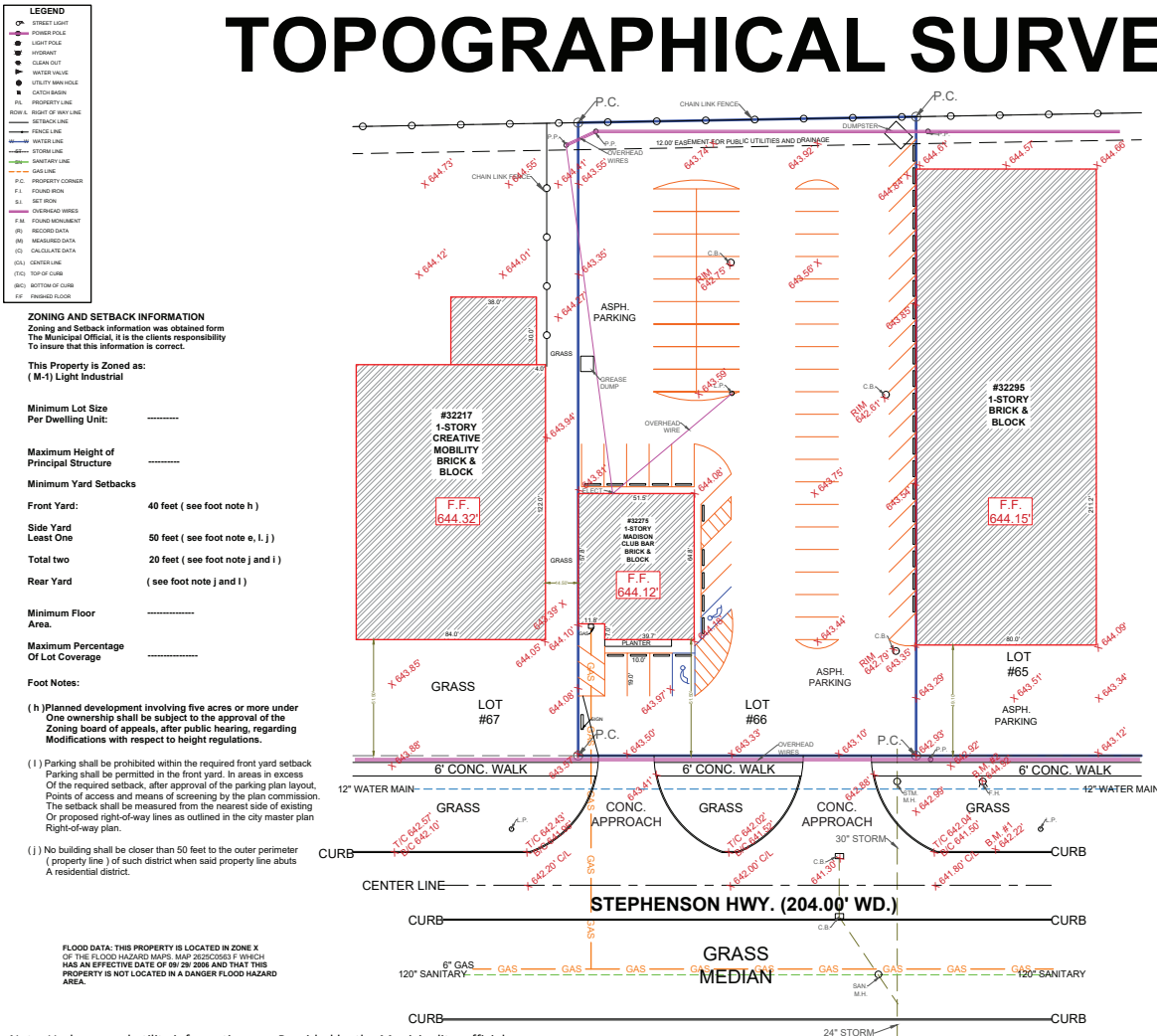
Date: 10/17/2024

My Commission Expires: 12/26/2026

Notary Seal: _____



TOPOGRAPHICAL SURVEY



LOCATION MAP NOT TO SCALE

LEGAL DESCRIPTION (32275 Stephenson Hwy)

Lot 66 of MALLYS INDUSTRIAL SUBDIVISION No 2,
City of Madison Heights, Oakland County, Michigan,
As recorded in Liber 110, Pages 36, 37, and 38 of Plats,
Oakland County Records.
Parcel I.D. 25-02-101-036.



