



**PLANNING COMMISSION
MEETING AGENDA
SPECIAL/STUDY MEETING**

500 W. Big Beaver
Troy, MI 48084
(248) 524-3364
www.troymi.gov
planning@troymi.gov

John J. Tagle, Chair, Donald Edmunds, Vice Chair
Michael W. Hutson, Edward Kempen, Tom Krent, Philip Sanzica
Gordon Schepke, Robert Schultz and Thomas Strat

May 28, 2013

7:00 P.M.

Council Board Room

1. ROLL CALL
2. APPROVAL OF AGENDA
3. MINUTES – May 14, 2013 Regular Meeting
4. PUBLIC COMMENT – For Items Not on the Agenda
5. ZONING BOARD OF APPEALS (ZBA) REPORT
6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT
7. PLANNING AND ZONING REPORT

SITE CONDOMINIUM DEVELOPMENT

8. PRELIMINARY SITE PLAN REVIEW – Proposed Belleclaire Estates Site Condominium, 9 units/lots, East side of Rochester, North of Wattles, South side of Lamb, Section 14, Currently Zoned R-1C (One Family Residential) District

STUDY ITEM

9. ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 245) – Sober Living Facilities

OTHER BUSINESS

10. PUBLIC COMMENT – Items on Current Agenda
11. PLANNING COMMISSION COMMENT

ADJOURN

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at clerk@troymi.gov or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

Chair Tagle called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on May 14, 2013 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Donald Edmunds
Michael W. Hutson
Edward Kempen
Tom Krent
Philip Sanzica
Robert Schultz
Thomas Strat
John J. Tagle

Absent:

Gordon Schepke

Also Present:

R. Brent Savidant, Planning Director
Lori Grigg Bluhm, City Attorney
Ben Carlisle, Carlisle/Wortman Associates, Inc.
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2013-05-034

Moved by: Schultz
Seconded by: Kempen

RESOLVED, To approve the Agenda as prepared.

Yes: All present (8)
Absent: Schepke

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2013-05-035

Moved by: Edmunds
Seconded by: Strat

RESOLVED, To approve the minutes of the April 23, 2013 Special/Study meeting as published.

Yes: All present (8)
Absent: Schepke

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

POSTPONED ITEMS

5. SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 401) – Proposed Midwest Industrial Metals Inc., 2222 Stephenson Highway, Section 26, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Savident advised the Board that revised plans were received but not in time for review by the Planning Consultant and staff. It is recommended to postpone the item to the June 11, 2013 Regular meeting. Mr. Savident noted for the record the public comment received on this item was provided to the Board.

Resolution # PC-2013-05-036

Moved by: Schultz

Seconded by: Strat

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed Midwest Industrial Metals Inc., 2222 Stephenson Highway, Section 26, currently zoned IB (Integrated Industrial and Business) district, be postponed to June 11, 2013. Such postponement shall provide the applicant time to prepare and submit a property survey and plans for appropriate screening along the northern property line.

Yes: All present (8)

Absent: Schepke

MOTION CARRIED

Mr. Savidant said anyone interested in seeing the revised plans can contact the Planning Department.

6. PUBLIC HEARING - SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 404) – Proposed United Ventures II LLC, West of John R, North of Maple (1861 Birchwood), Section 26, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle reviewed the history and proposed use of the site. He addressed concerns relating to the operation, logistics and circulation of the site as well as parking and landscaping. He stated that based on the findings of the City's Traffic Engineer and the Traffic Consultant, it is recommended that the applicant resubmit plans that would reduce the proposed number of vehicles to be stored on site.

The petitioner, John Wernis, and project engineer, Nathan Robinson of Horizon Engineering, were present. They asked the Board's consideration for approval this evening and addressed the following:

- Number of stored vehicles on site.
- Employee parking.
- Synchronized, organized work structure.
- Existing facilities currently in operation on smaller sites.
- Landscaping requirements.
- Subject site currently in operation with six vehicles.
- Improvements on subject site.

The Board discussed:

- Temporary approval with review at a specified date.
- Approval conditioned on no off-street parking.

Ms. Bluhm advised the Board that their focus should be on the property itself and its proposed use. She stated that the proposal should be self-contained and advised against placing a condition on approval relating to off-street parking.

Mr. Carlisle advised the petitioner that he is obligated to comply with the Zoning Ordinance regulations relating to landscaping.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2013-05-037

Moved by: Sanzica

Seconded by: Hutson

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed United Ventures II LLC, west of John R, north of Maple (1861 Birchwood), Section 26, currently zoned IB (Integrated Industrial and Business) district, be postponed to June 11, 2013. Such postponement shall provide the applicant time to resubmit a site plan, and other associated plans, which reduce the proposed number of vehicles to be stored on site. Reducing the number of vehicles will reduce the number of employee off-street parking spaces and provide better site circulation.

Yes: All present (8)

Absent: Schepke

MOTION CARRIED

SPECIAL USE REQUESTS AND PRELIMINARY SITE PLAN REVIEWS

7. **PUBLIC HEARING – SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 407)** – Proposed 1-800 Mini Storage, East side of Rochester, South of Wattles (3846 Rochester), Section 23, Currently Zoned GB (General Business) District

Mr. Carlisle stated the proposed use of a mini storage is a less intense use that could be permitted by right in the General Business zoning district. He reported the proposed development meets all area, width, height and setback requirements. Mr. Carlisle addressed the steps taken by the petitioner to mitigate the impact to adjacent residential parcels to the east. He stated the petitioner has also offered to preserve the existing tree buffer and supplement it with additional evergreens. Mr. Carlisle recommended postponing the item to allow time for the petitioner to resubmit an accurate site plan that shows the additional landscaping and revised maneuverability radius on the driveway.

Mr. Savidant noted for the record the public comment, inclusive of a signed petition, received on this item was provided to the Board.

The petitioner and project architect, Joseph Guido, was present. Mr. Guido said they would comply with all the Planning Consultant’s suggestions. He stated ownership of the proposed facility is the same owner of the existing storage facility located on Maple and Coolidge. Mr. Guido said the nature of the business is less intense than office or restaurant, and estimates the facility would generate approximately 20 vehicular trips daily.

There was discussion on:

- Height of building; potential to eliminate stories and/or “stepping down”.
- Shadow effect on residential.
- Existing trees/landscaping to buffer residential.
- Truck maneuverability.

PUBLIC HEARING OPENED

The following persons spoke in *opposition*, citing concerns relating to building height, not a good fit for neighborhood, traffic, shadow effect, noise and truck maneuverability.

Robert Flaig	1219 Judy
Kim Flaig	1219 Judy
Krishna Chellemella	3787 Hawthorne
Dave Hummi	3803 Hawthorne
Haruko Terada	836 DeEtta
Mark Dziadosz	3819 Hawthorne

George Perl, client of the existing storage facility in Troy, spoke in favor of the proposed use and spoke highly of the existing facility. He confirmed he has no financial interest in the proposed development.

PUBLIC HEARING CLOSED

Discussion followed on:

- Diagram to portray height of trees to preclude visibility from residential.
- Shadow effect on residential; accuracy of shadow effect report.
- Petitioner's compromise to mitigate effect on residential.
- Diagram to show impact / context of 5 story building from street side.
- Submittal requirements: reports, graphics, tree preservation, tree inventory.
- Sale/purchase agreement on property.

Resolution # PC-2013-05-038

Moved by: Schultz

Seconded by: Hutson

RESOLVED, To postpone Special Use Approval and Preliminary Site Plan Approval for the proposed 1-800 Mini Storage, east side of Rochester, south of Wattles (3846 Rochester), Section 23, currently zoned GB (General Business) district to the June 11, 2013 Regular meeting or until such time as the petitioner has supplied necessary information to the Planning Department and Planning Consultant with adequate time for review.

FURTHER RESOLVED, That the petitioner could request a Special meeting if they choose.

Yes: Edmunds, Hutson, Kempen, Krent, Sanzica, Schultz, Tagle

No: Strat

Absent: Schepke

MOTION CARRIED

8. PUBLIC HEARING – SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 406) – Proposed McDonald's Restaurant, West side of Dequindre, South of Big Beaver (36895 Dequindre), Section 25, Currently Zoned NN "B" (Neighborhood Node "B")

Mr. Carlisle reported on the significant changes required for the proposed conversion of the existing McDonald's drive-through, as relates to the newly adopted Zoning Ordinance. Mr. Carlisle said after discussing the outstanding site plan items with the petitioner, it was mutually agreed to postpone the item to provide time to resubmit a revised site plan.

The petitioner and project architect, Frank Martin, was present. Mr. Martin said most of the outstanding items as noted in the Planning Consultant's report would be addressed with the resubmission. He noted of most concern is the requirement for the additional door at the front of the building, and shared the corporate restaurant standard building layout. Mr. Martin addressed the drive-through business, permanent outdoor seating with decorative fencing, landscaping and lighting.

There was discussion on:

- Photometric plan; reduced lighting during evening hours.
- Front entry door on the east side.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2013-05-039

Moved by: Hutson

Seconded by: Schultz

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed McDonald's Restaurant improvements, west side of Dequindre, south of Big Beaver (36895 Dequindre), Section 25, currently Zoned NN "B" (Neighborhood Node "B"), be postponed to the June 11, 2013 Regular meeting.

Yes: All present (8)

Absent: Schepke

MOTION CARRIED

OTHER BUSINESS

11. PUBLIC COMMENTS – For Items on Current Agenda

There was no one present who wished to speak.

12. PLANNING COMMISSION COMMENTS

There were general Planning Commission comments.

The Regular meeting of the Planning Commission adjourned at 9:21 p.m.

Respectfully submitted,

John J. Tagle, Chair

Kathy L. Czarnecki, Recording Secretary

G:\Planning Commission Minutes\2013 PC Minutes\Draft\2013 05 14 Regular Meeting_Draft.doc

DATE: May 24, 2013

TO: Planning Commission

FROM: R. Brent Savidant, Planning Director

SUBJECT: PRELIMINARY SITE PLAN REVIEW – Proposed Belleclaire Estates Site Condominium, 9 units/lots, East side of Rochester, North of Wattles, South side of Lamb, Section 14, Currently Zoned R-1C (One Family Residential) District

The petitioner Mondrian Properties submitted the above referenced Preliminary Site Plan Approval application for a 9-unit site condominium. The property is currently zoned R-1C (One Family Residential) District. The Planning Commission is responsible for granting Preliminary Site Plan Approval for site condominium applications.

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

Attachments:

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

cc: Applicant
File/Belleclaire Estates Site Condominium

G:\SUBDIVISIONS & SITE CONDOS\Belleclaire Estates\PC Memo 05 28 2013.docx

PROPOSED RESOLUTION

PRELIMINARY SITE PLAN REVIEW – Proposed Belleclaire Estates Site Condominium, 9 units/lots, East side of Rochester, North of Wattles, South side of Lamb, Section 14, Currently Zoned R-1C (One Family Residential) District

Proposed Resolution # PC-2013-05-

Moved by:

Seconded by:

RESOLVED, That Preliminary Site Condominium Approval, pursuant to Article 8 and Section 10.02 of the Zoning Ordinance, as requested for Belleclaire Estates Site Condominium, 9 units/lots, east of Rochester, north of Wattles, south side of Lamb, Section 14, within the R-1C (One Family Residential) District, be granted, subject to the following:

1. Provide five (5) additional trees along Belleclaire Drive
2. Provide seed mix for detention facility.

_____) or

(denied, for the following reasons: _____) or

(postponed, for the following reasons: _____)

Yes:

No:

MOTION PASSED / FAILED

Belleclaire Estates Site Condominium

City of Troy Planning Department



297 0 149 297 Feet

Scale 1: 1,784

Belleclaire Estates Site Condominium

City of Troy Planning Department



314 0 157 314Feet

Scale 1: 1,883



CARLISLE

WORTMAN
associates, inc.

605 S. Main Street, Ste. 1
Ann Arbor, MI 48104

(734) 662-2200
(734) 662-1935 Fax

Date: May 23, 2013

Site Condominium Review For City of Troy, Michigan

Applicant:	Joe Maniaci
Project Name:	Belleclaire Estates
Plan Date:	April 12, 2013
Location:	East side of Rochester Road and south side of Lamb Drive
Zoning:	R1-C, One-family Residential District
Action Requested:	Site Condominium Approval
Required Information:	Deficiencies noted

PROJECT AND SITE DESCRIPTION

We are in receipt of a site condominium application which includes a site plan, landscape plan, topographic survey, tree preservation plan, wetlands letter, and application forms. The 4.2 acre site is was improved as a nursery; however the site is currently not used. The front 1.1 acre portion of site that fronts on Rochester Road has been earmarked by the applicant for "future development." The development of this area will require a future site plan.

The 3.1 acre portion of the property adjacent to Lamb Drive is proposed to be developed as a 9-unit conventional layout single family detached site condominium project. This development will be served by a new private road off Lamb Drive.

Location of Subject Property:

East side of Rochester Road and south side of Lamb Drive.

Approximate Location of Site Development



Size of Subject Property:

The parcel is 4.2 net acres in area:

- 1.1 acre portion of site that fronts on Rochester Road: “future development.”
- 3.1 acre portion of the property adjacent to Lamb Drive: 9-unit conventional layout single family detached site condominium project.

Current Use of Subject Property:

The subject property has been used as a nursery, however is currently vacant.

Current Zoning:

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

Surrounding Property Details:

Direction	Zoning	Use
North	R-T, Residential Attached.	Single-family attached homes
South	R-T, Residential Attached.	Single-family homes
East	R-1C, One-family Residential District	Single-family attached homes
West	R-1C, One-family Residential District.	Single-family homes

SITE ARRANGEMENT

The proposed development is arranged to accommodate nine (9) residential structures along a private road south of Lamb Drive. The eastern portion of the development (southwest corner of Rochester Road and Lamb Drive) is noted for future development.

The lot range in size between 9,598 sq/ft and 14,153 square feet. The average lot size is 10,500 square feet. The layout proposed by the applicant is a conventional cul-de-sac layout and allows for a simple distribution of the nine (9) units over the property. The southeast corner of the site will be used for stormwater management.

The proposed lots are regular in shape, allow for adequate setbacks, and permit sufficient space for the homes and ingress and egress for each unit. The applicant is applying the lot size averaging option, permitted and regulated by Section 10.01. All proposed average lot width and average lot areas are within the permitted range described by Section 10.01.

Items to be Addressed: *None.*

AREA, WIDTH, HEIGHT, SETBACKS

Required and Provided Dimensions:

Table 4.06.C establishes the requirements for the R-1C District. The requirements and the proposed dimensions are as follows:

	<u>Required:</u>	<u>Provided:</u>	<u>Compliance:</u>
Front	30 feet	30 feet	Complies
Rear	40 feet	40 feet	Complies

Side	10 feet	10 feet	Complies
Average Lot Size per Unit*	10,500 sq/ft w/sewer	10,500 average	Complies
Minimum Lot Size*	9,450 sq/ft	9,558 sq/ft	Complies
Lot Width*	76.5 feet	76.5 feet	Complies
Maximum Height	2 ½ stories	2 stories	Complies
Maximum Lot Area Covered by Buildings	30%	22%	Complies
Minimum Floor Area per Unit	1,200 sq/ft	2,769 sq/ft	Complies

*The lot size average option has been applied and Section 10.01 standards have been met.

Items to be addressed: None.

SITE ACCESS AND CIRCULATION

The 9-unit site condominium development is accessed via a private drive off Lamb Road. The City Engineer has reviewed access and circulation and has no objections.

Items to be addressed: None.

NATURAL RESOURCES

The site has been graded for use as landscape yard. Based upon a site visit and topographic survey, we note that the subject property is relatively flat and devoid of any development with the exception of three (3) light poles and overhead wires. The perimeter of the site is lined with trees, some of which are proposed to remain for screening. See the landscape section for more detail.

Items to be addressed: None.

LANDSCAPING

The Landscape Plan includes fifteen (15) Norway Red Pines and fifteen (15) Gingko or Linden. All proposed species fall within Troy regulations and are not prohibited. Site condominium and subdivision landscaping are regulated by Section 13.02.F.2.

	<u>Required:</u>	<u>Provided:</u>	<u>Compliance:</u>
Frontage Screening	One evergreen tree for every 10 lineal feet. 307 feet = 7 trees	8	Compliant
Greenbelt Street Trees (Belleclaire Drive)	1 tree for every 50 lineal feet. 964 feet = 20 trees	15	Deficient by 5 trees

The applicant shall also indicate the proposed seed mix for the detention facility.

Items to be Addressed: 1). Provide five (5) additional trees along Belleclaire Drive; and 2). Provide seed mix for detention facility.

STORMWATER DETENSION

A stormwater detention area is demonstrated in the southeast corner of the development. The City Engineer has reviewed the preliminary plans for the detention facility.

Items to be Addressed: None

SUBMITTAL REQUIREMENTS

Section 10.02 sets forth the intent and standards for site condominium projects.

1. Intent: The intent of this Section is to regulate site condominium projects to ensure compliance with this Ordinance and other applicable standards of the City, to provide procedures and standards for review and approval or disapproval of such developments, and to insure that each project will be consistent and compatible with other developments in the community.

The proposed site condominium project is consistent and compatible with other developments in the community, and more importantly adjacent properties. The applicant has provided a site plan layout that improves the property and mitigates potential impacts upon adjacent properties. The proposed development meets the intent of the Site Condominium section of the ordinance.

Section 10.02.E. regulates physical improvements associated with condominium projects. It requires the following:

*1. Principal access and circulation through a site condominium shall be provided by public streets constructed to City standards, within sixty (60) foot wide rights-of-way. Secondary access and circulation through such developments, on which some of the residential parcels may have their sole frontage, may be provided by twenty-eight (28) foot wide streets constructed to City public street standards, within forty (40) foot private easements for public access. **Not applicable as applicant is providing private street.***

*2. Principal access to site condominium of five (5) acres or less in area may be provided by way of twenty-eight (28) foot wide streets constructed to City public street standards, within forty (40) foot private easements for public access, when in the opinion of the City Council the property configuration is such that the provision of conforming dwelling unit parcels is impractical. **Satisfied.***

*3. All entrances to major or secondary thoroughfares shall include deceleration, acceleration and passing lanes as required by Engineering Standards of the City of Troy. **Not applicable.***

4. Sidewalks shall be constructed, in accordance with City Standards, across the frontage of all dwelling unit parcels. Utilities shall be placed within street rights-of-way, or within easements approved as to size and location by the City Engineer. **Satisfied.**

5. All shall be served by public water, sanitary sewer, storm sewer and detention/retention systems constructed to City standards, at the expense of the developer. Easements over these systems shall be conveyed and recorded before occupancy permits are issued for dwelling units. **The applicant has proposed full utilities, but all proposed configurations and easements are subject to approval by the City engineering department.**

As noted above, all condominium projects are subject to Section 8.05.A.7, which establishes the requirements for a preliminary site plan submittal. Three additional requirements are specifically identified for residential projects. The three additional requirements, identified in 8.05.A.7.o, include:

i. Calculation of the dwelling unit density allowable and a statement of the number of dwelling units, by type, to be provided. **Satisfied.**

ii. Topography on site and fifty (50) feet beyond, drawn at two (2) foot contour intervals, with existing drainage courses, flood plains, wetlands, and tree stands indicated. **Satisfied.**

iii. The typical floor plans and elevations of the proposed buildings, with building height(s). **Satisfied.**

Items to be Addressed: none

RECOMMENDATIONS

We support the proposed project and believe the project meets ordinance requirement. We recommend that the Planning Commission approve the preliminary site condominium application, as conditioned on the applicant satisfying the following requirements as part of the final site plan submittal:

1. Provide five (5) additional trees along Belleclair Drive; and
2. Provide seed mix for detention facility.



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

#225-02-1316

Cc: Joseph Maniaci (JManiaci@mondrianproperties.com)

TOPOGRAPHIC SURVEY

CERTIFIED TO: MONDRIAN PROPERTIES BELLECLAIR LLC

NORTH



SCALE: 1"=30'

AZTEC
LAND SURVEYORS INC.
P.O. BOX 393
HOLLY, MI 48442
PHONE: 586-306-1999
FAX: 480-207-8799

TOPOGRAPHIC SURVEY
PART OF THE SOUTHWEST 1/4 OF SECTION 14,
CITY OF TROY, OKLAHOMA COUNTY, MI

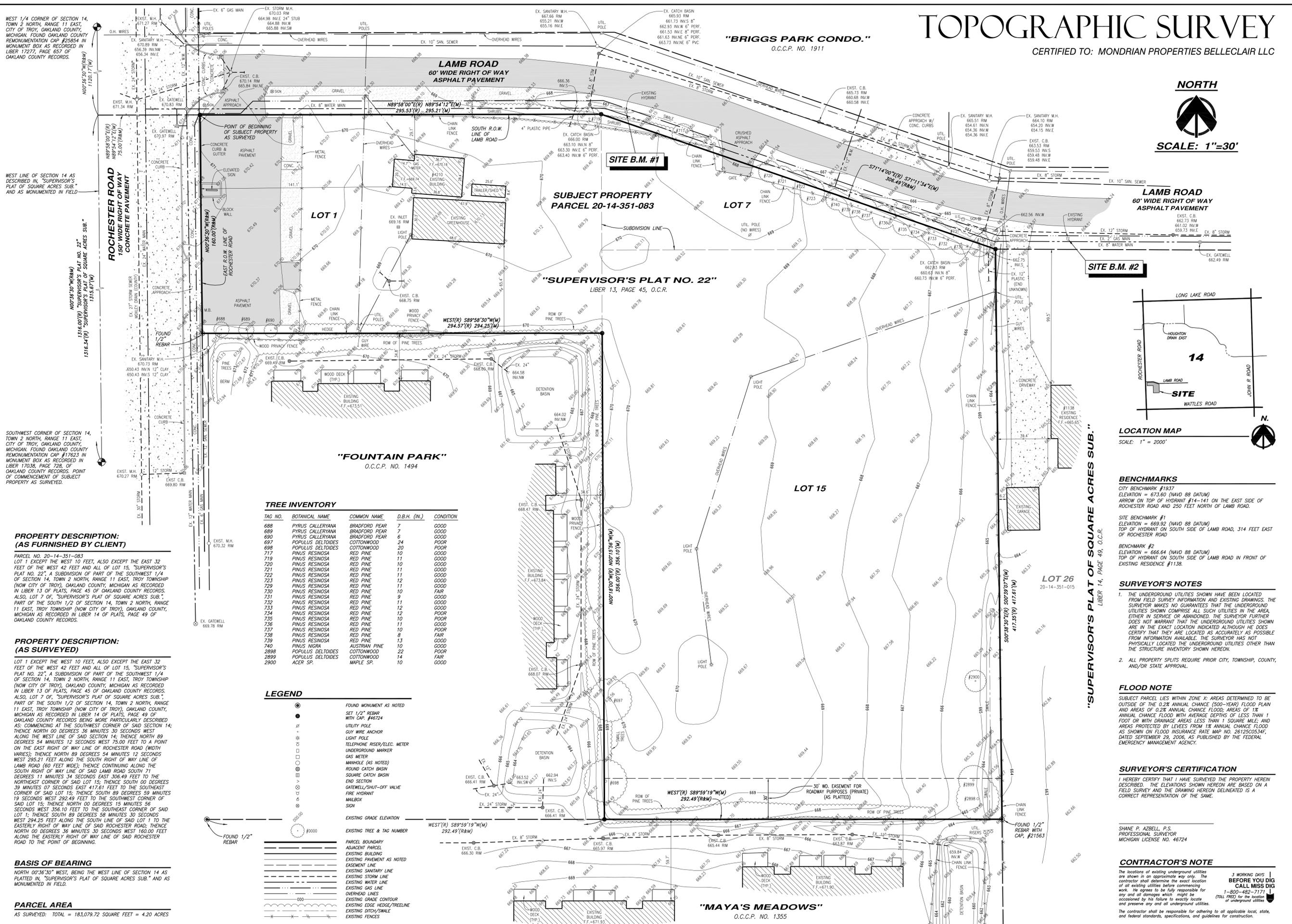
CLIENT: MONDRIAN PROPERTIES
5025 SCHROEDER ROAD
SHELBY TOWNSHIP, MI 48315
386-287-2340
JOB NO: 13-095
DATE: 3/14/13
DRAWN BY: S.A.
CHECKED BY: S.A.

REVISIONS:

SCALE:

SHEET

1 OF 1
MUNICIPAL REVIEW NUMBERS:



WEST 1/4 CORNER OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OKLAHOMA COUNTY, MICHIGAN, FOUND OKLAHOMA COUNTY REMONUMENTATION CAP #25854 IN MONUMENT BOX AS RECORDED IN LIBER 17271, PAGE 657 OF OKLAHOMA COUNTY RECORDS.

WEST LINE OF SECTION 14 AS DESCRIBED IN "SUPERVISOR'S PLAT OF SQUARE ACRES SUB." AND AS MONUMENTED IN FIELD.

SOUTHWEST CORNER OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 17238, PAGE 729 OF OKLAHOMA COUNTY RECORDS. POINT OF COMMENCEMENT OF SUBJECT PROPERTY AS SURVEYED.

ROCHESTER ROAD 150 WIDE RIGHT OF WAY CONCRETE PAVEMENT

LAMB ROAD 60' WIDE RIGHT OF WAY ASPHALT PAVEMENT

"SUPERVISOR'S PLAT NO. 22" LIBER 13, PAGE 45, O.C.R.

"FOUNTAIN PARK" O.C.C.P. NO. 1494

"MAYA'S MEADOWS" O.C.C.P. NO. 1355

"SUPERVISOR'S PLAT OF SQUARE ACRES SUB." LIBER 14, PAGE 49, O.C.R.

LOT 1

LOT 7

LOT 15

LOT 26

SUBJECT PROPERTY PARCEL 20-14-351-083

SITE B.M. #1

SITE B.M. #2

TREE INVENTORY

TAG NO.	BOTANICAL NAME	COMMON NAME	D.B.H. (IN.)	CONDITION
688	PYRUS CALLERYANA	BRADFORD PEAR	7	GOOD
689	PYRUS CALLERYANA	BRADFORD PEAR	7	GOOD
690	PYRUS CALLERYANA	BRADFORD PEAR	6	GOOD
697	POPULUS DELTOIDES	COTTONWOOD	24	POOR
698	POPULUS DELTOIDES	COTTONWOOD	20	POOR
717	PINUS RESINOSA	RED PINE	10	GOOD
719	PINUS RESINOSA	RED PINE	11	GOOD
720	PINUS RESINOSA	RED PINE	10	GOOD
721	PINUS RESINOSA	RED PINE	11	GOOD
722	PINUS RESINOSA	RED PINE	11	GOOD
723	PINUS RESINOSA	RED PINE	12	GOOD
729	PINUS RESINOSA	RED PINE	11	GOOD
730	PINUS RESINOSA	RED PINE	10	FAIR
731	PINUS RESINOSA	RED PINE	9	GOOD
732	PINUS RESINOSA	RED PINE	11	GOOD
733	PINUS RESINOSA	RED PINE	12	GOOD
734	PINUS RESINOSA	RED PINE	12	POOR
735	PINUS RESINOSA	RED PINE	10	POOR
736	PINUS RESINOSA	RED PINE	11	GOOD
737	PINUS RESINOSA	RED PINE	10	POOR
738	PINUS RESINOSA	RED PINE	8	FAIR
739	PINUS RESINOSA	RED PINE	13	GOOD
740	PINUS INGRA	AUSTRIAN PINE	10	GOOD
2898	POPULUS DELTOIDES	COTTONWOOD	22	POOR
2899	POPULUS DELTOIDES	COTTONWOOD	14	FAIR
2900	ACER SP.	MAPLE SP.	10	GOOD

LEGEND

●	FOUND MONUMENT AS NOTED
○	SET 1/2" REBAR WITH CAP #46724
+	UTILITY POLE
⊕	GUY WIRE ANCHOR
⊙	LIGHT POLE
⊚	TELEPHONE RISER/ELEC. METER
⊛	UNDERGROUND MARKER
⊜	GAS METER
⊝	MANHOLE (AS NOTED)
⊞	ROUND CATCH BASIN
⊟	SQUARE CATCH BASIN
⊠	END SECTION
⊡	GATEWELL/SHUT-OFF VALVE
⊢	FIRE HYDRANT
⊣	MAILBOX
⊤	SIGN
—	EXISTING GRADE ELEVATION
—	EXISTING TREE & TAG NUMBER
—	PARCEL BOUNDARY
—	ADJACENT PARCEL
—	EXISTING BUILDING
—	EXISTING PAVEMENT AS NOTED
—	EASEMENT LINE
—	EXISTING SANITARY LINE
—	EXISTING STORM LINE
—	EXISTING WATER LINE
—	EXISTING GAS LINE
—	OVERHEAD LINES
—	EXISTING GRADE CONTOUR
—	EXISTING DIRT/ROAD/TREELINE
—	EXISTING DITCH/SWALE
—	EXISTING FENCES

PROPERTY DESCRIPTION: (AS FURNISHED BY CLIENT)

PARCEL NO. 20-14-351-083

LOT 1 EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET AND ALL OF LOT 15, SUPERVISOR'S PLAT NO. 22, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 13 OF PLATS, PAGE 45 OF OKLAHOMA COUNTY RECORDS.

ALSO, LOT 7 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB. 1, PART OF THE SOUTH 1/2 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49 OF OKLAHOMA COUNTY RECORDS.

PROPERTY DESCRIPTION: (AS SURVEYED)

LOT 1 EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET AND ALL OF LOT 15, SUPERVISOR'S PLAT NO. 22, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49 OF OKLAHOMA COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 14; THENCE NORTH 89 DEGREES 54 MINUTES 12 SECONDS WEST 295.21 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF LAMB ROAD (60 FEET WIDE); THENCE CONTINUING ALONG THE SOUTH RIGHT OF WAY LINE OF SAID LAMB ROAD SOUTH 71 DEGREES 11 MINUTES 34 SECONDS EAST 306.49 FEET TO THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 00 DEGREES 39 MINUTES 07 SECONDS EAST 417.61 FEET TO THE SOUTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 89 DEGREES 59 MINUTES 19 SECONDS WEST 292.49 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTH 00 DEGREES 15 MINUTES 56 SECONDS WEST 356.10 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 89 DEGREES 58 MINUTES 30 SECONDS WEST 294.25 FEET ALONG THE SOUTH LINE OF SAID LOT 1 TO THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST 160.00 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD TO THE POINT OF BEGINNING.

BASIS OF BEARING

N00°36'30" WEST, BEING THE WEST LINE OF SECTION 14 AS PLATTED IN "SUPERVISOR'S PLAT OF SQUARE ACRES SUB." AND AS MONUMENTED IN FIELD.

PARCEL AREA

AS SURVEYED: TOTAL = 183,079.72 SQUARE FEET = 4.20 ACRES

PROPERTY DESCRIPTION: (AS FURNISHED BY CLIENT)

PARCEL NO. 20-14-351-083

LOT 1 EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET AND ALL OF LOT 15, SUPERVISOR'S PLAT NO. 22, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 13 OF PLATS, PAGE 45 OF OKLAHOMA COUNTY RECORDS.

ALSO, LOT 7 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB. 1, PART OF THE SOUTH 1/2 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49 OF OKLAHOMA COUNTY RECORDS.

PROPERTY DESCRIPTION: (AS SURVEYED)

LOT 1 EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET AND ALL OF LOT 15, SUPERVISOR'S PLAT NO. 22, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49 OF OKLAHOMA COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 14; THENCE NORTH 89 DEGREES 54 MINUTES 12 SECONDS WEST 295.21 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF LAMB ROAD (60 FEET WIDE); THENCE CONTINUING ALONG THE SOUTH RIGHT OF WAY LINE OF SAID LAMB ROAD SOUTH 71 DEGREES 11 MINUTES 34 SECONDS EAST 306.49 FEET TO THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 00 DEGREES 39 MINUTES 07 SECONDS EAST 417.61 FEET TO THE SOUTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 89 DEGREES 59 MINUTES 19 SECONDS WEST 292.49 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTH 00 DEGREES 15 MINUTES 56 SECONDS WEST 356.10 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 89 DEGREES 58 MINUTES 30 SECONDS WEST 294.25 FEET ALONG THE SOUTH LINE OF SAID LOT 1 TO THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST 160.00 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD TO THE POINT OF BEGINNING.

BASIS OF BEARING

N00°36'30" WEST, BEING THE WEST LINE OF SECTION 14 AS PLATTED IN "SUPERVISOR'S PLAT OF SQUARE ACRES SUB." AND AS MONUMENTED IN FIELD.

PARCEL AREA

AS SURVEYED: TOTAL = 183,079.72 SQUARE FEET = 4.20 ACRES

PROPERTY DESCRIPTION: (AS FURNISHED BY CLIENT)

PARCEL NO. 20-14-351-083

LOT 1 EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET AND ALL OF LOT 15, SUPERVISOR'S PLAT NO. 22, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 13 OF PLATS, PAGE 45 OF OKLAHOMA COUNTY RECORDS.

ALSO, LOT 7 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB. 1, PART OF THE SOUTH 1/2 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49 OF OKLAHOMA COUNTY RECORDS.

PROPERTY DESCRIPTION: (AS SURVEYED)

LOT 1 EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET AND ALL OF LOT 15, SUPERVISOR'S PLAT NO. 22, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49 OF OKLAHOMA COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 14; THENCE NORTH 89 DEGREES 54 MINUTES 12 SECONDS WEST 295.21 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF LAMB ROAD (60 FEET WIDE); THENCE CONTINUING ALONG THE SOUTH RIGHT OF WAY LINE OF SAID LAMB ROAD SOUTH 71 DEGREES 11 MINUTES 34 SECONDS EAST 306.49 FEET TO THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 00 DEGREES 39 MINUTES 07 SECONDS EAST 417.61 FEET TO THE SOUTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 89 DEGREES 59 MINUTES 19 SECONDS WEST 292.49 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTH 00 DEGREES 15 MINUTES 56 SECONDS WEST 356.10 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 89 DEGREES 58 MINUTES 30 SECONDS WEST 294.25 FEET ALONG THE SOUTH LINE OF SAID LOT 1 TO THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST 160.00 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD TO THE POINT OF BEGINNING.

BASIS OF BEARING

N00°36'30" WEST, BEING THE WEST LINE OF SECTION 14 AS PLATTED IN "SUPERVISOR'S PLAT OF SQUARE ACRES SUB." AND AS MONUMENTED IN FIELD.

PARCEL AREA

AS SURVEYED: TOTAL = 183,079.72 SQUARE FEET = 4.20 ACRES

PROPERTY DESCRIPTION: (AS FURNISHED BY CLIENT)

PARCEL NO. 20-14-351-083

LOT 1 EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET AND ALL OF LOT 15, SUPERVISOR'S PLAT NO. 22, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 13 OF PLATS, PAGE 45 OF OKLAHOMA COUNTY RECORDS.

ALSO, LOT 7 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB. 1, PART OF THE SOUTH 1/2 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49 OF OKLAHOMA COUNTY RECORDS.

PROPERTY DESCRIPTION: (AS SURVEYED)

LOT 1 EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET AND ALL OF LOT 15, SUPERVISOR'S PLAT NO. 22, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49 OF OKLAHOMA COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 14; THENCE NORTH 89 DEGREES 54 MINUTES 12 SECONDS WEST 295.21 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF LAMB ROAD (60 FEET WIDE); THENCE CONTINUING ALONG THE SOUTH RIGHT OF WAY LINE OF SAID LAMB ROAD SOUTH 71 DEGREES 11 MINUTES 34 SECONDS EAST 306.49 FEET TO THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 00 DEGREES 39 MINUTES 07 SECONDS EAST 417.61 FEET TO THE SOUTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 89 DEGREES 59 MINUTES 19 SECONDS WEST 292.49 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTH 00 DEGREES 15 MINUTES 56 SECONDS WEST 356.10 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 89 DEGREES 58 MINUTES 30 SECONDS WEST 294.25 FEET ALONG THE SOUTH LINE OF SAID LOT 1 TO THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST 160.00 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD TO THE POINT OF BEGINNING.

BASIS OF BEARING

N00°36'30" WEST, BEING THE WEST LINE OF SECTION 14 AS PLATTED IN "SUPERVISOR'S PLAT OF SQUARE ACRES SUB." AND AS MONUMENTED IN FIELD.

PARCEL AREA

AS SURVEYED: TOTAL = 183,079.72 SQUARE FEET = 4.20 ACRES

PROPERTY DESCRIPTION: (AS FURNISHED BY CLIENT)

PARCEL NO. 20-14-351-083

LOT 1 EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET AND ALL OF LOT 15, SUPERVISOR'S PLAT NO. 22, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 13 OF PLATS, PAGE 45 OF OKLAHOMA COUNTY RECORDS.

ALSO, LOT 7 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB. 1, PART OF THE SOUTH 1/2 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49 OF OKLAHOMA COUNTY RECORDS.

PROPERTY DESCRIPTION: (AS SURVEYED)

LOT 1 EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET AND ALL OF LOT 15, SUPERVISOR'S PLAT NO. 22, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OKLAHOMA COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49 OF OKLAHOMA COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 14; THENCE NORTH 89 DEGREES 54 MINUTES 12 SECONDS WEST 295.21 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF LAMB ROAD (60 FEET WIDE); THENCE CONTINUING ALONG THE SOUTH RIGHT OF WAY LINE OF SAID LAMB ROAD SOUTH 71 DEGREES 11 MINUTES 34 SECONDS EAST 306.49 FEET TO THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 00 DEGREES 39 MINUTES 07 SECONDS EAST 417.61 FEET TO THE SOUTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 89 DEGREES 59 MINUTES 19 SECONDS WEST 292.49 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTH 00 DEGREES 15 MINUTES 56 SECONDS WEST 356.10 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 89 DEGREES 58 MINUTES 30 SECONDS WEST 294.25 FEET ALONG THE SOUTH LINE OF SAID LOT 1 TO THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST 160.00 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD TO THE POINT OF BEGINNING.

BASIS OF BEARING

N00°36'30" WEST, BEING THE WEST LINE OF SECTION 14 AS PLATTED IN "SUPERVISOR'S PLAT OF SQUARE ACRES SUB." AND AS MONUMENTED IN FIELD.

PARCEL AREA

AS SURVEYED: TOTAL = 183,079.72 SQUARE FEET = 4.20 ACRES

LOCATION MAP

SCALE: 1" = 2000'

BENCHMARKS

CITY BENCHMARK #1937
ELEVATION = 673.60 (NAVD 88 DATUM)
ARROW ON TOP OF HYDRANT #14-141 ON THE EAST SIDE OF ROCHESTER ROAD AND 250 FEET NORTH OF LAMB ROAD.

SITE BENCHMARK #1
ELEVATION = 669.92 (NAVD 88 DATUM)
TOP OF HYDRANT ON SOUTH SIDE OF LAMB ROAD, 314 FEET EAST OF ROCHESTER ROAD.

BENCHMARK #2
ELEVATION = 666.64 (NAVD 88 DATUM)
TOP OF HYDRANT ON SOUTH SIDE OF LAMB ROAD IN FRONT OF EXISTING RESIDENCE #1138.

SURVEYOR'S NOTES

- THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE DECS CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES OTHER THAN THE STRUCTURE INVENTORY SHOWN HEREON.
- ALL PROPERTY SPLITS REQUIRE PRIOR CITY, TOWNSHIP, COUNTY, AND/OR STATE APPROVAL.

FLOOD NOTE

SUBJECT PARCEL LIES WITHIN ZONE X. AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE (500-YEAR) FLOOD PLAIN AND AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 26125C0534F, DATED SEPTEMBER 29, 2006, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

SURVEYOR'S CERTIFICATION

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

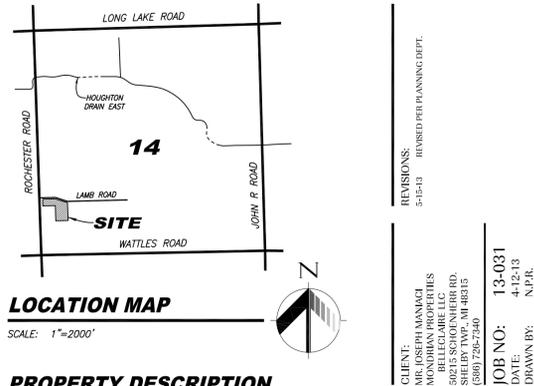
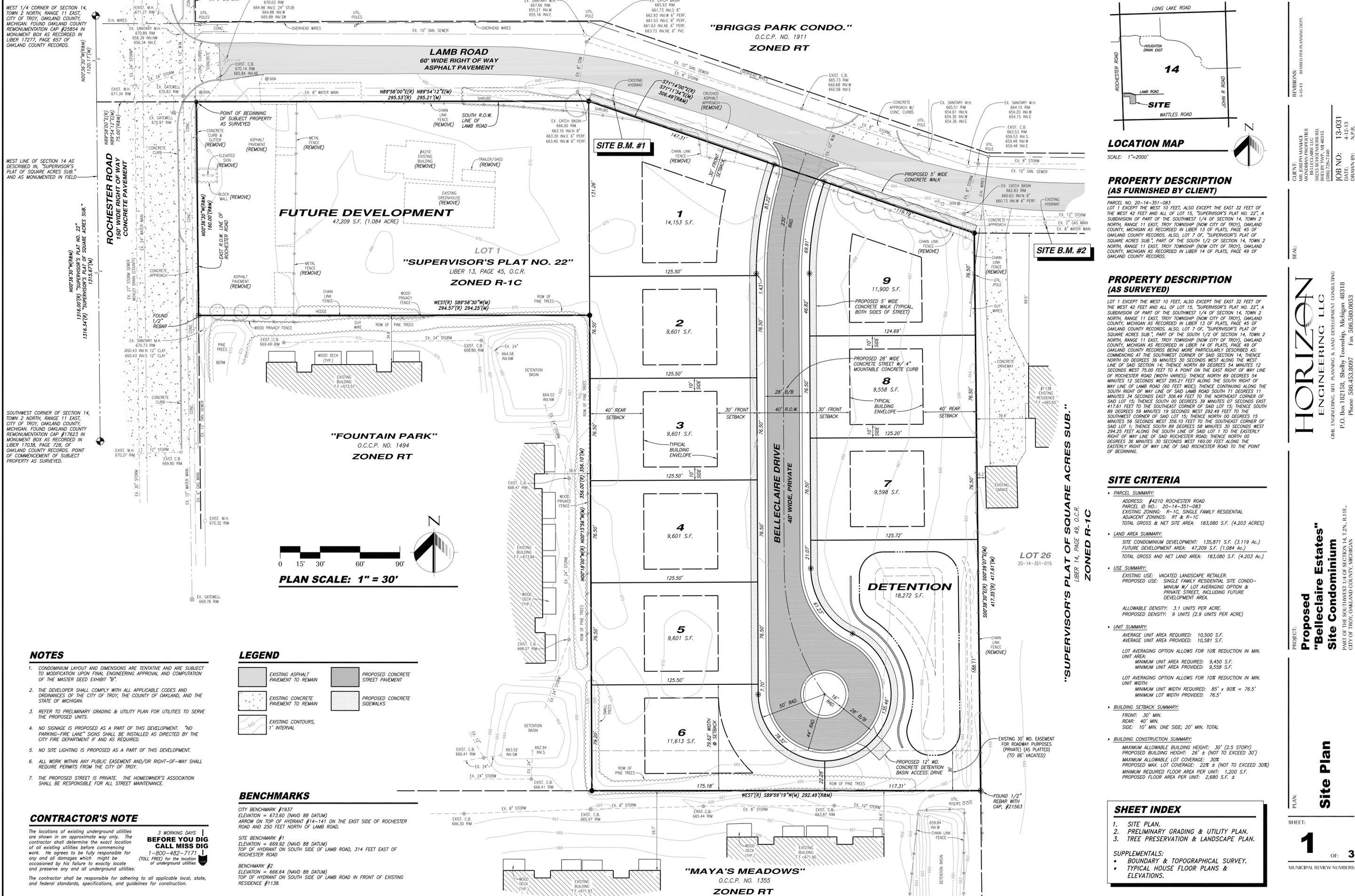
SHANE P. AZBELL, P.S.
PROFESSIONAL SURVEYOR
MICHIGAN LICENSE NO. 46724

CONTRACTOR'S NOTE

The locations of existing underground utilities are shown in an approximate way only. The contractor shall determine the exact location of all existing utilities before commencing work. He agrees to be fully responsible for any and all damages which might be occasioned by his failure to exactly locate and preserve any and all underground utilities.

The contractor shall be responsible for adhering to all applicable local, state, and federal standards, specifications, and guidelines for construction.