I HEREBY CERTIFY THAT THIS SURVEY
WAS PREPARED BY ME OR UNDER MY
DIRECT SUPERVISION AND THAT ALL
OF THE REQUIREMENTS OF PUBLIC
ACT 192, HAVE BEEN COMPLIED WITH.

X William J. Coulter
WILLIAM J. COULTER R.L.S. # 14760

CHECKED BY:SK		LAND S.E.A. SURVEY 23238 ROSEWOOD ST OAK PARK, MICHIGAN 48237 (586) 496-5990 (248) 981-7728 sew0730@yahoo.com
DATE:6/12/2024	32275 Stephenson LLC	
REVISED		
		EXISTING TOPOGRAPHICAL SURVEY 32275 Stephenson Highway Madison Heights, Oakland County Michigan
		Job No 2024 0024

STANDARD REZONING: RESPONSE FORM

City of Madison Heights Community & Economic Development Department

Brief description explaining need for proposed map amendment.

The proposed map amendment seeks to rezone the property from M-1 (Light Industrial) to MU2 (Mixed Use Innovation District 2) to support a \$1.3 million investment in Madison Heights. This change will allow a food truck to operate during property renovations for a full-service restaurant, aligning with the city's goals for vibrant, mixed-use areas. The rezoning enables both short-term and long-term business plans, fostering economic growth and enhancing community value.

Describe how the site's physical, geological, hydrological, and other environmental features are compatible with the uses permitted in the proposed zoning district.

The property is well-suited for rezoning to MU2 (Mixed Use Innovation District 2) based on its physical, geological, and environmental characteristics:

- Physical Features: Existing infrastructure supports both short-term food truck use and long-term restaurant development.
- Geological and Hydrological Features: No significant concerns or risks that would impact development. Proper stormwater drainage systems are in place.
- Environmental Compatibility: No constraints hindering development. Aligns with Madison Heights' sustainability goals through efficient land use and walkability promotion.

These features ensure the site is fully compatible with MU2 zoning and the city's goals for creating dynamic, mixed-use spaces.

Describe how the uses permitted in the proposed zoning district are compatible with surrounding uses and zoning districts in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.

The proposed rezoning from M-1 (Light Industrial) to MU2 (Mixed Use Innovation District 2) is highly compatible with surrounding uses and zoning districts:

- Land Suitability and Use: MU2 zoning aligns with nearby industrial and business areas. The restaurant and food truck operations support local businesses without disrupting the industrial character.

- **Density and Traffic:** Moderate density maintains balance with the existing layout. Traffic increase will be minimal, primarily serving nearby workers and utilizing existing infrastructure.
- **Environmental Impact:** Minimal impact due to existing infrastructure. MU2 zoning promotes sustainable practices and efficient land use.
- **Aesthetics and Infrastructure:** MU2 design standards will enhance the property's visual appeal. Existing utilities support both short-term and long-term uses.
- **Property Values:** The rezoning and new restaurants will likely positively influence area property values, attracting visitors and encouraging further development.

This rezoning aligns with Madison Heights' goals for creating dynamic, attractive, and economically viable mixed-use spaces.

Describe how the proposed zoning district is compatible with the goals, policies and objectives of the Madison Heights Master Plan (including the Future Land Use Plan) and any sub-area or corridor plans. If conditions have changed since such plans were adopted, describe how the proposed rezoning is consistent with recent development trends.

The proposed rezoning from M-1 (Light Industrial) to MU2 (Mixed Use Innovation District 2) aligns with the Madison Heights Master Plan:

1. **Master Plan Goals:** Supports creating vibrant, mixed-use environments that foster economic development and community engagement. The project integrates commercial uses (restaurant and food truck) with community spaces, promoting the "third place" concept and adaptive reuse of existing buildings.
2. **Future Land Use Plan:** Contributes to the vision of mixed-use developments in key areas, allowing flexible land use that blends commercial and light industrial uses. The property's location is ideal for transitioning to mixed-use, improving the area's character.
3. **Sub-Area and Corridor Plans:** Enhances pedestrian connectivity and economic diversity, particularly along commercial corridors. Supports streetscape improvements and business growth.
4. **Adaptation to Changing Conditions:** Reflects the shift towards mixed-use innovation and flexible business models, aligning with the Economic Development Plan's focus on innovative business uses and local enterprise retention.

This rezoning will capitalize on recent development trends towards mixed-use spaces, ensuring the property contributes to Madison Heights' strategy for modern, sustainable development and catalyzing further investments in the area.

Describe how the boundaries of the requested zoning district will be reasonable in relationship to surrounding districts and explain how construction on the site will be able to meet the dimensional regulations of the proposed district.

The proposed rezoning from M-1 (Light Industrial) to MU2 (Mixed Use Innovation District 2) is reasonable and appropriate for the following reasons:

1. Surrounding Context: The area already contains several MU2-zoned properties, making this rezoning a natural extension of the existing pattern.
2. Consistency with Vision: The change supports the area's evolution towards a vibrant, mixed-use corridor, enhancing its appeal for workers and residents.
3. Dimensional Compliance: The property has ample space to meet MU2 zoning requirements for setbacks, lot coverage, building height, and parking. The existing layout can accommodate both the short-term food truck operation and long-term restaurant use while complying with MU2 design standards.

This rezoning would ensure harmony with surrounding districts and support Madison Heights' vision for well-planned, sustainable growth.

Describe how the requested zoning district is considered to be more appropriate for the site than the existing zoning district.

The requested rezoning from M-1 (Light Industrial) to MU2 (Mixed Use Innovation District 2) is more appropriate for the site for the following reasons:

- Alignment with Intended Use: MU2 zoning is designed for mixed-use purposes, better fitting both the restaurant and food truck operations. Unlike M-1, it permits temporary food truck operation, critical for business continuity during renovations.
- Compatibility with Surroundings: The property is located in an area where MU2 is already present, creating a more cohesive fit with nearby developments and supporting the area's transition toward mixed-use innovation.
- Flexibility and Economic Potential: MU2 provides more flexibility for future development and adaptations, allowing for diverse and innovative uses. This aligns with the city's goals of business growth and community engagement, enhancing the property's economic potential beyond what M-1 zoning allows.

Overall, MU2 zoning better supports the property's intended use, fits the surrounding context, and aligns with Madison Heights' vision for sustainable, community-centered development.

If rezoning is requested to allow for a specific use, explain why rezoning the land is considered to be a more appropriate mechanism than amending the list of permitted or special land uses in the current zoning district to allow the use.

Rezoning from M-1 (Light Industrial) to MU2 (Mixed Use Innovation District 2) is more appropriate than amending M-1 permitted uses for the following reasons:

1. Comprehensive Alignment: MU2 zoning supports the broader goal of creating a dynamic, mixed-use space, aligning with Madison Heights' Master Plan. Amending M-1 would only address the food truck issue without supporting the overall vision.
2. Flexibility for Future Growth: MU2 allows for a wider range of uses and future expansion possibilities, whereas amending M-1 would provide only a limited, short-term solution.
3. Consistency with Surroundings: Rezoning to MU2 ensures harmony with nearby mixed-use properties, contributing to a unified district vision.
4. Targeted Solution: Rezoning this specific property avoids broader changes to M-1 zoning that could affect other industrial areas undesirably.