3 WORKING DAYS BEFORE YOU DIG CALL MISS DIG 1-800-482-7171 (TOLL FREE) for the location of underground utilities.



REVISIONS: REVISED PER PLANNING DEPT. 5/26/15

CLIENT: MONROE MANHATTAN BELLECLAIRE LLC SHELBY TWP, MI 48115

SCALE:

PROJECT: "Belleclair Estates" Site Condominium

PLANNING: HORIZON ENGINEERING LLC

CIVIL ENGINEERING, SITE PLANNING & LAND DEVELOPMENT CONSULTING

P.O. Box 182158, Shelby Township, Michigan 48318

Phone 586.453.8087 Fax 586.580.0053

JOB NO: 12-031

DATE: 4-15-15

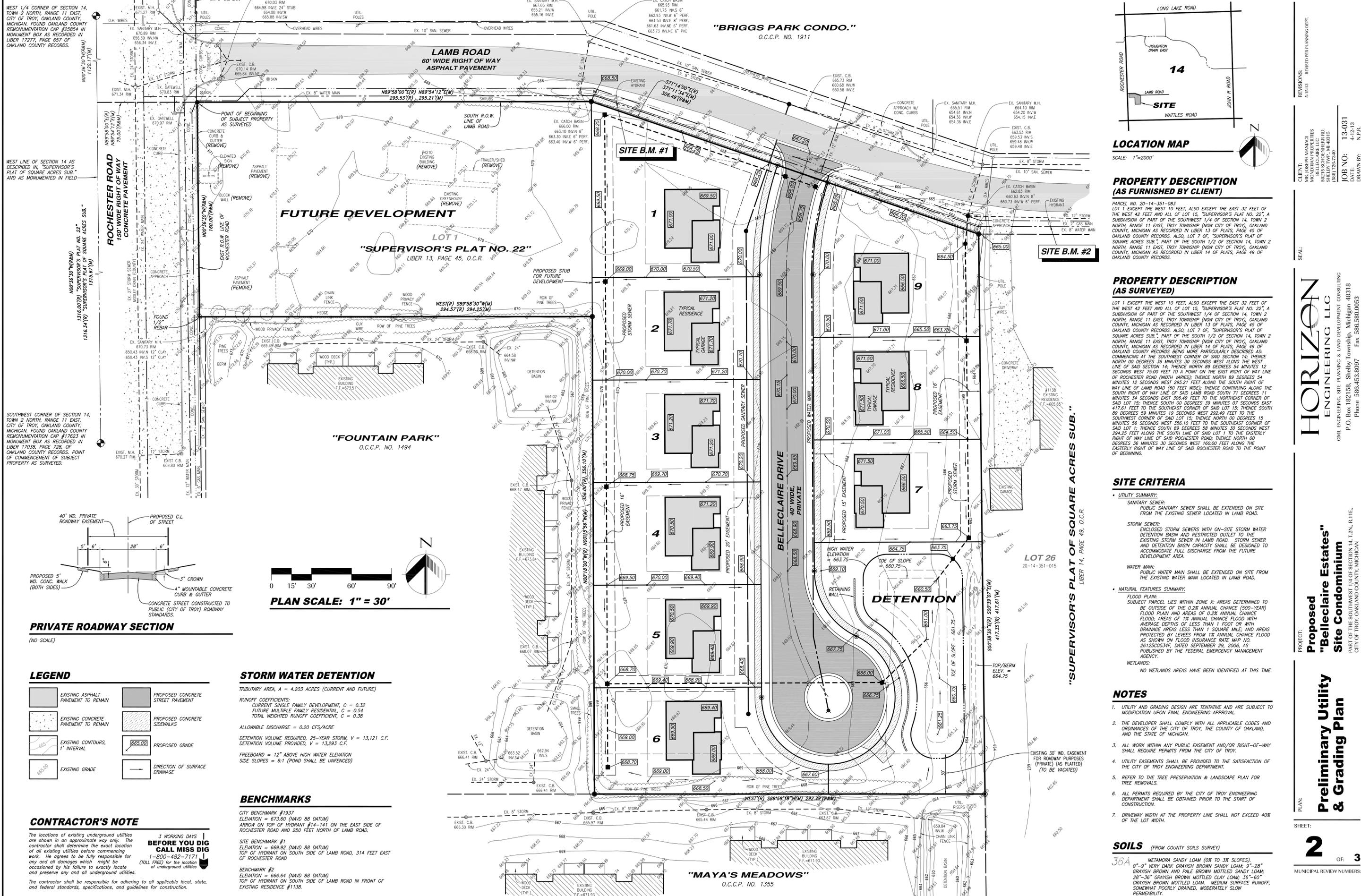
DRAWN BY: N.P.R.

HORIZON ENGINEERING LLC

Site Plan

SHEET: 1 OF 3

MUNICIPAL REVIEW NUMBER:



WEST 1/4 CORNER OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN. FOUND OAKLAND COUNTY REMONUMENTATION CAP #25854 IN MONUMENT BOX AS RECORDED IN LIBER 12277, PAGE 457 OF OAKLAND COUNTY RECORDS.

WEST LINE OF SECTION 14 AS DESCRIBED IN "SUPERVISOR'S PLAT OF SQUARE ACRES SUB." AND AS MONUMENTED IN FIELD.

SOUTHWEST CORNER OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN. FOUND OAKLAND COUNTY REMONUMENTATION CAP #17623 IN MONUMENT BOX AS RECORDED IN LIBER 17039, PAGE 728 OF OAKLAND COUNTY RECORDS. POINT OF COMMENCEMENT OF SUBJECT PROPERTY AS SURVEYED.

40' W.D. PRIVATE ROADWAY EASEMENT

PROPOSED C.L. OF STREET

PROPOSED 5' W.D. CONC. WALK (BOTH SIDES)

CONCRETE STREET CONSTRUCTED TO PUBLIC (CITY OF TROY) ROADWAY STANDARDS.

CONCRETE CURB & GUTTER

4" MOUNTABLE CONCRETE CURB & GUTTER

CONCRETE STREET CONSTRUCTED TO PUBLIC (CITY OF TROY) ROADWAY STANDARDS.

LEGEND

	EXISTING ASPHALT PAVEMENT TO REMAIN		PROPOSED CONCRETE STREET PAVEMENT
	EXISTING CONCRETE PAVEMENT TO REMAIN		PROPOSED CONCRETE SIDEWALKS
	EXISTING CONTOURS, 1' INTERVAL		PROPOSED GRADE
	EXISTING GRADE		DIRECTION OF SURFACE DRAINAGE

PRIVATE ROADWAY SECTION
(NO SCALE)

STRONG WATER DETENTION

TRIBUTARY AREA, A = 4.203 ACRES (CURRENT AND FUTURE)

RUNOFF COEFFICIENTS:
CURRENT SINGLE FAMILY DEVELOPMENT, C = 0.32
FUTURE MULTIPLE FAMILY RESIDENTIAL, C = 0.54
TOTAL WEIGHTED RUNOFF COEFFICIENT, C = 0.38

ALLOWABLE DISCHARGE = 0.20 CFS/ACRE

DETENTION VOLUME REQUIRED, 25-YEAR STORM, V = 13,121 C.F.
DETENTION VOLUME PROVIDED, V = 13,293 C.F.

FREEDBOARD = 12" ABOVE HIGH WATER ELEVATION
SIDE SLOPES = 6:1 (POND SHALL BE UNFENCED)

BENCHMARKS

CITY BENCHMARK #1937
ELEVATION = 673.60 (NAVD 88 DATUM)
ARROW ON TOP OF HYDRANT #14-141 ON THE EAST SIDE OF ROCHESTER ROAD AND 250 FEET NORTH OF LAMB ROAD.

SITE BENCHMARK #1
ELEVATION = 669.92 (NAVD 88 DATUM)
TOP OF HYDRANT ON SOUTH SIDE OF LAMB ROAD, 314 FEET EAST OF ROCHESTER ROAD

BENCHMARK #2
ELEVATION = 666.64 (NAVD 88 DATUM)
TOP OF HYDRANT ON SOUTH SIDE OF LAMB ROAD IN FRONT OF EXISTING RESIDENCE #1138.

CONTRACTOR'S NOTE

The locations of existing underground utilities are shown in an approximate way only. The contractor shall determine the exact location of all existing utilities before commencing work. He agrees to be fully responsible for any and all damages which might be occasioned by his failure to exactly locate and preserve any and all underground utilities.

The contractor shall be responsible for adhering to all applicable local, state, and federal standards, specifications, and guidelines for construction.

3 WORKING DAYS BEFORE YOU DIG CALL MISS DIG
1-800-482-7171
(TOLL FREE) for the location of underground utilities

PLAN SCALE: 1" = 30'

"BRIGGS PARK CONDO."
O.C.C.P. NO. 1911

"MAYA'S MEADOWS"
O.C.C.P. NO. 1355

"SUPERVISOR'S PLAT OF SQUARE ACRES SUB."
LIBER 13, PAGE 45, O.C.R.

"FOUNTAIN PARK"
O.C.C.P. NO. 1494

"Belleclair Drive"
40' WIDE, PRIVATE

LOT 1
771.00

LOT 2
671.20

LOT 3
671.70

LOT 4
671.20

LOT 5
669.20

LOT 6
669.40

LOT 7
671.50

LOT 8
671.50

LOT 9
671.00

LOT 26
20-14-351-015

DETECTION

RETAINING WALL

HIGH WATER ELEVATION = 663.75

TOE OF SLOPE = 680.75

TOE OF SLOPE = 661.75

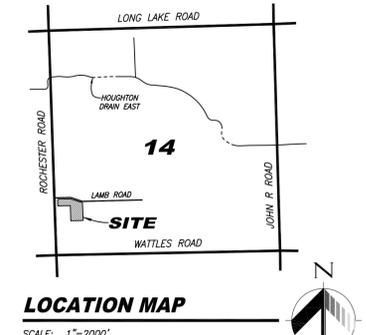
TOP/BERM ELEV. = 664.75

NOTES

- UTILITY AND GRADING DESIGN ARE TENTATIVE AND ARE SUBJECT TO MODIFICATION UPON FINAL ENGINEERING APPROVAL.
- THE DEVELOPER SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES OF THE CITY OF TROY, THE COUNTY OF OAKLAND, AND THE STATE OF MICHIGAN.
- ALL WORK WITHIN ANY PUBLIC EASEMENT AND/OR RIGHT-OF-WAY SHALL REQUIRE PERMITS FROM THE CITY OF TROY.
- UTILITY EASEMENTS SHALL BE PROVIDED TO THE SATISFACTION OF THE CITY OF TROY ENGINEERING DEPARTMENT.
- REFER TO THE TREE PRESERVATION & LANDSCAPE PLAN FOR TREE REMOVALS.
- ALL PERMITS REQUIRED BY THE CITY OF TROY ENGINEERING DEPARTMENT SHALL BE OBTAINED PRIOR TO THE START OF CONSTRUCTION.
- DRIVEWAY WIDTH AT THE PROPERTY LINE SHALL NOT EXCEED 40% OF THE LOT WIDTH.

SOILS (FROM COUNTY SOILS SURVEY)

30A METAMORA SANDY LOAM (0% TO 3% SLOPES),
0"-9" VERY DARK GRAYISH BROWN SANDY LOAM; 9"-28" GRAYISH BROWN AND PALE BROWN MOTTLED SANDY LOAM; 28"-36" GRAYISH BROWN MOTTLED CLAY LOAM; 36"-50" GRAYISH BROWN MOTTLED LOAM. MEDIUM SURFACE RUNOFF, SOMEWHAT POORLY DRAINED, MODERATELY SLOW PERMEABILITY.



LOCATION MAP
SCALE: 1" = 200'

PROPERTY DESCRIPTION (AS FURNISHED BY CLIENT)

PARCEL NO. 20-14-351-083
LOT 1 EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET AND ALL OF LOT 15, "SUPERVISOR'S PLAT NO. 22", A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 13 OF PLATS, PAGE 45 OF OAKLAND COUNTY RECORDS. ALSO, LOT 7 OF "SUPERVISOR'S PLAT OF SQUARE ACRES SUB.", PART OF THE SOUTH 1/2 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49 OF OAKLAND COUNTY RECORDS.

PROPERTY DESCRIPTION (AS SURVEYED)

LOT 1 EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET AND ALL OF LOT 15, "SUPERVISOR'S PLAT NO. 22", A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 13 OF PLATS, PAGE 45 OF OAKLAND COUNTY RECORDS. ALSO, LOT 7 OF "SUPERVISOR'S PLAT OF SQUARE ACRES SUB.", PART OF THE SOUTH 1/2 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49 OF OAKLAND COUNTY RECORDS. BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 14; THENCE NORTH 89 DEGREES 12 MINUTES 12 SECONDS WEST 292.21 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF LAMB ROAD (50 FEET WIDE); THENCE CONTINUING ALONG THE SOUTH RIGHT OF WAY LINE OF SAID LAMB ROAD SOUTH 71 DEGREES 11 MINUTES 34 SECONDS EAST 306.49 FEET TO THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 00 DEGREES 39 MINUTES 07 SECONDS EAST 417.61 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15; THENCE SOUTH 89 DEGREES 59 MINUTES 19 SECONDS WEST 292.49 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTH 00 DEGREES 15 MINUTES 56 SECONDS WEST 356.10 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 89 DEGREES 58 MINUTES 30 SECONDS WEST 294.25 FEET ALONG THE SOUTH LINE OF SAID SECTION 14; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST 160.00 FEET ALONG THE EASTERN RIGHT OF WAY LINE OF SAID ROCHESTER ROAD TO THE POINT OF BEGINNING.

SITE CRITERIA

- UTILITY SUMMARY:**
SANITARY SEWER: PUBLIC SANITARY SEWER SHALL BE EXTENDED ON SITE FROM THE EXISTING SEWER LOCATED IN LAMB ROAD.
STORM SEWER: ENCLOSED STORM SEWERS WITH ON-SITE STORM WATER DETENTION BASIN AND RESTRICTED OUTLET TO THE EXISTING STORM SEWER IN LAMB ROAD. STORM SEWER AND DETENTION BASIN CAPACITY SHALL BE DESIGNED TO ACCOMMODATE FULL DISCHARGE FROM THE FUTURE DEVELOPMENT AREA.
WATER MAIN: PUBLIC WATER MAIN SHALL BE EXTENDED ON SITE FROM THE EXISTING WATER MAIN LOCATED IN LAMB ROAD.
- NATURAL FEATURES SUMMARY:**
FLOOD PLAIN: SUBJECT PARCEL LIES WITHIN ZONE X; AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE (500-YEAR) FLOOD PLAIN AND AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 26126C034F, DATED SEPTEMBER 29, 2006, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
WETLANDS: NO WETLANDS AREAS HAVE BEEN IDENTIFIED AT THIS TIME.

REVISIONS:
5/26/15 REVISED PER PLANNING DEPT.

CLIENT: MICHIGAN MANUFACTURING PROPERTIES
BELLECLAIRE LLC
SHELLEY TAYLOR, M.D.
(500) 726-7340

JOB NO: 12-031
DATE: 4-13-15
DRAWN BY: N.P.R.

HORIZON ENGINEERING LLC

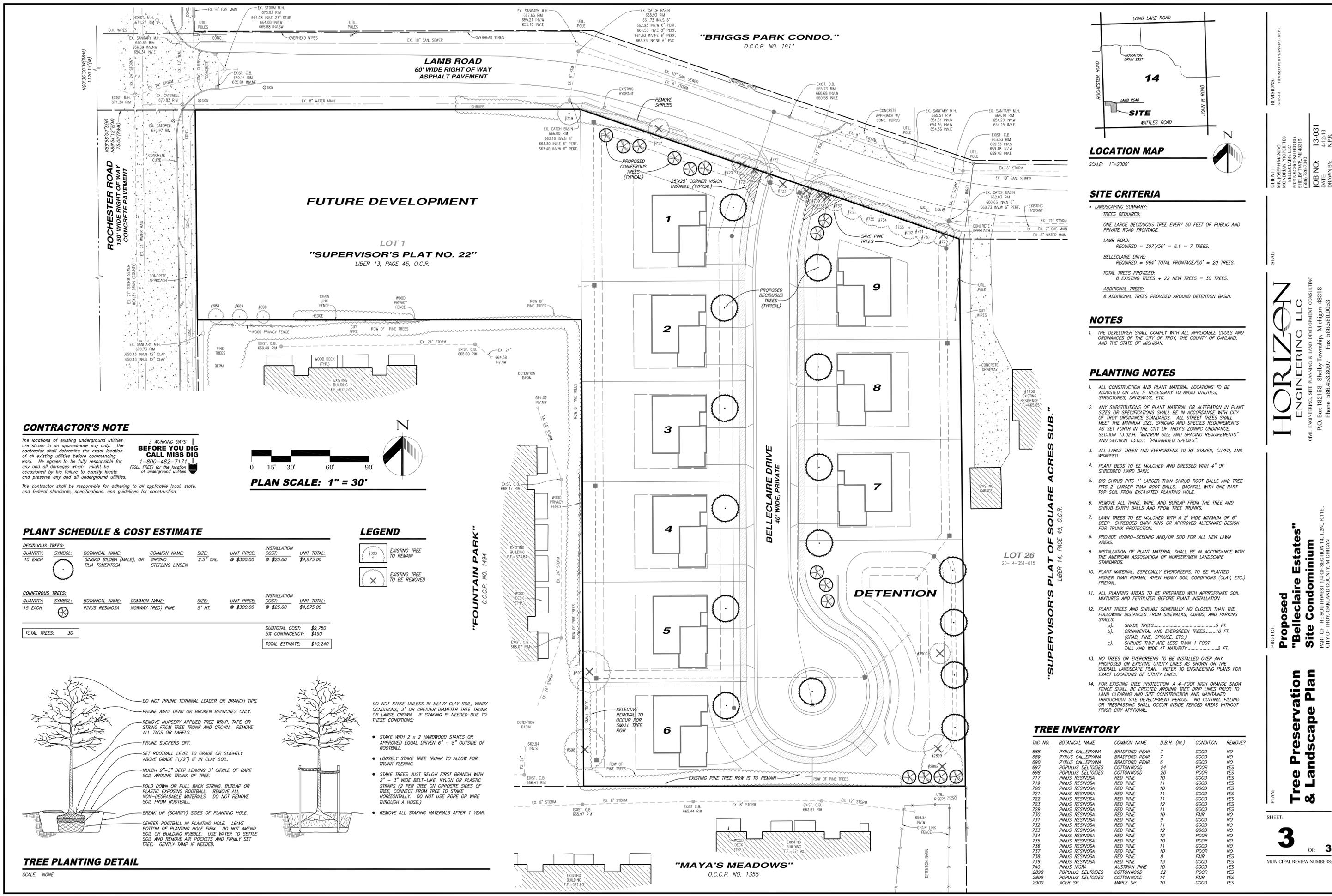
CIVIL ENGINEERING, SITE PLANNING & LAND DEVELOPMENT CONSULTING
P.O. Box 182158, Shelby Township, Michigan 48318
Phone 586.453.8087 Fax 586.800.0053

PROJECT: Proposed "Belleclair Estates" Site Condominium

PRELIMINARY UTILITY & GRADING PLAN

SHEET: 2 OF 3

MUNICIPAL REVIEW NUMBERS:



"BRIGGS PARK CONDO."
O.C.C.P. NO. 1911

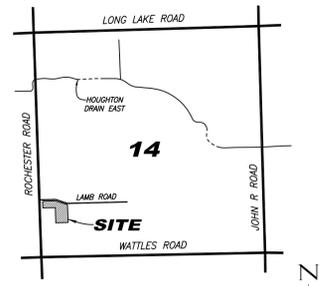
LAMB ROAD
60' WIDE RIGHT OF WAY
ASPHALT PAVEMENT

FUTURE DEVELOPMENT

LOT 1
"SUPERVISOR'S PLAT NO. 22"
LIBER 13, PAGE 45, O.C.R.

"FOUNTAIN PARK"
O.C.C.P. NO. 1494

"MAYA'S MEADOWS"
O.C.C.P. NO. 1355



LOCATION MAP
SCALE: 1"=2000'

SITE CRITERIA

- LANDSCAPING SUMMARY:**
- TREES REQUIRED:**
ONE LARGE DECIDUOUS TREE EVERY 50 FEET OF PUBLIC AND PRIVATE ROAD FRONTAGE.
- LAMB ROAD:**
REQUIRED = 307'/50' = 6.1 = 7 TREES.
- BELLECLAIRE DRIVE:**
REQUIRED = 964' TOTAL FRONTAGE/50' = 20 TREES.
- TOTAL TREES PROVIDED:**
8 EXISTING TREES + 22 NEW TREES = 30 TREES.
- ADDITIONAL TREES:**
8 ADDITIONAL TREES PROVIDED AROUND DETENTION BASIN.

NOTES

- THE DEVELOPER SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES OF THE CITY OF TROY, THE COUNTY OF OAKLAND, AND THE STATE OF MICHIGAN.

PLANTING NOTES

- ALL CONSTRUCTION AND PLANT MATERIAL LOCATIONS TO BE ADJUSTED ON SITE IF NECESSARY TO AVOID UTILITIES, STRUCTURES, DRIVEWAYS, ETC.
- ANY SUBSTITUTIONS OF PLANT MATERIAL OR ALTERATION IN PLANT SIZES OR SPECIFICATIONS SHALL BE IN ACCORDANCE WITH CITY OF TROY ORDINANCE STANDARDS. ALL STREET TREES SHALL MEET THE MINIMUM SIZE, SPACING AND SPECIES REQUIREMENTS AS SET FORTH IN THE CITY OF TROY'S ZONING ORDINANCE, SECTION 13.02.H. "MINIMUM SIZE AND SPACING REQUIREMENTS" AND SECTION 13.02.I. "PROHIBITED SPECIES".
- ALL LARGE TREES AND EVERGREENS TO BE STAKED, GUYED, AND WRAPPED.
- PLANT BEDS TO BE MULCHED AND DRESSED WITH 4" OF SHREDDED HARD BARK.
- DIG SHRUB PITS 1' LARGER THAN SHRUB ROOT BALLS AND TREE PITS 2' LARGER THAN ROOT BALLS. BACKFILL WITH ONE PART TOP SOIL FROM EXCAVATED PLANTING HOLE.
- REMOVE ALL TWINE, WIRE, AND BURLAP FROM THE TREE AND SHRUB EARTH BALLS AND FROM TREE TRUNKS.
- LAWN TREES TO BE MULCHED WITH A 2" WIDE MINIMUM OF 6" DEEP SHREDDED BARK RING OR APPROVED ALTERNATE DESIGN FOR TRUNK PROTECTION.
- PROVIDE HYDRO-SEEDING AND/OR SOD FOR ALL NEW LAWN AREAS.
- INSTALLATION OF PLANT MATERIAL SHALL BE IN ACCORDANCE WITH THE AMERICAN ASSOCIATION OF NURSERMEN LANDSCAPE STANDARDS.
- PLANT MATERIAL, ESPECIALLY EVERGREENS, TO BE PLANTED HIGHER THAN NORMAL WHEN HEAVY SOIL CONDITIONS (CLAY, ETC.) PREVAIL.
- ALL PLANTING AREAS TO BE PREPARED WITH APPROPRIATE SOIL MIXTURES AND FERTILIZER BEFORE PLANT INSTALLATION.
- PLANT TREES AND SHRUBS GENERALLY NO CLOSER THAN THE FOLLOWING DISTANCES FROM SIDEWALKS, CURBS, AND PARKING STALLS:
 - a). SHADE TREES.....5 FT.
 - b). ORNAMENTAL AND EVERGREEN TREES.....10 FT. (CRAB, PINE, SPRUCE, ETC.)
 - c). SHRUBS THAT ARE LESS THAN 1 FOOT TALL AND WIDE AT MATURITY.....2 FT.
- NO TREES OR EVERGREENS TO BE INSTALLED OVER ANY PROPOSED OR EXISTING UTILITY LINES AS SHOWN ON THE OVERALL LANDSCAPE PLAN. REFER TO ENGINEERING PLANS FOR EXACT LOCATIONS OF UTILITY LINES.
- FOR EXISTING TREE PROTECTION, A 4-FOOT HIGH ORANGE SNOW FENCE SHALL BE ERECTED AROUND TREE DRIP LINES PRIOR TO LAND CLEARING AND SITE CONSTRUCTION AND MAINTAINED THROUGHOUT SITE DEVELOPMENT PERIOD. NO CUTTING, FILLING OR TRESSING SHALL OCCUR INSIDE FENCED AREAS WITHOUT PRIOR CITY APPROVAL.

TREE INVENTORY

TAG NO.	BOTANICAL NAME	COMMON NAME	D.B.H. (IN.)	CONDITION	REMOVE?
688	PYRUS CALLERYANA	BRADFORD PEAR	7	GOOD	NO
689	PYRUS CALLERYANA	BRADFORD PEAR	7	GOOD	NO
690	PYRUS CALLERYANA	BRADFORD PEAR	6	GOOD	NO
697	POPULUS DELTOIDES	COTTONWOOD	24	POOR	YES
698	POPULUS DELTOIDES	COTTONWOOD	20	POOR	YES
717	PINUS RESINOSA	RED PINE	10	GOOD	YES
719	PINUS RESINOSA	RED PINE	11	GOOD	YES
720	PINUS RESINOSA	RED PINE	10	GOOD	YES
721	PINUS RESINOSA	RED PINE	11	GOOD	YES
722	PINUS RESINOSA	RED PINE	11	GOOD	YES
723	PINUS RESINOSA	RED PINE	12	GOOD	YES
729	PINUS RESINOSA	RED PINE	11	GOOD	YES
730	PINUS RESINOSA	RED PINE	10	FAIR	NO
731	PINUS RESINOSA	RED PINE	9	GOOD	NO
732	PINUS RESINOSA	RED PINE	11	GOOD	NO
733	PINUS RESINOSA	RED PINE	12	GOOD	NO
734	PINUS RESINOSA	RED PINE	12	POOR	NO
735	PINUS RESINOSA	RED PINE	10	POOR	NO
736	PINUS RESINOSA	RED PINE	11	GOOD	NO
737	PINUS RESINOSA	RED PINE	10	POOR	NO
738	PINUS RESINOSA	RED PINE	8	FAIR	YES
739	PINUS RESINOSA	RED PINE	13	GOOD	YES
740	PINUS NIGRA	AUSTRIAN PINE	10	GOOD	YES
2898	POPULUS DELTOIDES	COTTONWOOD	22	POOR	YES
2899	POPULUS DELTOIDES	COTTONWOOD	14	FAIR	YES
2900	ACER SP.	MAPLE SP.	10	GOOD	YES

CONTRACTOR'S NOTE

The locations of existing underground utilities are shown in an approximate way only. The contractor shall determine the exact location of all existing utilities before commencing work. He agrees to be fully responsible for any and all damages which might be occasioned by his failure to exactly locate and preserve any and all underground utilities.

The contractor shall be responsible for adhering to all applicable local, state, and federal standards, specifications, and guidelines for construction.

3 WORKING DAYS BEFORE YOU DIG CALL MISS DIG
1-800-422-7171
(TOLL FREE) for the location of underground utilities

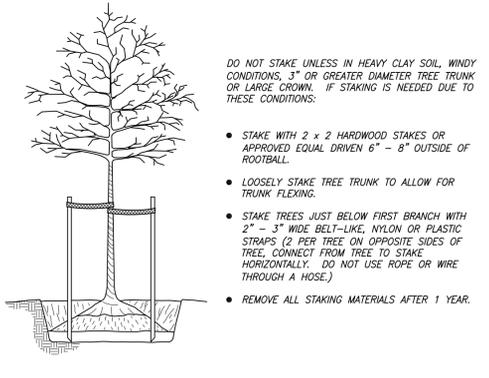
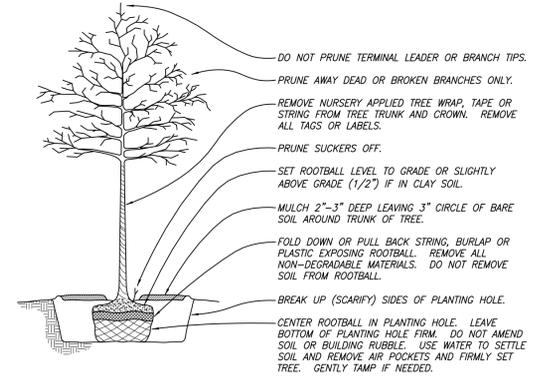
PLAN SCALE: 1" = 30'

PLANT SCHEDULE & COST ESTIMATE

DECIDUOUS TREES:						
QUANTITY:	SYMBOL:	BOTANICAL NAME:	COMMON NAME:	SIZE:	UNIT PRICE:	INSTALLATION COST:
15 EACH		GINKGO BILOBA (MALE), OR TILIA TOMENTOSA	GINKGO STERLING LINDEN	2.5" CAL.	\$300.00	\$25.00
						UNIT TOTAL:
						\$4,875.00
CONIFEROUS TREES:						
QUANTITY:	SYMBOL:	BOTANICAL NAME:	COMMON NAME:	SIZE:	UNIT PRICE:	INSTALLATION COST:
15 EACH		PINUS RESINOSA	NORWAY (RED) PINE	5' HT.	\$300.00	\$25.00
						UNIT TOTAL:
						\$4,875.00
TOTAL TREES: 30						SUBTOTAL COST: \$9,750
						5% CONTINGENCY: \$490
						TOTAL ESTIMATE: \$10,240

LEGEND

- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED



TREE PLANTING DETAIL

SCALE: NONE

REVISIONS: REVISED PER PLANNING DEPT. 5-15-15

CLIENT: HANNAH MANACKI, MONROE PROPERTIES, BELLECLAIRE LLC, 600 BELLECLAIRE RD., SHELBY TWP., MI 48315, (508) 726-7340

JOB NO.: 13-031
DATE: 4-13-15
DRAWN BY: N.P.R.

SEAL: **HORIZON ENGINEERING LLC**

CIVIL ENGINEERING, SITE PLANNING & LAND DEVELOPMENT CONSULTING
P.O. Box 182158, Shelby Township, Michigan 48318
Phone 586-453-8087 Fax 586-580-0053

PROJECT: **Proposed "Belleclaire Estates" Site Condominium**

PLAN: **Tree Preservation & Landscape Plan**

SHEET: **3** OF **3**

MUNICIPAL REVIEW NUMBERS:

CONSTRUCTION NOTES

OPENINGS BETWEEN THE GARAGE AND RESIDENCE SHALL BE EQUIPPED WITH EITHER SOLID WOOD DOORS NOT LESS THAN 1-3/8 INCHES IN THICKNESS OR 20 MINUTE RATED DOORS, OR EQUIVALENT.

SAFETY GLAZING SHALL BE PROVIDED AT THE FOLLOWING LOCATIONS:
 -GLAZING IN EGRESS AND MEANS OF EGRESS DOORS EXCEPT JALOUSIES
 -GLAZING IN ALL UNFRAMED SWINGING DOORS
 -GLAZING IN AN INDIVIDUAL, FIXED, OR OPERABLE PANEL, ADJACENT TO A DOOR WHERE THE NEAREST VERTICAL EDGE IS WITHIN A 24 INCH RADIUS OF THE DOOR IN A CLOSED POSITION AND WHOSE BOTTOM EDGE IS LESS THAN 60 INCHES ABOVE THE FLOOR OR WALKING SURFACE.

PROVIDE 5/8 INCH TYPE 'X' GYPSUM WALL BOARD ON THE GARAGE SIDE ADJACENT TO THE RESIDENCE AND ITS ATTIC AREA OR EQUIVALENT.

EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPERABLE WINDOW OR EXTERIOR DOOR APPROVED FOR EMERGENCY ESCAPE OR RESCUE. THE UNITS MUST BE OPERABLE FROM THE INSIDE TO A FULL CLEAR OPENING WITHOUT THE USE OF SEPARATE TOOLS. WHERE WINDOWS ARE PROVIDED AS A MEANS OF EGRESS OR RESCUE, THEY SHALL HAVE A SILL HEIGHT OF NOT MORE THAN 44 INCHES ABOVE THE FLOOR. ALL EGRESS OR RESCUE WINDOWS FROM SLEEPING ROOMS MUST HAVE A MINIMUM NET CLEAR OPENING OF 5.7 SQUARE FEET (5 SQUARE FEET ON GRADE FLOORS). THE MINIMUM NET CLEAR OPENING HEIGHT DIMENSION SHALL BE 24 INCHES. THE MINIMUM NET CLEAR OPENING WIDTH DIMENSION SHALL BE 20 INCHES.

A MINIMUM 3 FEET BY 3 FEET LANDING SHALL BE REQUIRED ON EACH SIDE OF AN EGRESS DOOR OR DOORWALL. THE FLOOR OR LANDING SHALL NOT BE MORE THAN 1-1/2 INCHES LOWER THAN THE TOP OF THE THRESHOLD.

WINDOWS ARE PERMITTED PROVIDED THE WIDTH OF THE TREAD AT A POINT NOT MORE THAN 12 INCHES FROM THE SIDE WHERE THE TREADS ARE NARROWER IS NOT LESS THAN 10 INCHES DEEP. THE MINIMUM WIDTH OF ANY TREAD SHALL NOT BE LESS THAN 6 INCHES, AND THE AVERAGE WIDTH OF ANY TREAD IS NOT LESS THAN 9 INCHES.

FIRESTOPPING SHALL BE PROVIDED TO CUT OFF ALL CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) AND TO FORM AN EFFECTIVE FIRE BARRIER BETWEEN STORIES, AND BETWEEN THE TOP STORY AND THE ROOF SPACE. FIRESTOPPING SHALL BE PROVIDED IN WOOD-FRAME CONSTRUCTION IN THE FOLLOWING LOCATIONS:
 -IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS, INCLUDING FURRED SPACES, AT THE CEILING AND FLOOR LEVEL.
 -AT ALL INTERCONNECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES, WHICH OCCUR AT SOFFITS, DROP CEILINGS, ETC.
 -IN CONCEALED SPACES BETWEEN STAIR STRINGERS AT THE TOP AND BOTTOM RUN.
 -AT OPENINGS AROUND VENTS, PIPES, DUCTS, CHIMNEYS AND FIREPLACES AT CEILING AND FLOOR LEVELS, WITH NON-COMBUSTIBLE MATERIALS.

EXCEPT AS PROVIDED IN THE ITEM ABOVE, FIRESTOPPING SHALL CONSIST OF 2 INCH NOMINAL LUMBER, OR (2) THICKNESSES OF 1 INCH NOMINAL LUMBER WITH BROKEN LAP JOINTS, OR (1) THICKNESS OF 23/32 INCH PLYWOOD WITH JOINTS BACKED BY 23/32 INCH PLYWOOD, OR (1) THICKNESS OF 3/4 INCH TYPE 2-M PARTICLEBOARD WITH JOINTS BACKED BY 3/4 INCH TYPE 2-M PARTICLEBOARD, OR OTHER APPROVED MATERIALS. THE INTEGRITY OF ALL FIRESTOPS SHALL BE MAINTAINED.

IN SHOWER AND BATH AREAS, FLOORS AND WALLS SHALL BE FINISHED WITH A SMOOTH, HARD AND NON-ABSORBANT SURFACE TO A HEIGHT OF NOT LESS THAN 6 FEET ABOVE FINISHED FLOOR. IN AREAS SUBJECT TO REPEATED DAMPNESS AND MOISTURE ACCUMULATION, WATER RESISTANT GYPSUM BOARD IS TO BE INSTALLED IN ACCORDANCE WITH GA-216 AS LISTED IN SECTION 5-26.502.

RAFTERS AND CEILING JOISTS SHALL BE PROVIDED WITH LATERAL SUPPORT AT POINTS OF BEARING TO PREVENT ROTATION.

RAFTER OR TRUSS TIES SHALL BE PROVIDED, WHEN ROOF TRUSSES AND ASSEMBLIES MAY BE SUBJECT TO WIND UPLIFT PRESSURES OF 20 PER SQUARE FOOT OR GREATER AND SHALL BE DESIGNED IN ACCORDANCE WITH ASCE 7, AS LISTED IN 5-26.702

A READILY ACCESSIBLE ATTIC ACCESS FRAMED OPENING NOT LESS THAN 22 INCHES BY 30 INCHES SHALL BE PROVIDED TO ANY ATTIC HAVING A CLEAR HEIGHT OVER 30 INCHES.

ASPHALT SHINGLE ROOFS SHALL HAVE ICE AND WATER SHIELDS, OR (2) LAYERS OF 15 POUND FELT CEMENTED TOGETHER FOR A DISTANCE OF 2 FEET INSIDE THE OUTSIDE WALLS AND AN UNDERLAYMENT OF NOT LESS THAN ONE PLY OF NUMBER 15 FELT, APPLIED AS REQUIRED IN SECTION R-802 AND TABLE NUMBER R-803.4

CHIMNEYS SHALL EXTEND AT LEAST 2 FEET HIGHER THAN ANY PORTION OF THE BUILDING WITHIN 10 FEET BUT SHALL NOT BE LESS THAN 3 FEET ABOVE THE POINT WHERE THE CHIMNEY PASSES THROUGH THE ROOF.

NOTE: EGRESS WINDOWS

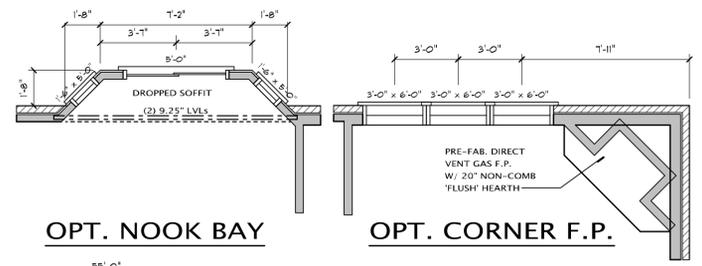
EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPERABLE WINDOW OR EXTERIOR DOOR APPROVED FOR EMERGENCY ESCAPE OR RESCUE. EACH EGRESS WINDOW SHALL HAVE A MINIMUM NET CLEAR OPENING OF 5.7 SQUARE FEET. THE NET CLEAR OPENING SHALL BE AT LEAST 24 INCHES IN HEIGHT AND AT LEAST 20 INCHES IN WIDTH. THE BOTTOM OF THE CLEAR OPENING SHALL NOT BE MORE THAN 44 INCHES ABOVE THE FLOOR. (EXCEPTION: THE MINIMUM NET CLEAR OPENING FOR GRADE FLOOR WINDOWS SHALL BE 5 SQUARE FEET.)

ALL BEARING WALLS SHALL HAVE FLOOR JOIST UNDER EACH BEARING STUD. TYP. ALL BEARING WALLS

PROVIDE ALL ATTIC ACCESS W/ WEATHER STRIPPING

OPERABLE WINDOW NOTE:
 ALL WINDOWS THAT ARE OPERABLE AND THE BOTTOM OF THE WINDOW IS 72" OR MORE ABOVE GRADE, SHALL BE 24" ABOVE FINISH FLOOR TO THE BOTTOM OF THE WINDOW.

NOTE: ALL WINDOW SIZES ON PLAN REPRESENT ROUGH OPENING SIZES FOR FELLA WINDOWS, THERMOSTAT LINE. VERIFY WINDOW SCHEDULE W/ CONTRACTOR.



ARCH FAULT CIRCUIT INTERRUPTER

ALL BRANCH CIRCUITS THAT SUPPLY 125 VOLT SINGLE PHASE 15 & 20 AMP. OUTLETS INSTALLED IN DWELLING UNIT BEDRM. SHALL BE PROTECTED BY ARC-FAULT CIRCUIT INTERRUPTER LISTED TO PROVIDE PROTECTION IN THE ENTIRE CIRCUIT E3802.11.

SMOKE DETECTORS & CARBON MONOXIDE DETECTOR

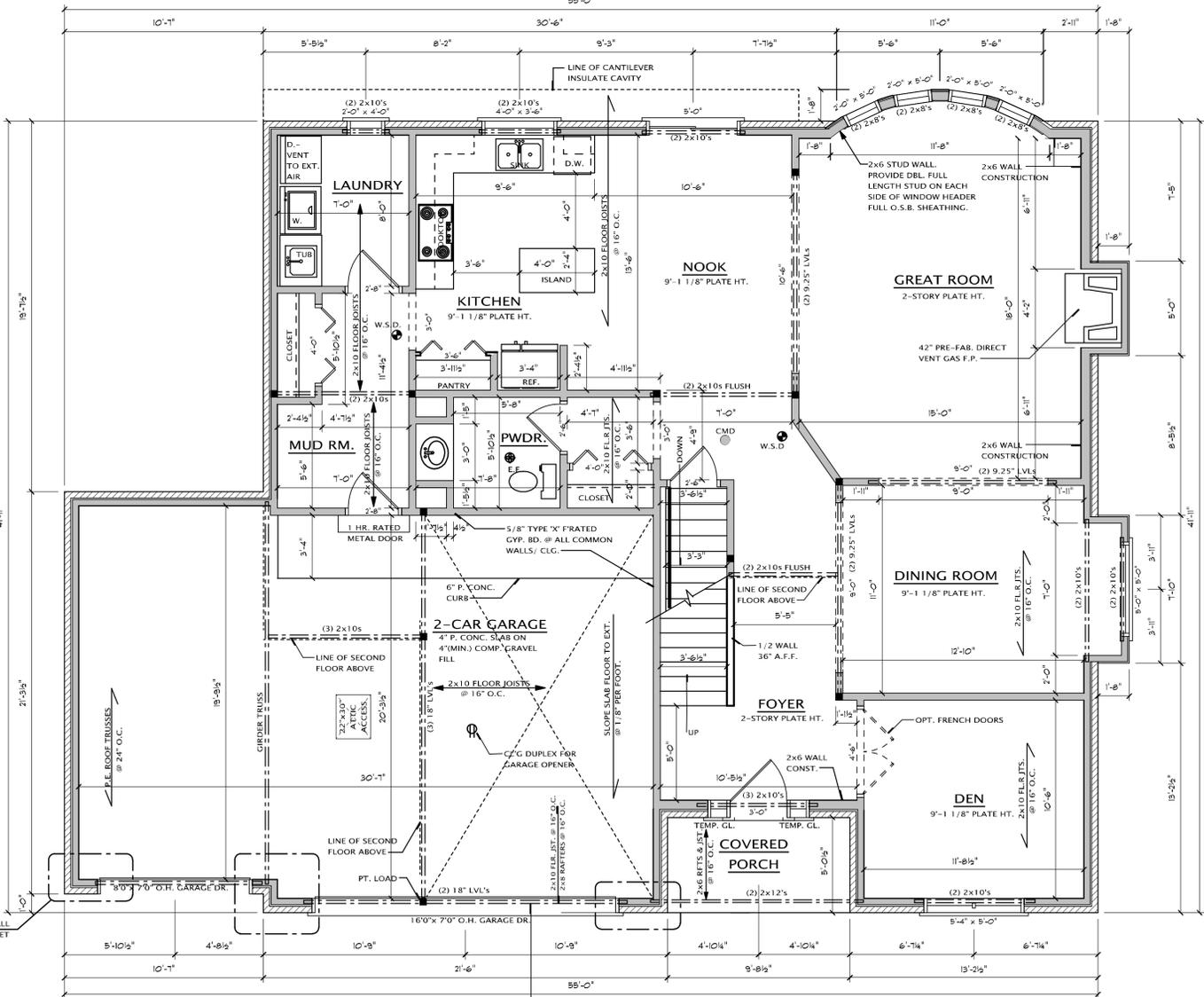
SMOKE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:
 -IN EACH SLEEPING ROOM
 -OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS
 -ON EACH ADDITIONAL STORY OF THE DWELLING, INCLUDING BASEMENTS BUT NOT INCLUDING CRAWL SPACES OR UNINHABITABLE ATTICS
 ALL SMOKE DETECTORS SHALL BE INTERCONNECTED AND HAVE A BATTERY BACKUP.
 CARBON MONOXIDE DETECTORS SHALL BE LOCATED IN THE NEAR VICINITY OF EACH BEDROOM AND IN BASEMENT NEAR STAIRS. HARD WIRED AND BATTERY BACK-UP. BACK UP

GENERAL NOTES

1. ALL WORK TO COMPLY WITH ALL NATIONAL, STATE AND LOCAL CODES, ORDINANCES, LAWS AND REGULATIONS THAT ARE APPLICABLE.
2. THE CONTRACTOR SHALL NOTIFY MISS DHC (1-800-482-7171) AT LEAST 72 HOURS PRIOR TO THE START OF CONSTRUCTION.
3. THE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS AND CALL FOR REQUIRED INSPECTIONS.
4. THE CONTRACTOR SHALL FIELD VERIFY THE SIZES, LOCATIONS, ELEVATIONS AND DETAILS OF THE EXISTING CONDITIONS THAT AFFECT THE WORK AND SHALL INFORM THE ARCHITECT OF ANY DISCREPANCIES IN DIMENSIONS, SIZES, LOCATIONS AND CONDITIONS BEFORE PROCEEDING WITH THE WORK.
5. THE CONTRACTOR SHALL PROVIDE ALL SHORING, BRACING, AND UNDERPINNING AND ALL MEANS REQUIRED TO PROTECT AND MAINTAIN THE SAFETY, INTEGRITY AND STABILITY OF ALL NEW CONSTRUCTION.
6. THE CONTRACTOR SHALL FAMILIARIZE HIMSELF/HERSELF WITH THE EXISTING CONDITIONS OF THE BUILDING, INCLUDING UTILITIES, SERVICES, ETC. AND SHALL BE FULLY RESPONSIBLE FOR ANY UNAUTHORIZED DISRUPTION TO THE OWNER'S NORMAL USE OF UTILITIES, SERVICES, AND THE SURROUNDING FACILITIES.
7. THE CONTRACTOR/OWNER SHALL FAMILIARIZE HIMSELF/HERSELF WITH THE CONSTRUCTION DOCUMENTS, SIZES AND LOCATIONS OF ANY DISCREPANCIES IN DIMENSIONS, SIZES AND LOCATIONS BEFORE PROCEEDING WITH THE WORK.
8. THE CONTRACTOR/OWNER SHALL INDEMNIFY THE ARCHITECT FROM ERRORS AND OMISSIONS WHICH CAN OR MAY OCCUR DURING THE PREPARATION OF THESE DOCUMENTS.