In summary, rezoning to MU2 better supports the city's long-term vision, allows for growth and flexibility, and maintains consistency with surrounding developments.

Describe how the requested rezoning will not create an isolated or incompatible zone in the neighborhood. Explain how the map amendment will not result in exclusionary zoning

The requested rezoning from M-1 (Light Industrial) to MU2 (Mixed Use Innovation District 2) will not create an isolated or incompatible zone for the following reasons:

1. Compatibility with Surrounding Zones: The area already includes MU2-zoned properties, making this rezoning a natural extension of the existing pattern. The property will integrate seamlessly into the broader mixed-use district, aligning with the city's Master Plan for mixed-use development.
2. Inclusive Zoning: MU2 zoning allows for a broader range of uses, supporting the city's goal of fostering diverse, multi-functional spaces. This rezoning enhances access to amenities for local workers and residents, creating a more inclusive environment that aligns with the city's objectives of business retention, community engagement, and economic diversity.
3. Harmonious Coexistence: The MU2 district allows for light industrial uses alongside commercial and retail, ensuring compatibility with nearby industrial properties and maintaining the area's character.
4. Community-Oriented Development: The rezoning will create a community-focused business, offering spaces for workers and residents to gather, dine, and interact. This promotes the city's vision of vibrant, mixed-use areas serving both economic and social purposes.

By enabling a variety of developments that meet the broader community's needs, the mixed-use nature of MU2 zoning inherently prevents exclusionary practices and fosters an integrated, diverse neighborhood.

Explain how the capacity of the street system will be able to safely and efficiently accommodate the expected traffic generated by the uses permitted in the requested zoning district

The street system around the property can safely and efficiently accommodate the traffic expected from uses permitted in the requested MU2 (Mixed Use Innovation District 2) zoning district:

1. **Existing Roadway Infrastructure:** The property is well-served by major thoroughfares, including I-75 and 14 Mile Rd, providing convenient access for workers and visitors. These roads are designed to handle significant traffic volumes. The site's location along Stephenson Hwy, a major commercial corridor, ensures it can accommodate the mix of traffic generated by MU2 uses.
2. **Traffic Generation:** MU2-permitted uses, such as restaurants and small-scale commercial operations, typically generate moderate levels of traffic within local street capacity. Peak times for the restaurant and food truck will likely coincide with meal periods, generally not overlapping with nearby businesses' peak commuting hours, helping distribute traffic more evenly throughout the day.
3. **Pedestrian and Alternative Transportation:** MU2 zoning encourages walkable spaces, reducing reliance on vehicle traffic. Many nearby workers and residents can access the site by foot or bicycle, easing demand on the street system.
4. **Safety and Traffic Flow:** The property has ample onsite parking, preventing overflow onto local streets and ensuring safe, efficient traffic flow. The site layout allows for the safe movement of both vehicles and pedestrians, minimizing potential congestion.

The traffic impact will be minimal compared to other MU2-permitted commercial uses and can be safely managed by the existing infrastructure without major modifications.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the **Planning Commission** for the City of Madison Heights will hold a public hearing on **Tuesday, November 19th, 2024 at 5:30 p.m.** in the City Hall Council Chambers, 300 West Thirteen Mile Road, Madison Heights, Michigan 48071, to consider the following rezoning requests:

Item 8.

Rezoning Request No. PRZN 24-01 by Ahmad Nassar d/b/a Detroit 75 Kitchen, 4800 West 13 Mile Road, Detroit, MI 48209 on behalf of property owner Raghunath Singh, to rezone one (1) parcel of land located at 32275 Stephenson Highway (TM# 44-25-02-101-36) from M-1, Light Industrial district, to MUI-2, Mixed-Use Innovation 2 district.

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

For further information, please contact the Community and Economic Development Department at (248) 583-0826.

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