NOTES

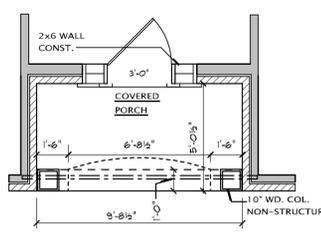
1. ALL ARCHWAYS SHALL BE FLAT UNLESS OTHERWISE NOTED.
2. ALL EXTERIOR WALLS TO BE 2x4 STUDS @ 16" O.C. W/ R-13 BATT.
3. ALL WET AREAS TO RECEIVE 1/2" DURAROCK SHEATHING.
4. ALL HEADERS NOT NOTED SHALL BE (2) 2x12'S UNLESS NOTED OTHERWISE.
5. ALL WALLS OVER 10'-4 1/2" SHALL BE 2x6.
6. ALL CONCEALED WALL SPACES SHALL BE FIRESTOPPED @ 8'-0" INTERVALS.
7. TRUSS DRAWINGS AND FLOORING SYSTEMS ARE TO BE ON SITE FOR ROUGH INSPECTION.
8. ALL EXTERIOR 2x6 WALLS TO BE 16" O.C. W/ R-19 BATT.



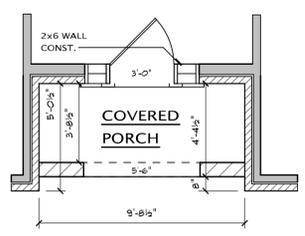
FIRST FLOOR PLAN

1ST FLOOR: 1,394 sq. ft.
 2ND FLOOR: 1,285 sq. ft.
 TOTAL: 2,679 sq. ft.

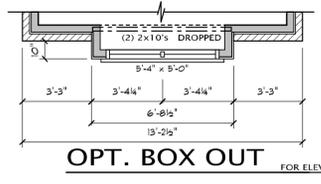
SCALE: 1/4" = 1'-0"



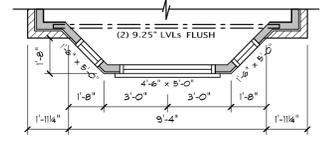
OPT. FRONT ENTRY
 FOR ELEVATION 'C'



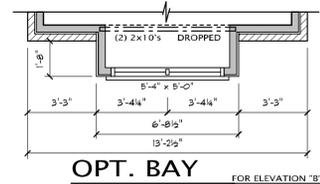
OPT. FRONT ENTRY
 FOR ELEVATION 'E & D'



OPT. BOX OUT
 FOR ELEVATION 'C'



OPT. DEN BAY
 FOR ELEVATION 'D.E. & G'



OPT. BAY
 FOR ELEVATION 'B'

JMP
 Design + Build, Inc.
 16161 LEONE DR.
 MACOMBE, MICHIGAN 48042
 TEL: 586.232.4045
 FAX: 586.232.4037
 JPROS@JMPNOTAL.COM

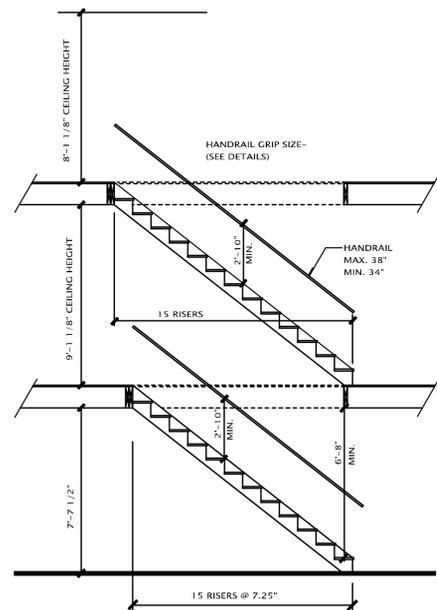
THE IDEAS AND DESIGN CONCEPTS EXPRESSED HEREIN AND THE GRAPHICALLY DISPLAYED ARRANGEMENT OF THEIR COMPONENTS REPRESENTED BY THIS DRAWING HAVE BEEN DEVELOPED FOR THE EXCLUSIVE USE OF THE SPECIFIED PROJECT AND ARE THE SOLE PROPERTY OF JMP Design + Build, Inc. INCORPORATED. A CONVEYANCE OR DISCLOSURE OF THE IDEAS DESIGN CONCEPTS OR USE OF ANY GRAPHICALLY DISPLAYED ARRANGEMENTS OF THE COMPONENTS SHALL BE AT THE DISCRETION AND ONLY THROUGH THE EXPRESSED WRITTEN CONSENT OF JMP Design + Build, Inc. ALL MATERIALS HEREIN ARE PROPRIETARY AND COPYRIGHTED

MANDOLIN STANDARD

MONDRIAN PROPERTIES
 50215 SCHOEHNERR RD.
 SHELBY TWP., MI

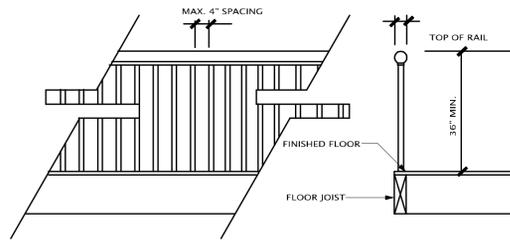
SHEET TITLE:
FIRST FLOOR PLAN

DATE:	DRAWN BY:
1/15/12	J.V.C.
2/29/12	CHECKED BY:
03/12/12	J.P.
	JOB NUMBER:
	12 - 108
	SHEET NUMBER:



TYPICAL STAIR SECTION

N.T.S.



TYPICAL RAILING DETAIL

N.T.S.

R311.5.6 HANDRAIL DETAILS: HANDRAIL GRIPPING SURFACES SHALL BE CONTINUOUS, WITHOUT INTERRUPTION BY NEWEL POST, OTHER STRUCTURE ELEMENTS OR OBSTRUCTIONS. A HANDRAIL AND ANY WALL OR OTHER SURFACE ADJACENT TO THE HANDRAIL SHALL BE FREE OF ANY SHARP OR ABRASIVE ELEMENTS. THE CLEAR SPACE BETWEEN THE HANDRAIL AND THE ADJACENT WALL SURFACE SHALL NOT BE LESS THAN 1-1/2 INCHES (38mm).

R311.5.2 HEADROOM: THE MINIMUM HEADROOM IN ALL PARTS OF A STAIRWAY SHALL NOT BE LESS THAN 80 INCHES (2032mm) MEASURED VERTICALLY FROM THE TREAD NOSING OR FROM THE FLOOR SURFACE OF THE LANDING OR PLATFORM.

R311.5.3 TREADS AND RISERS: MAXIMUM RISER HEIGHT SHALL BE 8 1/4 INCHES (210mm). MINIMUM TREAD DEPTH SHALL BE 9 INCHES (229mm) MEASURED HORIZONTALLY BETWEEN THE VERTICAL PLANES OF THE FOREMOST PROJECTION OF ADJACENT TREADS AND AT THE RIGHT ANGLE TO THE TREAD'S LEADING EDGE.

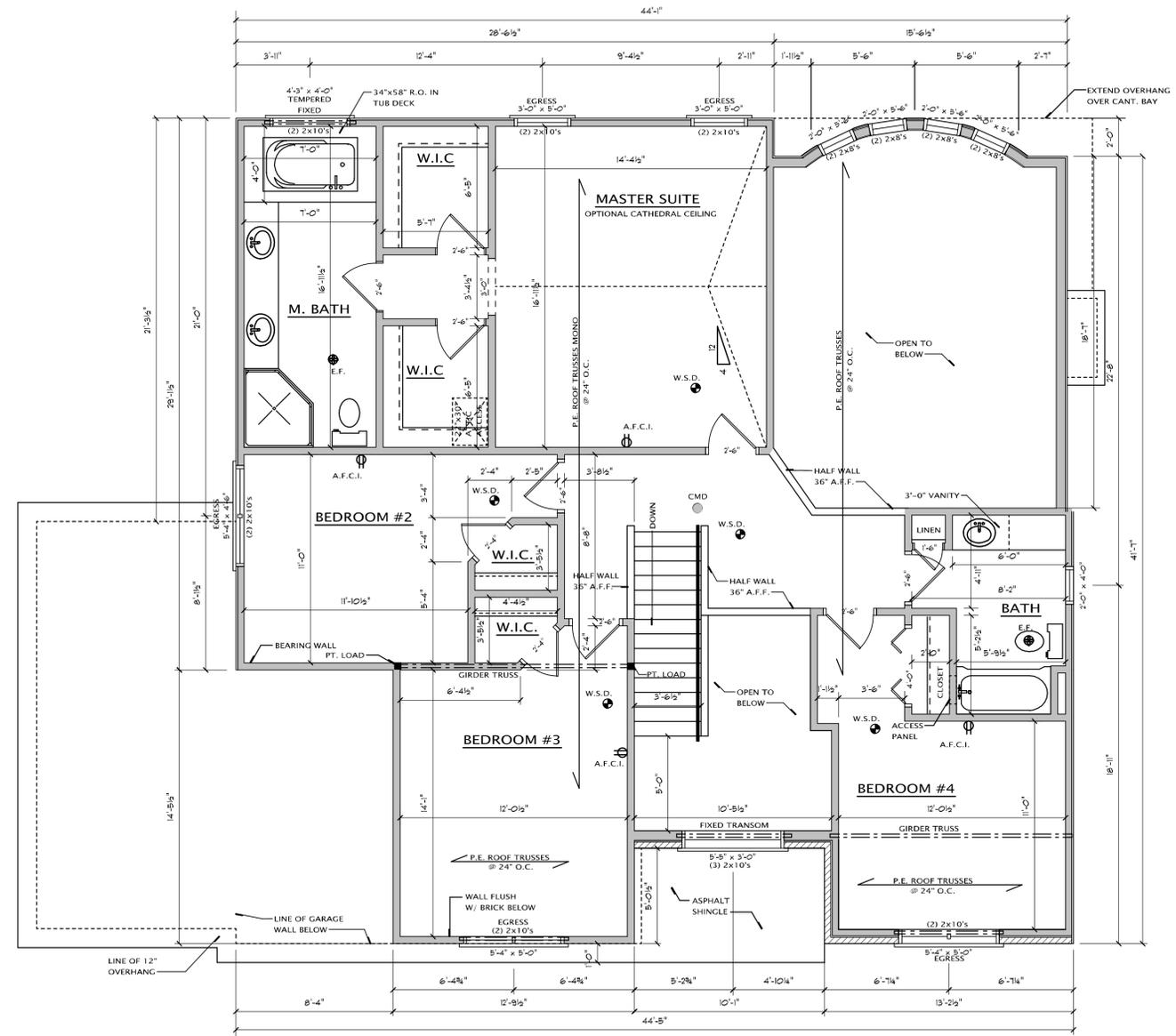
DIMENSIONAL UNIFORMITY: THERE SHALL NO BE VARIATION EXCEEDING 3/8 INCH (10mm) IN THE DEPTH OF ADJACENT TREADS OR IN THE HEIGHT OF ADJACENT RISERS. THE TOLERANCE BETWEEN THE LARGEST AND THE SMALLEST RISER OR BETWEEN THE LARGEST AND SMALLEST TREAD SHALL NOT EXCEED 3/8 INCH (10mm) IN A FLIGHT OF STAIRS.

R311.5.6.1 HEIGHT: GUARD HANDRAILS SHALL NOT BE LESS THAN 36 INCHES (914mm) MEASURED VERTICALLY ABOVE THE LEADING EDGE OF THE TREADS OR ABOVE THE FINISHED FLOOR OF THE LANDING OR WALKING SURFACES.

EXCEPTIONS: OPEN SIDES OF STAIRS SHALL HAVE GUARDS NOT LESS THAN 34 INCHES (854mm) IN HEIGHT, MEASURED VERTICALLY FROM THE NOSING OF THE TREADS.

TYPE II: HANDRAILS WITH A PERIMETER GREATER THAN 6-1/4 INCHES (160mm) SHALL PROVIDE A GRASPABLE FINGER RECESS AREA ON BOTH SIDES OF THE PROFILE. THE FINGER RECESS SHALL BEGIN WITHIN A DISTANCE OF 3/4 INCH (19mm) MEASURED VERTICALLY FROM THE TALLEST PORTION OF THE PROFILE, AND ACHIEVE A DEPTH OF AT LEAST 5/16 INCH (8mm) WITHIN 7/8 INCH (22mm) BELOW THE WIDEST PORTION OF THE PROFILE.

R311.5.6.3 HANDRAIL GRIP SIZE: TYPE I: ALL STAIRS SHALL HAVE A CIRCULAR CROSS SECTION WITH AN OUTSIDE DIAMETER OF 1-1/4 INCHES (32mm) AND NOT GREATER THAN 2 INCHES (51mm). ANY OTHER SHAPE WITH A PERIMETER OF AT LEAST 4 INCHES (100mm), BUT NOT GREATER THAN 6-1/4 INCHES (158mm) WITH THE LARGEST CROSS-SECTIONAL DIMENSION NOT EXCEEDING 2-1/4 INCHES (57mm).



SECOND FLOOR PLAN

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

SQ. FT. 1,285

ARCH FAULT CIRCUIT INTERRUPTER
ALL BRANCH CIRCUITS THAT SUPPLY 125 VOLT SINGLE PHASE 15 & 20 AMP. OUTLETS INSTALLED IN DWELLING UNIT BEDROOM SHALL BE PROTECTED BY ARC-FAULT CIRCUIT INTERRUPTER LISTED TO PROVIDE PROTECTION IN THE ENTIRE CIRCUIT. E3802.11

PROVIDE ALL ATTIC ACCESS W/ WEATHER STRIPPING

OPERABLE WINDOW NOTE:
ALL WINDOWS THAT ARE OPERABLE AND THE BOTTOM OF THE WINDOW IS 72" OR MORE ABOVE GRADE, SHALL BE 24" ABOVE FINISH FLOOR TO THE BOTTOM OF THE WINDOW.

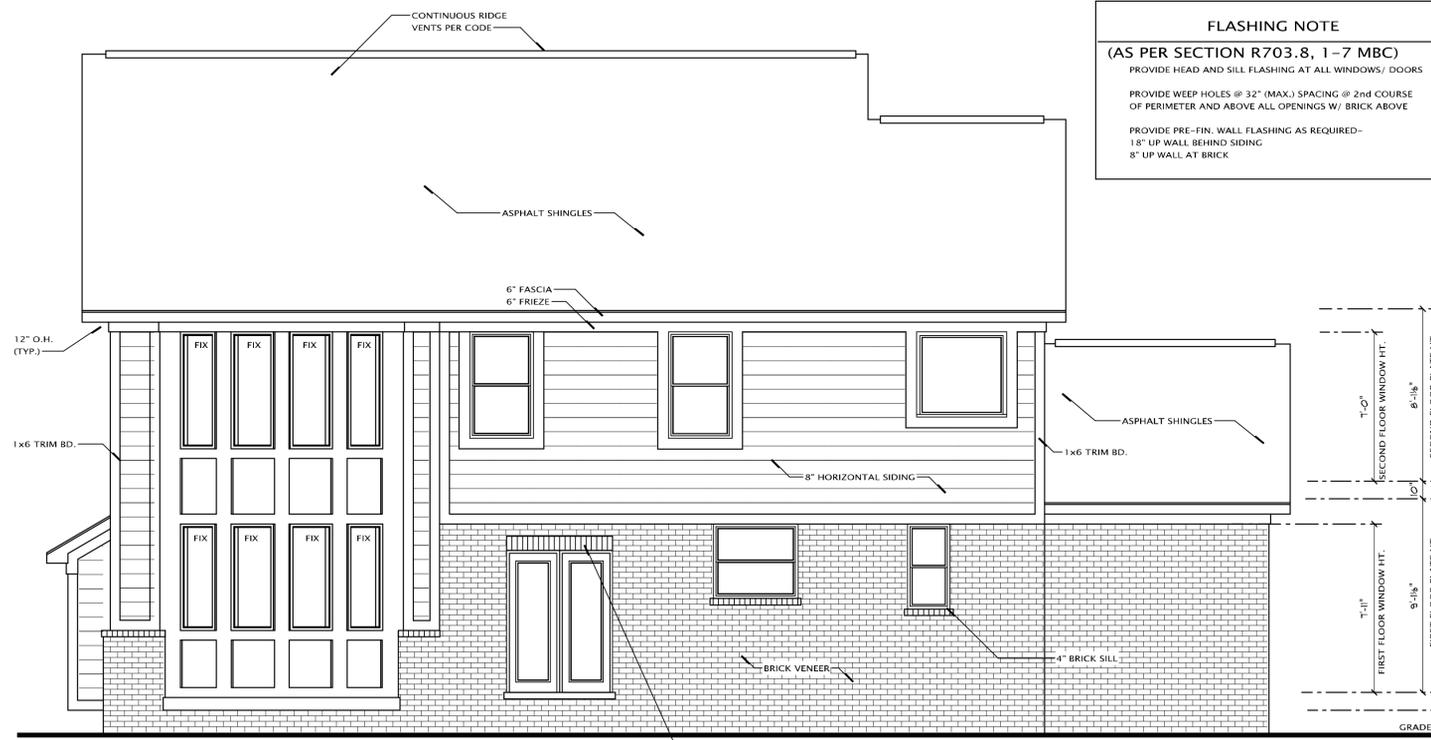
THE IDEAS AND DESIGN CONCEPTS EXPRESSED HEREIN AND THE GRAPHICALLY DISPLAYED ARRANGEMENT OF THEIR COMPONENTS REPRESENTED BY THIS DRAWING HAVE BEEN DEVELOPED FOR THE EXCLUSIVE USE OF THE SPECIFIED PROJECT AND ARE THE SOLE PROPERTY OF JMP DESIGN & BUILD, INC. INCORPORATED. A CONVEYANCE OR DISCLOSURE OF THE IDEAS DESIGN CONCEPTS OR USE OF ANY GRAPHICALLY DISPLAYED ARRANGEMENTS OF THE COMPONENTS SHALL BE AT THE DISCRETION AND ONLY THROUGH THE EXPRESSED WRITTEN CONSENT OF JMP DESIGN & BUILD, INC. ALL MATERIALS HEREIN ARE PROPRIETARY AND COPYRIGHTED

MANDOLIN STANDARD

BUILDER
MONDRIAN PROPERTIES
50215 SCOEHNERR RD.
SHELBY TWP., MI

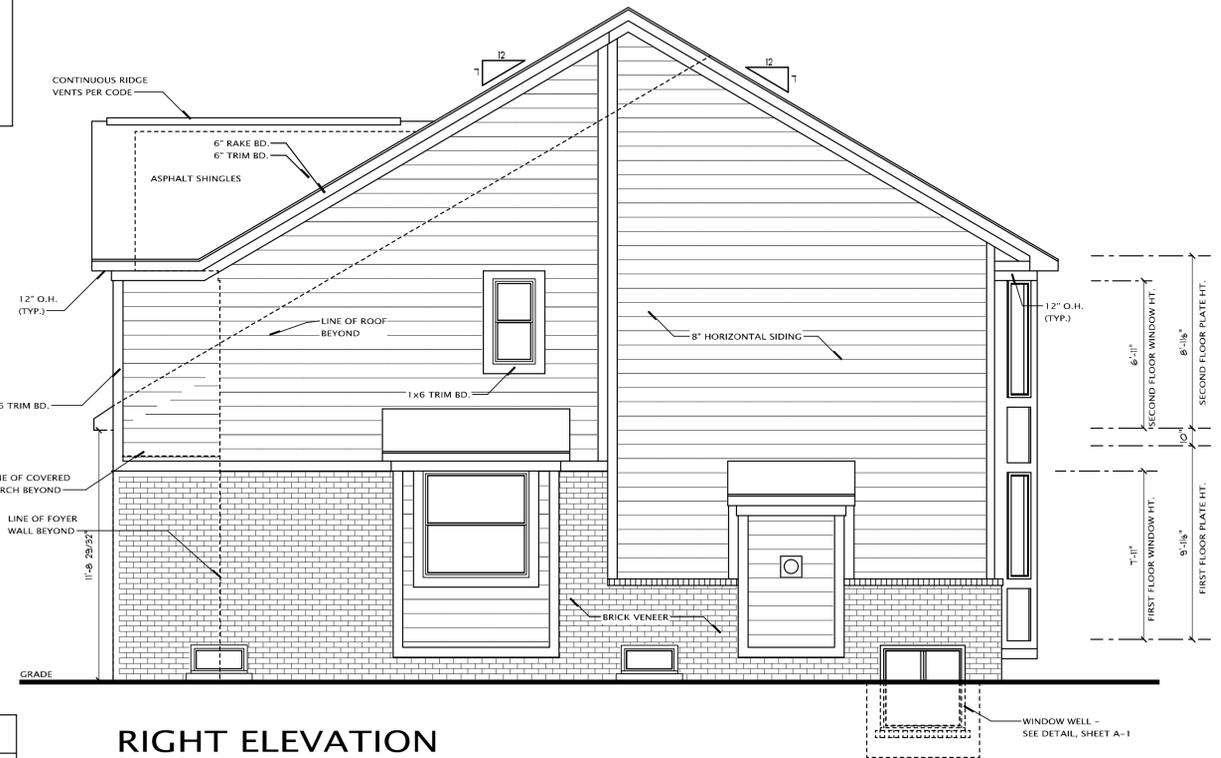
SHEET TITLE:
SECOND FLOOR PLAN

DATE:	DRAWN BY:
1/15/12	J.V.C.
2/29/12	
03/12/12	CHECKED BY:
	J.P.
	JOB NUMBER:
	12 - 108
	SHEET NUMBER:



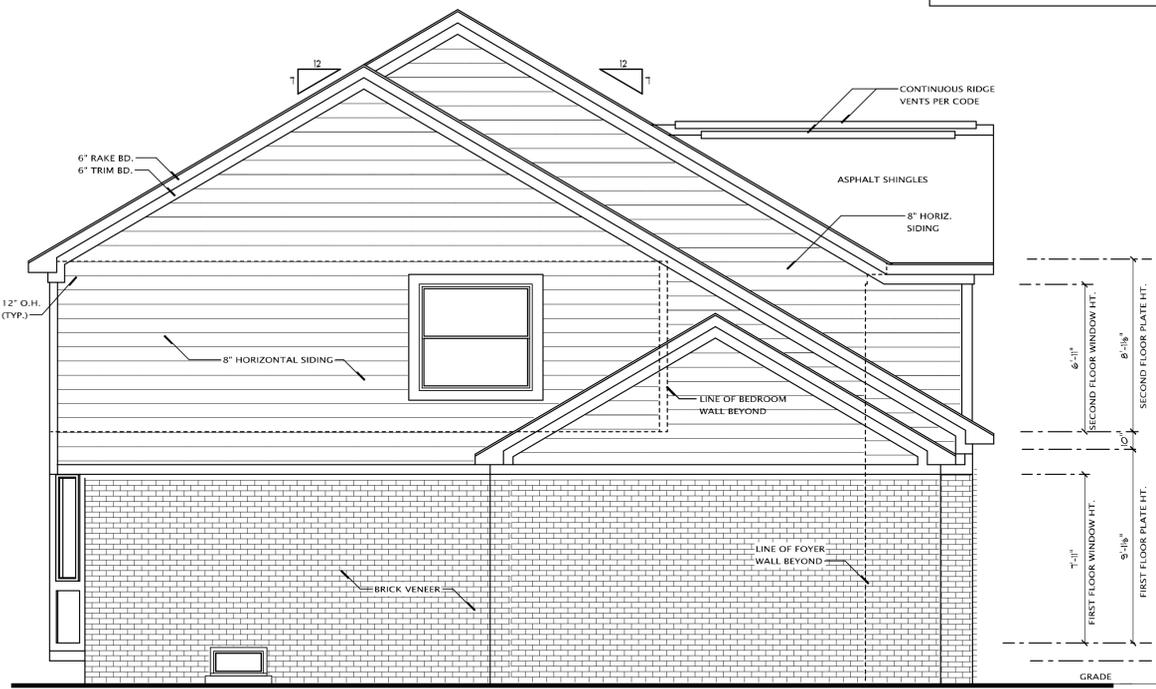
REAR ELEVATION

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



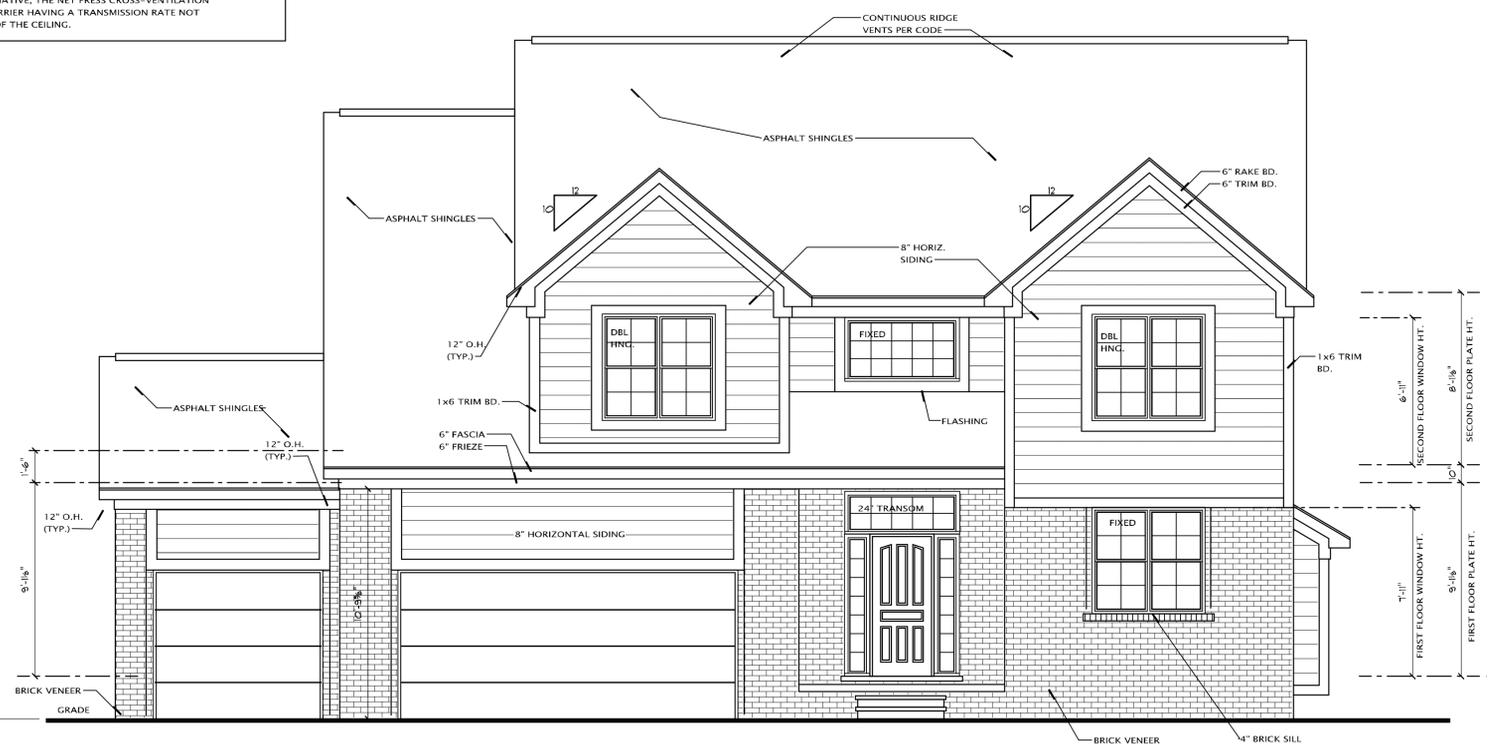
RIGHT ELEVATION

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



LEFT ELEVATION

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



STANDARD FRONT ELEVATION "A"

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

OPERABLE WINDOW NOTE:
 ALL WINDOW THAT ARE 72" OR MORE ABOVE GRADE SHALL BE: 24" A.F.F. TO BOTTOM OF WINDOW.

THE IDEAS AND DESIGN CONCEPTS EXPRESSED HEREIN AND THE GRAPHICALLY DISPLAYED ARRANGEMENT OF THEIR COMPONENTS REPRESENTED BY THIS DRAWING HAVE BEEN DEVELOPED FOR THE EXCLUSIVE USE OF THE SPECIFIED PROJECT AND ARE THE SOLE PROPERTY OF JMP Design & Build, Inc. INCORPORATED. A CONVEYANCE OR DISCLOSURE OF THE IDEAS DESIGN CONCEPTS OR USE OF ANY GRAPHICALLY DISPLAYED ARRANGEMENTS OF THE COMPONENTS SHALL BE AT THE DISCRETION AND ONLY THROUGH THE EXPRESSED WRITTEN CONSENT OF JMP Design & Build, Inc. ALL MATERIALS HEREIN ARE PROPRIETARY AND COPYRIGHTED

MANDOLIN STANDARD

BUILDER

MONDRIAN PROPERTIES

50215 SCHOEHNERR RD.
 SHELBY TWP., MI

SHEET TITLE:

GABLE ELEVATIONS

DATE:
 1/15/12
 2/29/12
 03/12/12

DRAWN BY:

J.V.C.

CHECKED BY:

J.P.

JOB NUMBER:

12 - 108

SHEET NUMBER:

DATE: May 24, 2013
TO: Planning Commission
FROM: R. Brent Savidant, Planning Director
SUBJECT: ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 245) – Sober Living Facilities

The Planning Commission discussed this item at a number of public meetings. The Planning Commission held a public hearing on this item on March 26, 2013 and recommended approval of the public hearing draft. City Council held a public hearing on this item on April 15, 2013 and postponed the item to provide City Council an opportunity to ask questions of staff. The item was considered again at the May 13, 2013 City Council meeting, where it was sent back to Planning Commission for further study.

The intent of the language is to regulate sober living facilities in the City of Troy. A definition for sober living facilities was created. Sober living facilities with 6 or fewer residents are treated as single family residential uses, similar to adult foster care small group homes. Sober living facilities with 7 or more residents are permitted subject to special use approval in the R-1A through R-1E, RT, MR, UR, IB and OM districts.

The attached memo prepared by Carlisle\Wortman Associates, Inc. suggests potential revisions that would address many of the concerns raised by City Council.

Please be prepared to discuss this item at the May 28, 2013 Special/Study meeting.

Attachments:

1. Planning Commission Public Hearing Draft
2. Report prepared by CWA dated May 23, 2013
3. Map showing potential properties, based on potential revisions in May 23, 2013 CWA report
4. City Council item from May 13, 2013, including attachments
5. Minutes from May 13, 2013 City Council meeting (excerpt)
6. Comments from Councilmembers McGinnis and Henderson
7. Public comment

G:\ZOTAs\ZOTA 245 Recovery Centers\PC Memo 05 28 2013.doc

CITY OF TROY

AN ORDINANCE TO AMEND
CHAPTER 39 OF THE CODE
OF THE CITY OF TROY
CITY COUNCIL PUBLIC HEARING DRAFT

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 39, Zoning Ordinance, of the Code of the City of Troy.

Section 2. Amendment

Chapter 39 of the Code of the City of Troy is amended as follows

Add the following definition to Section 2.02 DEFINITIONS:

SOBER LIVING FACILITY: A temporary residential living arrangement for seven (7) or more adult persons leaving an institutional setting recovering from drug or alcohol addiction and in need of a supportive living arrangement in order to readjust to living outside the institution. These are persons who are receiving therapy and counseling from licensed or certified professional staff and trained non-professional or paraprofessional support staff who are present when residents are present, to help them recuperate from the effects of drug or alcohol addiction. Sober living facility may provide limited supportive services to residents only, including: mental health services; clinical rehabilitation services; social services; financial management services; legal services; and other similar supportive services. Residency is limited to a specific number of weeks or months, typically 24 months or less. This definition does not constitute halfway houses for those released from prison or a homeless situation.

Add the following to Section 4.21 SCHEDULE OF USE REGULATIONS:

Institutional

	R1A- R1E	RT	MF	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
<u>Sober Living Facilities</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

Add Section 6.33 to read as follows:

SECTION 6.33 SOBER LIVING FACILITIES:

- A. ~~Sober Living Facilities serving six (6) persons or less. A Sober Living Facility serving six (6) persons or less shall be considered a single family use of property.~~
- B. ~~Sober Living Facilities serving seven (7) or more adult persons.~~
 - 1. A. All residents shall be eighteen (18) years of age or older.
 - 2. B. Frontage on either a major or minor arterial street shall be required.
 - 3. C. Appropriate licenses with the State of Michigan shall be maintained.
 - 4. D. The subject parcel shall meet the minimum lot area requirements for the zoning district in which it is located provided there is a minimum site area of twenty-five hundred (2,500) square feet per adult, excluding employees and/or caregivers.
 - 5. E. Facilities may include ancillary facilities such as multi-purpose recreational rooms and meeting rooms.

Add the following to Table 13.06-A to read as follows:

Institutional and Places of Gathering

<u>Sober Living Facilities</u>	<u>1 space for each 1 per bed and 1 space per employee and/or caregiver at largest shift</u>
--------------------------------	--

Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

This amendment to the Zoning Ordinance shall take effect seven (7) days after publication, which shall be published within 15 days of adoption, as required the Michigan Zoning Enabling Act (Act 110 of 2006).

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, 2013.

Dane Slater, Mayor

Aileen Bittner, City Clerk



CARLISLE

WORTMAN
associates, inc.

605 S. Main Street, Ste. 1
Ann Arbor, MI 48104

(734) 662-2200
(734) 662-1935 Fax

MEMORANDUM

TO: Troy Planning Commission
Brent Savidant, Planning Director

FROM: Ben Carlisle

DATE: May 23, 2013

RE: Sober Living Text Amendment

On April 15, 2013, the City Council held a public hearing for the Sober Living Text Amendment. At that meeting, they considered the Planning Commission recommended zoning regulatory language, as well as received public testimony. After a presentation by staff, public testimony, and deliberation, the matter was continued to the May 13, 2013 meeting to allow staff time to research and address specific questions from Council.

The questions from Council were mostly related to the demonstration of “need” and potential impact on single-family residential properties and neighborhoods. Attached is a memo prepared by staff addressing Council’s questions.

On May 13th, the City Council considered a presentation from staff specifically addressing the Council’s questions. After deliberation, the City Council remanded the matter to the Planning Commission for further study.

Planning Commission Consideration

Addressing the request of the Council, the Planning Commission is asked to further study the matter to ensure protection of single-family residential neighborhoods. Listed below are proposed options to be considered by the Planning Commission:

1. Permit Use only in Multiple-Family Residential, Integrated Business, and Office-Mixed Use Districts

	R1A-R1E	RT	MF	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Sober Living Facility	S NP	<u>S</u>	<u>S</u>	<u>S</u>	NP	NP	NP	NP	NP	<u>S</u>	NP	<u>S</u>	NP	NP	NP

2. Limit the Maximum Permitted Residents Per Facility to 20.

A 20 resident limit would be consistent with the resident limit for Foster Care Large Group Home. Limiting the overall number of residents reduces the potential for external impacts (parking, noise, light, etc) upon adjacent properties.

3. Increase minimum lot area per resident from 2,500 sq/ft to 4,000 sq/ft.

A 4,000 sq/ft minimum lot area per resident requirement would be consistent with the minimum sq/ft requirement for Adult Care Foster Facilities. Because the Ordinance only regulates facilities of seven (7) residents or more, the minimum lot area for a Sober Living Facility is 28,000 sq/ft. A 28,000 sq/ft minimum lot area would reduce the potential for external impacts upon adjacent properties by ensuring adequate area for parking, open space, and setbacks.

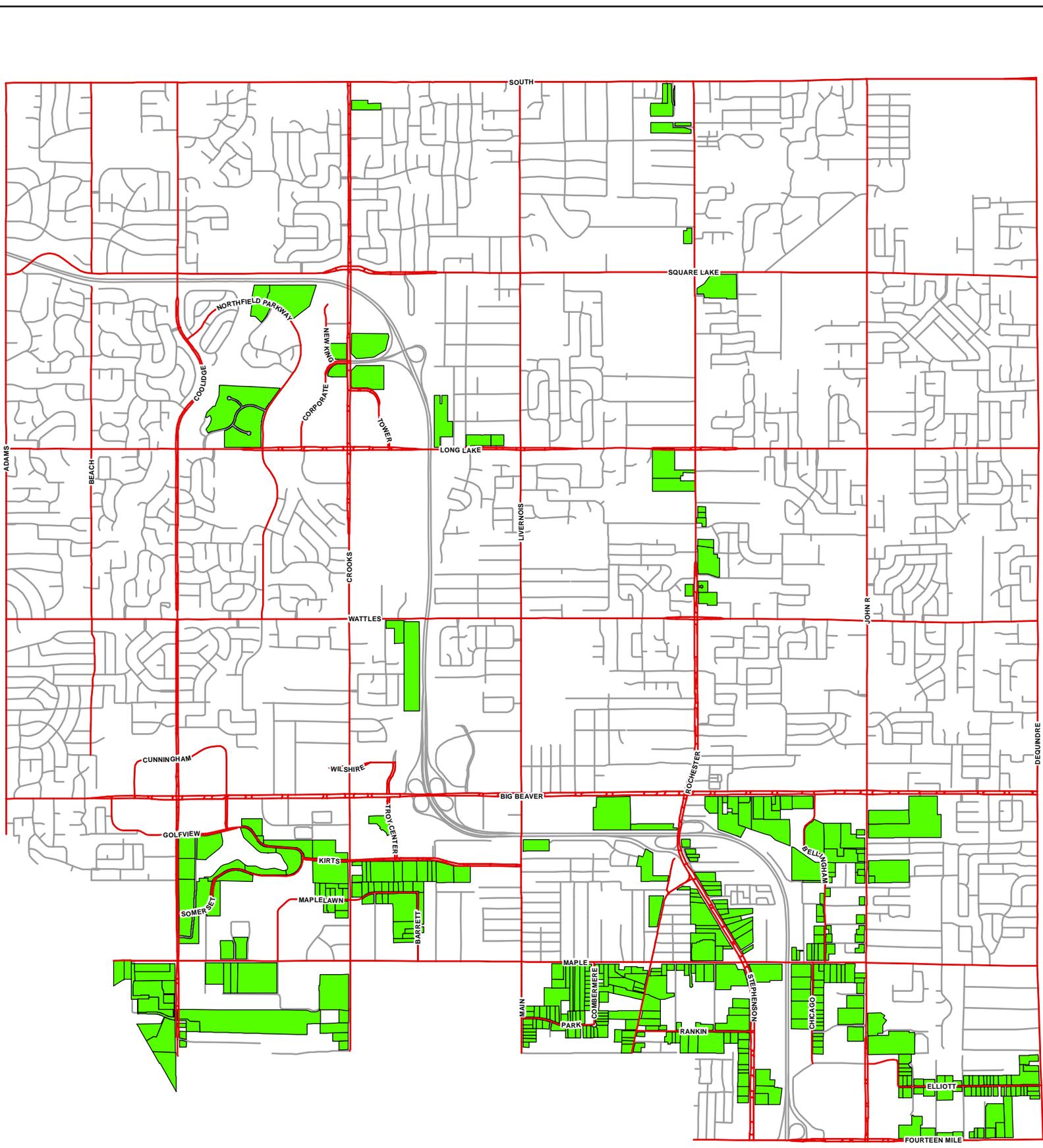
I look forward to discussing this further.

Sincerely,



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

Attachment: Council Question Memo
Sober Living Draft Text Amendment (dated 4-15-13)



Legend

- Potential Parcels
- Major and Minor Arterial Road

Potential Sites - Sober Living Facilities





CITY COUNCIL AGENDA ITEM

Date: May 7, 2013

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic & Community Development
R. Brent Savidant, Planning Director

Subject: ZONING ORDINANCE TEXT AMENDMENT (File Number: ZOTA 245) – Sober Living Facilities

City Council held a public hearing on this item on April 4, 2013 and postponed the item to the May 13, 2013 City Council Regular meeting. Some City Council members submitted written questions related to this item. These questions and responses are attached. The Troy Police Department prepared a report related to a sober living facility in Shelby Township. This report is attached.

The text amendment would regulate sober living facilities in the City of Troy, including a definition for sober living facilities. Sober living facilities with 6 or fewer residents are regulated as single family residential uses and are permitted by right, without City review, similar to adult foster care small group homes. Sober living facilities with 7 or more residents are permitted subject to special use approval in the R-1A through R-1E, RT, MR, UR, IB and OM districts. As such, they will require special use approval by Planning Commission, including submission of a preliminary site plan that meets all related standards for sober living facilities.

The attached memos prepared by Carlisle\Wortman Associates, Inc. provide additional background.

The Planning Commission discussed this item at four public meetings. The Planning Commission held a public hearing on this item on March 26, 2013, and recommended approval of the text amendment.

Attachments:

1. Draft text amendment, ZOTA 245
2. City Council questions/Planning Department responses
3. Police report for 5010 Nocturne Lane, Shelby Township
4. City Council item from April 15, 2013 Regular meeting, including attachments
5. PowerPoint presentation from April 15, 2013 City Council meeting
6. City Council minutes from April 15, 2013 Regular meeting (draft/excerpt)

CITY OF TROY

AN ORDINANCE TO AMEND
CHAPTER 39 OF THE CODE
OF THE CITY OF TROY
CITY COUNCIL PUBLIC HEARING DRAFT

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 39, Zoning Ordinance, of the Code of the City of Troy.

Section 2. Amendment

Chapter 39 of the Code of the City of Troy is amended as follows

Add the following definition to Section 2.02 DEFINITIONS:

SOBER LIVING FACILITY: A temporary residential living arrangement for seven (7) or more adult persons leaving an institutional setting recovering from drug or alcohol addiction and in need of a supportive living arrangement in order to readjust to living outside the institution. These are persons who are receiving therapy and counseling from licensed or certified professional staff and trained non-professional or paraprofessional support staff who are present when residents are present, to help them recuperate from the effects of drug or alcohol addiction. Sober living facility may provide limited supportive services to residents only, including: mental health services; clinical rehabilitation services; social services; financial management services; legal services; and other similar supportive services. Residency is limited to a specific number of weeks or months, typically 24 months or less. This definition does not constitute halfway houses for those released from prison or a homeless situation.

Add the following to Section 4.21 SCHEDULE OF USE REGULATIONS:

Institutional

	R1A- R1E	RT	MF	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
<u>Sober Living Facilities</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

Add Section 6.33 to read as follows:

SECTION 6.33 SOBER LIVING FACILITIES:

- A. ~~Sober Living Facilities serving six (6) persons or less. A Sober Living Facility serving six (6) persons or less shall be considered a single family use of property.~~
- B. ~~Sober Living Facilities serving seven (7) or more adult persons.~~
 - 1. ~~A. All residents shall be eighteen (18) years of age or older.~~
 - 2. ~~B. Frontage on either a major or minor arterial street shall be required.~~
 - 3. ~~C. Appropriate licenses with the State of Michigan shall be maintained.~~
 - 4. ~~D. The subject parcel shall meet the minimum lot area requirements for the zoning district in which it is located provided there is a minimum site area of twenty-five hundred (2,500) square feet per adult, excluding employees and/or caregivers.~~
 - 5. ~~E. Facilities may include ancillary facilities such as multi-purpose recreational rooms and meeting rooms.~~

Add the following to Table 13.06-A to read as follows:

Institutional and Places of Gathering

<u>Sober Living Facilities</u>	<u>1 space for each 1 per bed and 1 space per employee and/or caregiver at largest shift</u>
--------------------------------	--

Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

This amendment to the Zoning Ordinance shall take effect seven (7) days after publication, which shall be published within 15 days of adoption, as required the Michigan Zoning Enabling Act (Act 110 of 2006).

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, 2013.

Dane Slater, Mayor

Aileen Bittner, City Clerk

**RESPONSES TO CITY COUNCIL QUESTIONS
PREPARED BY CITY OF TROY PLANNING DEPARTMENT**

The following questions were asked by City Councilman Campbell. Responses follow each question in red.

- What is the reasoning or justification why these Sober Living Facilities have developed such a “NEED” in Troy?

The need for sober living facilities was determined by the Planning Commission based on discussions with recovery center providers and residents who indicated there was a demand in Troy but no facilities presently. Furthermore, the Michigan Zoning Enabling Act requires that municipalities provide for all legal land uses provided there is a demonstrated need for the use and an appropriate location exists for such use. The use is not permitted in the Zoning Ordinance. Based on a demonstrated need, the Planning Commission wanted to be proactive and amend the Zoning Ordinance to permit these uses. That way the City is able to define the use, determines what the appropriate standards are for such use, and determines the appropriate locations for such use.

- It appears to me that these type of facilities, if needed, will not fit within a family neighborhood environment. With the multiple residents being over 18 years of age and most likely having a car and some sort of job would not be workable for parking, traffic and noise control in a neighborhood. All of the information about these facilities on the internet has the facilities on main roads

Sober living facilities are for 7 residents or more. The Planning Commission considered them to be more of a commercial use than a traditional single family home, similar to Adult Foster Care Small and Large Group Homes. That is the reason that they would be permitted subject to Special Use Approval and with specific use standards to ensure secondary impacts upon adjacent and neighboring properties can be mitigated. For example, the parking requirement is to provide 1 space per bed and (1) off-street parking space per employee and/or caregiver at largest shift. In addition, one of the proposed standards is that they be located on major or minor arterial roads, which has the effect of pulling them out of existing neighborhoods.

- I would also like to know what type of on-sight management these facilities have.

The proposed definition addresses the types of management one could expect to find in a recovery centers.

- During their presentation they stated that Troy does not have any sober living facilities.....really? There are 503 of these facilities state wide and there are (4) right here in Troy. (see the list below)

See next response below.

- If the zoning does not allow for these facilities currently, then how are there four in Troy?
 1. Rivers Bend / 33975 Dequindre, Troy
 2. Perspectives of Troy P.C. / 888 West Big Beaver, Troy
 3. Michigan behavioral Medicine / 625 East Big Beaver, Troy
 4. Insight Recovery Center / 631 East Big Beaver , Troy

These four facilities would not be considered sober living facilities, which are residential uses. They would be considered clinics, which are presently permitted in many Zoning Districts in the City of Troy.

The following questions were asked by City Councilman Henderson. Responses follow each question in red.

Power point presentation Slide 3 indicated ZOTA 245 Sober living facilities “presently not permitted in Troy”. Q: can it remain that way legally?

This question relates to exclusionary zoning and therefore should be addressed by the City Attorney.

Slide 4 indicates a zoning ordinance shall not totally prohibit the establishment of a land use in the presence of a “demonstrated need”. Q: what constitutes a demonstrated need?

Demonstrated need in this instance was determined by the Planning Commission based on discussions with recovery center providers and residents who indicated there was a demand in Troy but no facilities presently in the City. Furthermore, the Michigan Zoning Enabling Act requires that municipalities provide for all legal land uses provided there is a demonstrated need for the use and an appropriate location exists for such use. The use is not permitted in the Zoning Ordinance. Based on a demonstrated need, the Planning Commission wanted to be proactive and amend the Zoning Ordinance to permit these uses. That way the City defines the use, determines what the appropriate standards are for such use, and determines the appropriate locations for such use.

Slide 5 definition of a sober living facility is defined as a temporary residential arrangement for 7 or more adult persons. Q: Will our proposed ordinance eliminate uses for 6 or less?

No. These would be permitted by right in One Family Residential Zoning Districts. The 7 resident threshold is based on the definition of family and case law which makes the regulation of facilities under 6 persons difficult.

Slide 5 again, Sober living facilities may provide limited supported services to “residents”. Q: Does this mean residents of a particular sober living facility, or residents of Troy generally?

It means residents of a particular sober living facility.

Slide 7, Similar facilities with 6 or fewer residents would be regulated the same as a single family home.

Q: Does that mean 6 or fewer is already essentially allowed without approval, no ordinance change necessary?

Yes. The 7 resident threshold is based on the definition of family and case law which makes the regulation of facilities under 6 persons difficult.

Slide 8, Regarding special use approvals. Q: Can we revise the ordinance allowing no facilities in a residential area, or two family area, yet still allow them in all other districts?

The draft before City Council was recommended for approval by Planning Commission. City Council may revise the language as desired. These facilities are residential uses. There are like residential uses (adult foster care small and large group homes, senior assisted/independent living facilities, adult foster care congregate facilities) that are presently permitted in one and two family districts.

Slide 11, All special uses requirements. Q: can we increase the distance of mailing notifications to neighbors within 500 or 1000 feet, and can we require approval from 2/3 of said neighbors before approval of a Sober Living Facility?

The draft before City Council was recommended for approval by Planning Commission. City Council may revise the language as desired. The 300 foot notification requirement is consistent with State law and is

applied to all applications that require a Planning Commission public hearing. The approval of 2/3 of neighbors would likely be impossible to meet.

Slide 12, SLF's must meet the following non discretionary standards. Frontage on either a major or minor artery, and minimum site area of 2,500 sq. ft. Q: Can we require only on a major artery, and bump the size up to 5000 sq ft per adult (how about 10,000 sq ft.)

The draft before City Council was recommended for approval by Planning Commission. City Council may revise the language as desired. The major or minor arterial and minimum site area of 2,500 sq. ft requirements are consistent with regulations for like uses.

Slide 13 the map. It shows a couple areas where the proposed allowable area could be over 50% of a square mile. Q: Can we have a similar map(s) indicating an exclusion of residential areas (if answer to the above question regarding excluding residential areas is yes), a map showing only locations on major arteries, and finally a map showing the exclusion of both residential and minor arteries?

These maps could be prepared. Before doing so, it may be beneficial to consult with the City Attorney to ensure that preparing these maps would not give the impression of being exclusionary.

Slide 15 hours of operation. Q: would it not be assumed the hours of operation on a SLF would be 24/7?

They are 24/7 operations insofar as there would likely be someone in the facility at all times. Structured activities would likely take place during typical business hours. Most residents would be working or at school during the day and would reside in the facility at other times.



INTEGRITY * RESPECT * LAWS AND THE CONSTITUTION * ACCOUNTABILITY * PROBLEM SOLVING * PROFESSIONALISM

MEMORANDUM

DATE: April 25, 2013

TO: Gary Mayer, Chief of Police

FROM: George Zielinski, Police Sergeant
Jeff Oberski, Police Analyst Planner

RE: Sober Living Facility - 5010 Nocturne Ln, Shelby Township

Per your informational request, Jeff Oberski and I looked into the Sober Living facility in Shelby Township. Jeff queried and pulled all police runs to the address, 5010 Nocturne Lane, as well as any police reports involving persons reporting that address as their residence.

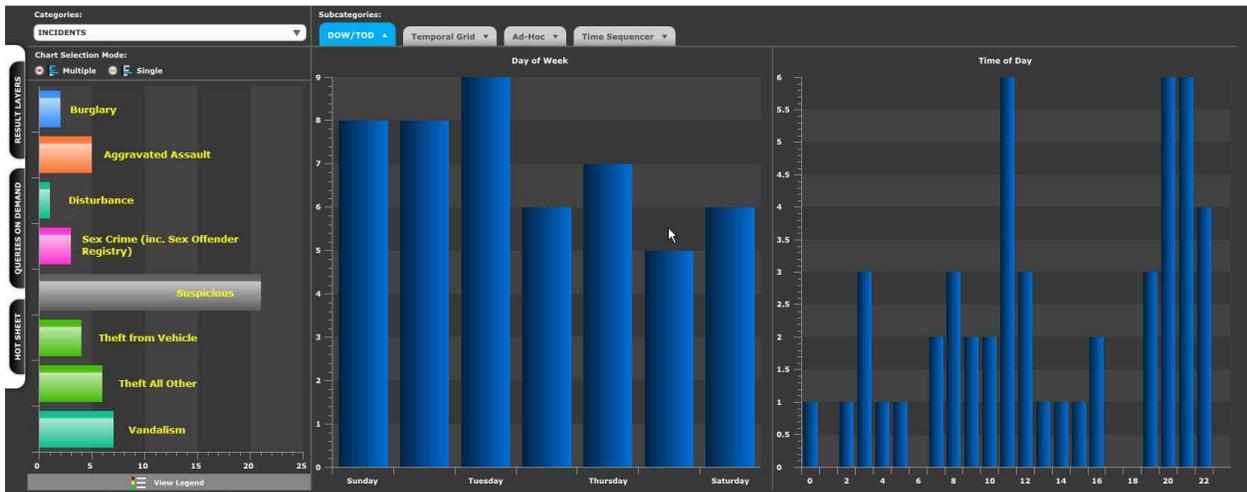
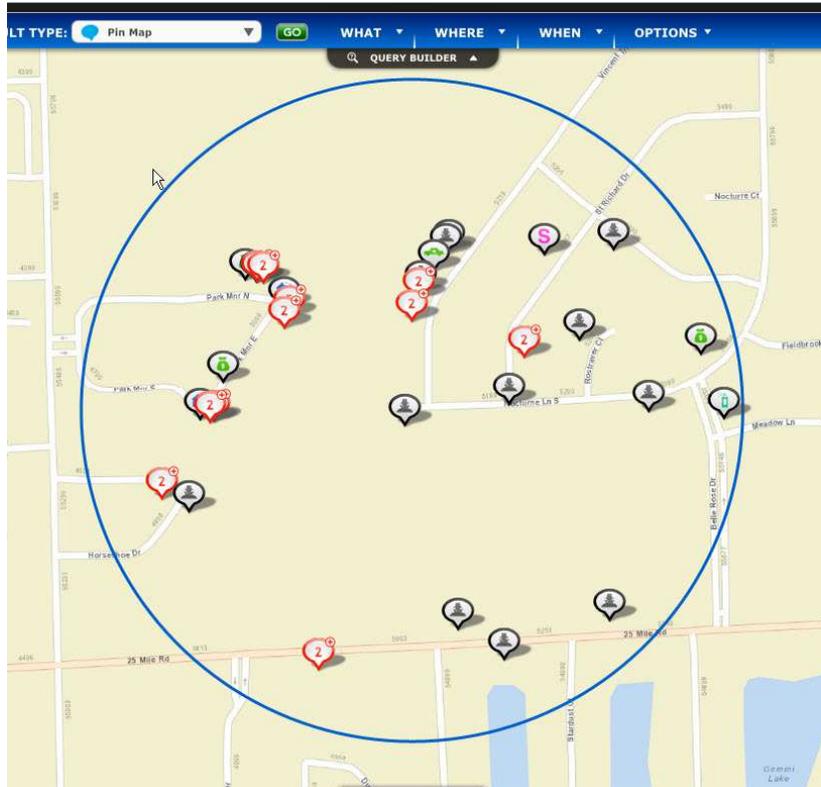
It appears the address was privately owned, until around 2010. Since then, there have been 4 police runs to the address, which included:

- Mental (Welfare Check) & commitment
- Fatal Drug Overdose
- Suspicious Circumstances (power outage)
- Open Building

Additionally, there have been two drug arrests in other jurisdictions where the arrestee reports 5010 Nocturne Lane as their residence.

The police reports indicate this address as a home for recovering drug addicts. One report indicates "The facility does not have a staff member on scene 24 hours a day. Residents at the facility can come and go as they please."

A query in CrimeView Dashboard for selected reported incidents within ¼ mile (walking distance) of this address in the last 2 years returned with 49 incidents (see attached spreadsheet and graphics). Of course, there is no evidence any of these incidents are related to 5010 Nocturne Lane, but the possibility exists given the relationship between drug addiction and crime.



REPORTED OFFENSE	LOCATION	DISPOSITION	OCCUR DATE/TIME
B&E - BURGLARY - FORCED ENTRY - RESIDENCE - HOME INVASION	4850 PARK MANOR E 4114	REPORT TAKEN	12/3/2012 11:51
SUSPICIOUS CIRCUMSTANCES	4865 N PARK MANOR 2305	NO REPORT	1/8/2012 7:45
SUSPICIOUS CIRCUMSTANCES	4850 E PARK MANOR	NO REPORT	1/27/2012 12:37
SOF REGISTRATION	4938 E PARK MANOR 3209	ADVISED	1/24/2012 20:22
SUSPICIOUS CIRCUMSTANCES	4865 N PARK MANOR	NO REPORT	1/29/2012 22:16
LARCENY (OTHER)	4855 N PARK MANOR 2105	REPORT TAKEN	12/25/2011 8:00
ASSAULT/ BATTERY/SIMPLE (INCL DOMESTIC AND POLICE OFFICER)	4865 N PARK MANOR 2210	NO REPORT	1/31/2012 20:37
SUSPICIOUS CIRCUMSTANCES	5267 ROSTRAVER CT	CLOSED	2/1/2012 0:16
ASSAULT/ BATTERY/SIMPLE (INCL DOMESTIC AND POLICE OFFICER)	4938 E PARK MANOR 3103	REPORT TAKEN	12/31/2011 10:09
SUSPICIOUS CIRCUMSTANCES	5350 S NOCTURNE LN	NO REPORT	3/14/2012 19:24
SUSPICIOUS CIRCUMSTANCES	5010 S NOCTURNE LN	CLOSED	3/19/2012 21:54
SUSPICIOUS CIRCUMSTANCES	4938 E PARK MANOR	NO REPORT	4/3/2012 19:48
SUSPICIOUS CIRCUMSTANCES	5129 VINCENT TRL	NO REPORT	4/9/2012 3:12
SUSPICIOUS CIRCUMSTANCES	5130 25 MILE RD	NO REPORT	4/12/2012 11:08
SUSPICIOUS CIRCUMSTANCES	4938 E PARK MANOR	NO REPORT	4/22/2012 21:49
SUSPICIOUS CIRCUMSTANCES	5091 VINCENT TRL	NO REPORT	5/24/2012 21:04
LARCENY (OTHER)	4865 N PARK MANOR 2108	REPORT TAKEN	7/2/2012 15:16
SUSPICIOUS CIRCUMSTANCES	4938 E PARK MANOR	NO REPORT	7/5/2012 20:10
DAMAGE TO PROPERTY - MDOP (OTHER)	5069 VINCENT TRL	CANCEL	8/6/2012 12:25
DISORDERLY CONDUCT (OTHER)	5267 25 MILE RD	NO REPORT	8/21/2012 10:28
B&E - BURGLARY - FORCED ENTRY - RESIDENCE - HOME INVASION	4938 PARK MANOR EAST	REPORT TAKEN	7/28/2012 11:59
DAMAGE TO PROPERTY - MDOP (OTHER)	5069 VINCENT TRL	REPORT TAKEN	8/5/2012 9:59
LARCENY (OTHER)	4882 25 MILE RD	REPORT TAKEN	9/14/2012 21:00
DAMAGE TO PROPERTY - MDOP (OTHER)	5091 VINCENT TRL	CLOSED	8/6/2012 11:09
SUSPICIOUS CIRCUMSTANCES	4718 HORSESHOE DR	NO REPORT	10/25/2012 20:22
DAMAGE TO PROPERTY - MDOP (OTHER)	4850 E PARK MANOR	REPORT TAKEN	11/2/2012 9:32
ASSAULT/ BATTERY/SIMPLE (INCL DOMESTIC AND POLICE OFFICER)	4850 E PARK MANOR 4125	CLEARED BY ARREST	11/21/2012 22:57
SUSPICIOUS CIRCUMSTANCES	SAINT RICHARD DR&S NOCTURNE LN	UNABLE TO LOCATE	12/1/2012 20:59
SUSPICIOUS CIRCUMSTANCES	5332 FIELDCREST DR	NO REPORT	6/4/2011 8:00
DAMAGE TO PROPERTY - MDOP (OTHER)	4865 N PARK MANOR	REPORT TAKEN	7/16/2011 21:00
LARCENY - PERSONAL PROPERTY FROM VEHICLE - LFA	5131 VINCENT TRL	REPORT TAKEN	7/27/2011 2:00
LARCENY - PERSONAL PROPERTY FROM VEHICLE - LFA	5134 SAINT RICHARD DR	REPORT TAKEN	7/26/2011 22:00
LARCENY - PERSONAL PROPERTY FROM VEHICLE - LFA	5109 VINCENT TRL	REPORT TAKEN	7/26/2011 21:00
DAMAGE TO PROPERTY - MDOP (OTHER)	5134 SAINT RICHARD DR	REPORT TAKEN	7/29/2011 11:00
MISSING PERSONS	5091 VINCENT TRL	NO REPORT	8/11/2011 7:49
DISORDERLY CONDUCT (OTHER)	4850 E PARK MANOR	NO REPORT	8/25/2011 3:07
DAMAGE TO PROPERTY - MDOP (OTHER)	55316 BELLE ROSE DR	REPORT TAKEN	9/11/2011 5:03
CSC 1ST DEGREE -PENETRATION PENIS/VAGINA	5231 SAINT RICHARD DR	REPORT TAKEN	10/31/2011 20:41
ASSAULT/ BATTERY/SIMPLE (INCL DOMESTIC AND POLICE OFFICER)	4882 25 MILE RD	NO REPORT	11/5/2011 14:58
LARCENY - PERSONAL PROPERTY FROM VEHICLE - LFA	4850 E PARK MANOR 4120	REPORT TAKEN	11/7/2011 8:03
ASSAULT/ BATTERY/SIMPLE (INCL DOMESTIC AND POLICE OFFICER)	4865 N PARK MANOR 2127	NO REPORT	11/13/2011 4:18
DISORDERLY CONDUCT	4713 HORSESHOE DR	CLEARED BY ARREST	12/9/2011 3:06

DAMAGE TO PROPERTY - MDOP (OTHER)	4713 HORSESHOE DR	NO REPORT	11/22/2011 19:15
LARCENY (OTHER)	4938 E PARK MANOR	REPORT TAKEN	11/29/2011 11:06
SUSP AUTO, PH,	5075 25 MILE RD	NO REPORT	2/27/2013 16:00
SEX OFFENDER R	4938 E PARK MANOR	CLOSED	3/6/2013 22:22
LARCENY (OTHER)	55355 E NOCTURNE LN	REPORT TAKEN	5/8/2011 12:00
SUSP AUTO, PH,	4850 E PARK MANOR 4205	NO REPORT	4/4/2013 16:45
LARCENY	4850 E PARK MANOR 4321	REPORT TAKEN	3/19/2013 13:48



CITY COUNCIL AGENDA ITEM

Date: April 9, 2013

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic & Community Development
R. Brent Savidant, Planning Director

Subject: PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (File Number: ZOTA 245) – Sober Living Facilities

The text amendment will regulate sober living facilities in the City of Troy, including a definition for sober living facilities. Sober living facilities with 6 or fewer residents are treated as single family residential uses, similar to adult foster care small group homes. Sober living facilities with 7 or more residents are permitted subject to special use approval in the R-1A through R-1E, RT, MR, UR, IB and OM districts. As such, they will require special use approval by Planning Commission, including submission of a Preliminary Site Plan and meeting all related standards for sober living facilities.

The attached memos prepared by Carlisle\Wortman Associates, Inc. provide additional background.

The Planning Commission discussed this item at four public meetings. The Planning Commission held a public hearing on this item on March 26, 2013, and recommended approval of the text amendment.

Attachments:

1. Zoning Ordinance Text Amendment Public Hearing Draft
2. Report prepared by CWA dated February 6, 2013
3. Report prepared by CWA dated March 8, 2013
4. Planning Commission minutes from March 26, 2013 Special/Study meeting (excerpt)

CITY OF TROY

AN ORDINANCE TO AMEND
CHAPTER 39 OF THE CODE
OF THE CITY OF TROY
CITY COUNCIL PUBLIC HEARING DRAFT

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 39, Zoning Ordinance, of the Code of the City of Troy.

Section 2. Amendment

Chapter 39 of the Code of the City of Troy is amended as follows

Add the following definition to Section 2.02 DEFINITIONS:

SOBER LIVING FACILITY: A temporary residential living arrangement for seven (7) or more adult persons leaving an institutional setting recovering from drug or alcohol addiction and in need of a supportive living arrangement in order to readjust to living outside the institution. These are persons who are receiving therapy and counseling from licensed or certified professional staff and trained non-professional or paraprofessional support staff who are present when residents are present, to help them recuperate from the effects of drug or alcohol addiction. Sober living facility may provide limited supportive services to residents only, including: mental health services; clinical rehabilitation services; social services; financial management services; legal services; and other similar supportive services. Residency is limited to a specific number of weeks or months, typically 24 months or less. This definition does not constitute halfway houses for those released from prison or a homeless situation.

Add the following to Section 4.21 SCHEDULE OF USE REGULATIONS:

Institutional

	R1A- R1E	RT	MF	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
<u>Sober Living Facilities</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

Add Section 6.33 to read as follows:

SECTION 6.33 SOBER LIVING FACILITIES:

- A. Sober Living Facilities serving six (6) persons or less. A Sober Living Facility serving six (6) persons or less shall be considered a single-family use of property.
- B. Sober Living Facilities serving seven (7) or more adult persons.
 - 1. All residents shall be eighteen (18) years of age or older.
 - 2. Frontage on either a major or minor arterial street shall be required.
 - 3. Appropriate licenses with the State of Michigan shall be maintained.
 - 4. The subject parcel shall meet the minimum lot area requirements for the zoning district in which it is located provided there is a minimum site area of twenty-five hundred (2,500) square feet per adult, excluding employees and/or caregivers.
 - 5. Facilities may include ancillary facilities such as multi-purpose recreational rooms and meeting rooms.

Add the following to Table 13.06-A to read as follows:

Institutional and Places of Gathering

<u>Sober Living Facilities</u>	<u>1 space for each 1 per bed and 1 space per employee and/or caregiver at largest shift</u>
--------------------------------	--

Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

This amendment to the Zoning Ordinance shall take effect seven (7) days after publication, which shall be published within 15 days of adoption, as required the Michigan Zoning Enabling Act (Act 110 of 2006).

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, 2013.

Dane Slater, Mayor

Aileen Bittner, City Clerk



CARLISLE

WORTMAN
associates, inc.

605 S. Main Street, Ste. 1
Ann Arbor, MI 48104

(734) 662-2200

(734) 662-1935 Fax

MEMORANDUM

TO: R. Brent Savidant, AICP, Planning Director

FROM: Ben Carlisle, AICP

DATE: February 6, 2013

RE: Sober Living Zoning Ordinance Amendments

An organization, Great Lakes Recovery Community, is interested in using a property in Troy as a structured and professionally administered residential treatment facility to serve infirmed persons suffering from a primary substance use disorder diagnosis or dual diagnoses of substance use disorder/addiction and psychiatric illness. The use is not specifically listed in the Schedule of Regulations of the City of Troy Zoning Ordinance.

Section 4.05 of the Zoning Ordinance gives the Zoning Administrator the authority to determine which district a use is permitted in. The Zoning Administrator may refer a proposed use to the Planning Commission for determination of the appropriate district(s) in which said use may be permitted. Furthermore, the Adult Foster Care Facility Licensing Act, 218 of 1979, clearly states that an establishment commonly described as an alcohol or a substance abuse rehabilitation center is not classified as an adult foster care facility. Thus this type of facility is not defined nor regulated under that act. Though the applicant notes they are working with the State, currently this is essentially a non-state regulated group home facility. However, since persons recovering from alcohol and drug addiction are considered to be handicapped, they have certain protections under the Americans with Disabilities Act and the Federal Fair Housing Act. Thus, any regulation that treats sober living homes less favorably than similar uses may be considered exclusionary and difficult to justify.

On January 22, 2013 the Planning Commission met to discuss the interpretation and appropriate districts of such use. After lengthy discussion, the Planning Commission directed staff to define the use; add the use to the schedule of uses (Section 4.21) as not-permitted, permitted, or special use based on appropriateness in each district; and add any necessary specific use regulations. This memo is a recommendation of draft language based on the best practices and the direction of the Planning Commission:

BEST PRACTICES:

Zoning studies and associated regulations for sober living or recovery centers were limited. Through research we identified three communities that defined similar uses and adopted associated regulations:

Saint Paul, Minnesota

The City Council directed a Sober House Zoning Study in May 2005, after the Council was informed that the number of sober houses locating in the city was on the rise. The study found that similar to Troy, the Ordinance did not list the use nor provide a similar use. As a result of the study, the City Council passed an ordinance addressing the following:

- Added definition:

A dwelling unit occupied by more than four persons, all of whom are in recovery from chemical dependency and considered handicapped under the Federal Fair Housing Act Amendments of 1988. It provides a non-institutional residential environment in which the residents willingly subject themselves to written rules and conditions, including prohibition of alcohol and drug use (except for prescription medications obtained and used under medical supervision), intended to encourage and sustain their recovery. The residents of a sober house are similar to a family unit, and share kitchen and bathroom facilities and other common areas of the unit. Sober houses are financially self-supporting. This definition does not include facilities that receive operating revenue from governmental sources. Sober houses do not provide on-site supportive services to residents, including the following: mental health services; clinical rehabilitation services; social services; medical, dental, nutritional and other health care services; financial management services; legal services; vocational services; and other similar supportive services.

- Added application procedure
- Limited sober houses in residential districts to ten or less residents
- Requires a Special Use for any facility over 17 residents
- Incorporated parking standards of 1.5 parking space per resident
- Created minimum lot area as the minimum lot area of the district plus 800 sq/ft per resident
- Set concentration distance: No sober living facility may be located within 300 of another

Los Angeles, CA

In 2011, Los Angeles adopted an ordinance that defined sober houses and similar facilities as “Alcoholism or Drug Abuse Recovery or Treatment Facility.” Defined as *any premises, place or building licensed by the State of California that provides 24-hour residential nonmedical services to adults who are recovering from problems related to alcohol, drug or alcohol and drug misuse or abuse, and who need alcohol and drug recovery treatment or detoxification services.* In addition to the definition, the ordinance adopted the following standards:

- If located in residential neighborhood, the facility is consistent with the residential character
- Security lighting must be shielded
- Occupancy limit of two residents for every bedroom

Champaign County, IL

In 2010, the County adopted an ordinance allowing recovery centers. These facilities were limited to agricultural zoning districts as a special use and they must be operated by and located on the same property as a church or temple. The following additional standards were adopted:

- Must be served by public transportation

- The maximum number of residents allowed at one time shall be the smaller of the following numbers:
 - 10% of the maximum occupancy of the main worship area of the associated church or temple
 - 30 persons
- The minimum required lot area shall be:
 - 20,000 square feet if served by a connected to sanitary sewer system
 - 30,000 square feet plus 7,000 square feet per resident if not served by a connected sanitary sewer system
- Facility shall include 24 hour supervision

It appears that these regulations were adopted for a specific property and/or applicant.

Shelby Township:

Great Lakes Recovery Center operates a six-woman facility in Shelby Township, which the Planning Commission visited. I contacted Glenn Wynn, Planning Director of Shelby Township. Mr. Wynn was not aware of the facility and noted that there are no specific use and regulations of this facility in the ordinance. Since they are under seven (7) persons, they are considered a State Regulated Adult Residential facility. Mr. Wynn also noted that they have not received any complaints or any correspondence from the neighborhood regarding the use.

TROY ZONING AMENDMENT:

Based on the direction of the Planning Commission and review of best practices, we recommend naming these facilities “recovery center” and adding following zoning amendments:

Definition:

Recovery Center: A temporary residential living arrangement for seven (7) or more persons leaving an institutional setting recovering from drug or alcohol addiction and in need of a supportive living arrangement in order to readjust to living outside the institution. These are persons who are receiving therapy and counseling from support staff who are present when residents are present, to help them recuperate from the effects of drug or alcohol addiction. Recovery center may provide limited supportive services to residents only, including: mental health services; clinical rehabilitation services; social services; financial management services; legal services; and other similar supportive services. Residency is limited to a specific number of weeks or months. This definition does not constitute halfway houses for those released from prison or a homeless situation.

The intent of the definition is to distinguish between recovery center and more service-intensive, government-licensed housing facilities occupied by residents with a higher level of dependence, and to reduce the existing lack of clarity about what constitutes a “legitimate” recovery center. This definition would not include dwelling units occupied by six (6) or less residents, which are covered by the standard definition of family, and by-right in single-family residential.

Use Table:

	R1A-R1E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Recovery Center	S	S	S	S	NP	NP	NP	NP	NP	S	NP	S	NP	NP	NP
For Comparison Purposes only															
Senior assisted/independent living	P	P	P	P	NP	P	NP	P	P	P	NP	P	NP	NP	NP
Multiple-family dwellings (2-8 stories)	NP	NP	P	P	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP
Convalescent centers	NP	NP	S	S	NP	P	NP	P	P	P	P	P	NP	NP	NP
Adult foster care, family home	P	P	P	P	P	P	NP								
Adult foster care, Small group home	S	S	S	S	S	S	NP								
Adult foster care, large group home	S	S	S	S	S	S	NP								
Adult foster care, congregate facility	S	S	S	S	S	S	NP								

Specific Use Provisions:

Recovery Center:

- A. Recovery Center serving six (6) persons or less. A Recovery Center serving six (6) persons or less shall be considered a single-family use of property.
- B. Recovery Center Adult serving between seven (7) or more persons.
 1. A site plan, prepared in accordance with Article 8 shall be required to be submitted.
 2. Frontage on either a major or minor arterial street shall be required.
 3. Parking: 1 space per bed and (1) off-street parking space per employee and/or caregiver at largest shift shall be provided.
 4. Appropriate licenses with the State of Michigan shall be maintained.
 5. The subject parcel shall meet the minimum lot area requirements for the zoning district in which it is located provided there is a minimum site area of twenty-five hundred (2,500) square feet per adult, excluding employees and/or caregivers.
 6. Facility may include ancillary facilities are allowed such as multi-purpose recreational rooms and meeting rooms.

Benjamin R. Carlisle

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



CARLISLE

WORTMAN
associates, inc.

605 S. Main Street, Ste. 1
Ann Arbor, MI 48104

(734) 662-2200
(734) 662-1935 Fax

MEMORANDUM

TO: R. Brent Savidant, AICP, Planning Director

FROM: Ben Carlisle, AICP

DATE: March 8, 2013

RE: Sober Living Zoning Ordinance Amendments

On February 12, the Planning Commission first considered zoning language regarding sober living facilities. The revised language below considers the comprehensive discussion between staff and the Planning Commission, as well as input from a Sober Living facility provider. Changes to the zoning ordinance language since the February 12 consideration is either underlined or ~~struckthrough~~ accordingly.

Please remember that since persons recovering from alcohol and drug addiction are considered to be disabled, they have certain protections under the Americans with Disabilities Act and the Federal Fair Housing Act. Thus, any regulation that treats sober living homes less favorably than similar uses may be considered exclusionary and difficult to justify. See our February 6, 2013 memo for more details regarding project background and zoning best practices.

If the Planning Commission agrees with the following Zoning Ordinance language, a public hearing will be scheduled.

TROY ZONING AMENDMENT:

Based on the direction of the Planning Commission and review of best practices, we recommend adding the following definition and zoning provisions:

Definition:

Sober Living Facility ~~Recovery Center~~: A temporary residential living arrangement for seven (7) or more adult persons leaving an institutional setting recovering from drug or alcohol addiction and in need of a supportive living arrangement in order to readjust to living outside the institution. These are persons who are receiving therapy and counseling from licensed or certified professional staff and trained non-professional or paraprofessional support staff who are present when residents are present, to help them recuperate from the effects of drug or alcohol addiction. Recovery center may provide limited supportive services to residents only, including:

mental health services; clinical rehabilitation services; social services; financial management services; legal services; and other similar supportive services. Residency is limited to a specific number of weeks or months, typically 24 months or less. This definition does not constitute halfway houses for those released from prison or a homeless situation.

The intent of the definition is to distinguish between sober living facility and more service-intensive, government-licensed housing facilities occupied by residents with a higher level of dependence, and to reduce the existing lack of clarity about what constitutes a “legitimate” sober living facility. This definition would not include dwelling units occupied by six (6) or less residents, which are covered by the standard definition of family, and by-right in single-family residential.

Use Table:

	R1A-R1E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Recovery Center	S	S	S	S	NP	NP	NP	NP	NP	S	NP	S	NP	NP	NP
For Comparison Purposes only															
Senior assisted/independent living	P	P	P	P	NP	P	NP	P	P	P	NP	P	NP	NP	NP
Multiple-family dwellings (2-8 stories)	NP	NP	P	P	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP
Convalescent centers	NP	NP	S	S	NP	P	NP	P	P	P	P	P	NP	NP	NP
Adult foster care, family home	P	P	P	P	P	P	NP								
Adult foster care, Small group home	S	S	S	S	S	S	NP								
Adult foster care, large group home	S	S	S	S	S	S	NP								
Adult foster care, congregate facility	S	S	S	S	S	S	NP								

Specific Use Provisions:

Recovery Center:

- A. Recovery Center serving six (6) persons or less. A Recovery Center serving six (6) persons or less shall be considered a single-family use of property.
- B. Recovery Center Adult serving between seven (7) or more adult persons.

1. A site plan, prepared in accordance with Article 8 shall be required to be submitted.
 2. All residents must be eighteen (18) years of age or older.
 3. Frontage on either a major or minor arterial street shall be required.
 4. Parking: 1 space for each 1 per bed and (1) off-street parking space per employee and/or caregiver at largest shift shall be provided.
 5. Appropriate licenses with the State of Michigan shall be maintained.
 6. The subject parcel shall meet the minimum lot area requirements for the zoning district in which it is located provided there is a minimum site area of twenty-five hundred (2,500) square feet per adult, excluding employees and/or caregivers.
 7. Facility may include ancillary facilities are allowed such as multi-purpose recreational rooms and meeting rooms.
-



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

ZONING ORDINANCE TEXT AMENDMENT

12. **PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 245) – Sober Living Facilities**

Mr. Carlisle gave an update on the proposed Zoning Ordinance Text Amendment, confirming recent revisions made at the suggestions of Board members and sober living facilities in the area.

Mr. Savidant informed the Board that the proposed text was revised to correct any reference to “recovery center” to “sober living facility”.

Mr. Carlisle said with approval tonight, the process going forward would be:

- Announcement of Public Hearing at City Council, April 8.
- City Council Public Hearing, April 15.
- With City Council approval, text language would be in effect 10 days after adoption.
- Applicant would proceed with Rezoning Request and Special Use Approval on potential site.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2013-03-027

Moved by: Kempen

Seconded by: Schepke

RESOLVED, That the Planning Commission hereby recommends to the City Council that Articles 2, 4, 6, and 13 of Chapter 39 of the Code of the City of Troy, which includes provisions related to sober living facilities, be amended as printed on the proposed Zoning Ordinance Text Amendment.

Yes: All present (5)

Absent: Edmunds, Sanzica, Strat, Tagle

MOTION CARRIED

Mr. Schultz said he believes the City is “putting the cart before the horse” because sober living facilities are not recognized by the State of Michigan. He indicated his affirmative vote is to allow the item to go forward due to the absence of four Board members this evening.

**TROY CITY COUNCIL
REGULAR MEETING**

April 15, 2013

7:30 p.m.

PUBLIC HEARING

**Zoning Ordinance Text Amendment
(File # ZOTA 245)**

Sober Living Facilities

ITEM #E-01

ZOTA 245 SOBER LIVING FACILITIES

- Presently not permitted in Troy
- Initiated by Planning Commission – Need
- Planning Commission considered input from:
 - Great Lakes Recovery Community
 - Other private sober living facility providers
- Planning Commission visited a sober living facility in Shelby Township

Michigan Zoning Enabling Act Act 110 of 2006, as amended

A zoning ordinance...shall not have the effect of totally prohibiting the establishment of a land use within a local unit of government in the presence of a demonstrated need for that use within either that local unit of government or the surrounding area...unless a location within the local unit of government does not exist where the use may be appropriately located or the use is unlawful.

MCL 125.3207

DEFINITION OF SOBER LIVING FACILITY:

A temporary residential living arrangement for seven (7) or more adult persons leaving an institutional setting recovering from drug or alcohol addiction and in need of a supportive living arrangement in order to readjust to living outside the institution. These are persons who are receiving therapy and counseling from licensed or certified professional staff and trained non-professional or paraprofessional support staff who are present when residents are present, to help them recuperate from the effects of drug or alcohol addiction. Sober living facility may provide limited supportive services to residents only, including: mental health services; clinical rehabilitation services; social services; financial management services; legal services; and other similar supportive services. Residency is limited to a specific number of weeks or months, typically 24 months or less. This definition does not constitute halfway houses for those released from prison or a homeless situation.

A SOBER LIVING FACILITY IS NOT:

- Halfway House
- Correctional Facility
- Homeless Shelter
- Boarding House
- Day Care Facility
- Group Home
- Medical Clinic
- Medical Marijuana Dispensary
- Methadone Clinic

SIMILAR FACILITIES WITH 6 OR FEWER RESIDENTS WOULD BE REGULATED THE SAME AS A SINGLE FAMILY HOME

- Functional equivalent of domestic family
- Consistent with case law
- Similar to:
 - Foster Care Family Homes
 - Adult Foster Care Small Group Homes
 - Family Day Care Homes

SOBER LIVING FACILITIES WOULD BE PERMITTED SUBJECT TO SPECIAL USE APPROVAL IN THE FOLLOWING ZONING DISTRICTS:

- R-1A through R-1E One Family Residential District
- RT Two Family Residential District
- MF Multiple Family District
- UR Urban Residential District
- IB Integrated Industrial and Business District
- OM Office Mixed Use District

•**Similar to:**

- Adult Foster Care Group Homes
- Senior Assisted/Independent Living Homes
- Adult Day Care Center

**SOBER LIVING FACILITIES REQUIRE
SPECIAL USE APPROVAL**

ALL SPECIAL USES REQUIRE THE FOLLOWING:

- Planning Commission Public Hearing
- All Property Owners within 300 feet notified by mail
- Meeting Notice published in newspaper
- Sign placed on property
- Application must meet all Discretionary and Non-Discretionary Standards

SOBER LIVING FACILITIES MUST MEET THE FOLLOWING NON-DISCRETIONARY STANDARDS:

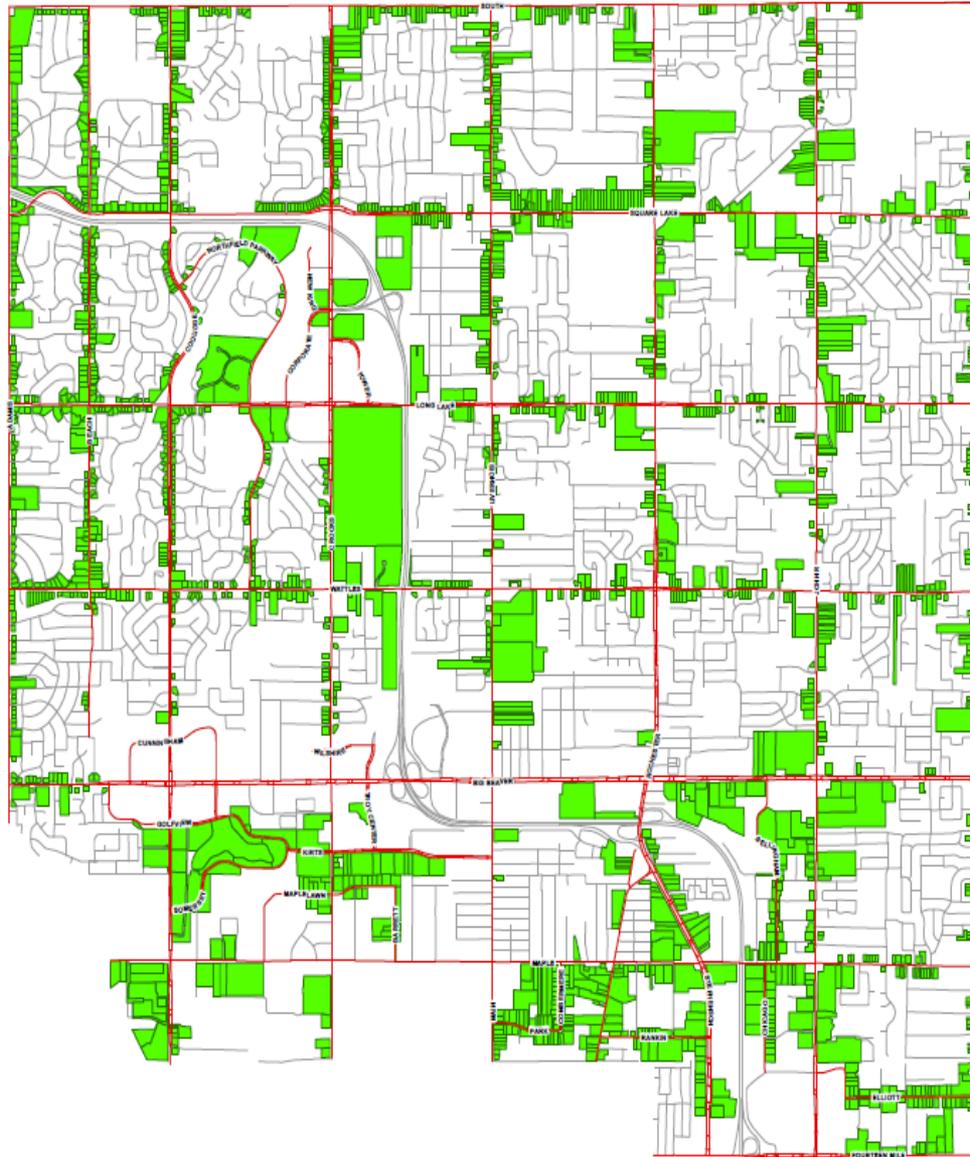
A. All residents shall be eighteen (18) years of age or older.

B. Frontage on either a major or minor arterial street shall be required.

C. Appropriate licenses with the State of Michigan shall be maintained.

D. The subject parcel shall meet the minimum lot area requirements for the zoning district in which it is located provided there is a minimum site area of twenty-five hundred (2,500) square feet per adult, excluding employees and/or caregivers.

E. Facilities may include ancillary facilities such as multi-purpose recreational rooms and meeting rooms.



Legend

- Potential Sober Site
- Major and Minor Arterial Road

**Potential Sites -
Sober Living Facilities**



ty Council Meeting

ALL SPECIAL USES MUST MEET THE FOLLOWING DISCRETIONARY STANDARDS:

1. Compatibility with Adjacent Uses
2. Compatibility with the Master Plan
3. Traffic Impact
4. Impact on Public Services
5. Impact on the Overall Environment

PLANNING COMMISSION SHALL ALSO CONSIDER THE FOLLOWING FACTORS:

- 1.The nature and character of the activities, materials, equipment, or conditions of operation; either specifically or typically associated with the use.
- 2.Vehicular circulation and parking areas.
- 3.Outdoor activity, storage and work areas.
- 4.Hours of operation.
- 5.Production of traffic, noise, vibration, fumes, odors, dust, glare and light.

SUMMARY:

1. Zoning Ordinance does not currently have any standards or regulatory review process for use
2. Locations are limited by zoning districts and discretionary/non-discretionary standards
3. Use is similar to other uses permitted in Zoning Ordinance
4. Sober Living Facilities require Special Use Approval

A. PUBLIC HEARINGS:**E-1 Zoning Ordinance Text Amendment (File Number: ZOTA 245) - Sober Living Facilities**

The Mayor **OPENED** the Public Hearing. Comment was received from Marv Reinhardt, Tom Telotte, and Paul Smith.

The Meeting **RECESSED** at 8:29 PM.

The Meeting **RECONVENED** at 8:36 PM.

The Mayor **CLOSED** the Public Hearing after receiving additional comment from David Lord and Gordon Schepke.

Resolution
Moved by McGinnis
Seconded by Fleming

RESOLVED, That Articles 2, 4, 6, and 13 of Chapter 39 of the Code of the City of Troy, pertaining to permitting sober living facilities within specified zoning districts by special use approval, including provisions related to a definition for and specific standards related to sober living facilities, be **AMENDED** to read as written in the proposed Zoning Ordinance Text Amendment (ZOTA 245), City Council Public Hearing Draft, as recommended by the Planning Commission.

Resolution to Postpone Item E-01 to the May 13, 2013 City Council Meeting

Resolution #2013-04-077
Moved by Slater
Seconded by Henderson

RESOLVED, That Item E-01 Zoning Ordinance Text Amendment (File Number: ZOTA 245) - Sober Living Facilities be **POSTPONED** until the next Regular City Council Meeting on May 13, 2013.

Yes: Fleming, Henderson, McGinnis, Pennington, Tietz
No: None
Absent: Campbell

MOTION CARRIED

F. POSTPONED ITEMS:

H-1 Postponed Public Hearing – ZOTA 245 Sober Living Facilities

Moved by
Seconded by

RESOLVED, That Articles 2, 4, 6, and 13 of Chapter 39 of the Code of the City of Troy, pertaining to permitting sober living facilities within specified zoning districts by special use approval, including provisions related to a definition for and specific standards related to sober living facilities, be **AMENDED** to read as written in the proposed Zoning Ordinance Text Amendment (ZOTA 245), City Council Public Hearing Draft, as recommended by the Planning Commission.

Vote on Resolution to Remand Item H-1 Postponed Public Hearing – ZOTA 245 Sober Living Facilities to the Planning Commission

Resolution #2013-05-087
Moved by Slater
Seconded by Campbell

RESOLVED, That Troy City Council **REMANDS** Item H-1 Postponed Public Hearing – ZOTA 245 Sober Living Facilities to the Planning Commission for further study.

Yes: All-7
No: None

MOTION CARRIED

From: [Brent Savidant](#)
To: [Brian M. Kischnick](#); [Mark F. Miller](#); [Lori G. Bluhm](#)
Subject: FW: Questions about tonight's agenda
Date: Monday, May 13, 2013 2:50:03 PM
Attachments: [sober_living_20130513105150.pdf](#)

My responses are in red.

From: Brian M Kischnick
Sent: Monday, May 13, 2013 1:24 PM
To: Brent Savidant
Cc: Mark F Miller
Subject: FW: Questions about tonight's agenda

Here you go.....

Brian M. Kischnick
Troy City Manager
(989) 233-7335



From: Maureen McGinnis [<mailto:mmcginnis@dmcginnis.com>]
Sent: Monday, May 13, 2013 1:01 PM
To: Brian M Kischnick
Cc: Lori G Bluhm; Dane Slater
Subject: Questions about tonight's agenda

Brian:

I have a few questions about items on the agenda tonight. I am not expecting staff to spend the afternoon researching and preparing a written response, however, I wanted to at least apprise you of some things that I may bring up during the meeting so that answers are available. Based on additional information that council received directly from Paul Smith, Great Lakes Recovery, I have noticed a discrepancy between the definition of sober living facilities provided by our staff in a power point and Mr. Smith in his description of the Level III facility he hopes to bring to Troy. I have attached the two contradicting descriptions to this email. Are these considered half way houses or not? **No, they are not.** Will these facilities be available to persons that are directed to stay in a half way house under a court order? **The definition of "sober living facility" specifically mandates that these are not halfway houses.**

Also, was there any other discussion with the Planning Department that is referenced in minutes anywhere? It is noted that they discussed this on four occasions but no other votes were taken. Specifically, the approval that came from the Planning Commission occurred at a meeting when four members were absent and that one of the five remaining members that supported it

specifically stated that he didn't support the ordinance because he believed that it "put the cart before the horse" but was voting in favor to move the item forward in spite of the absence of four members. Do you know what the position of the other four members is? I can only speak anecdotally since as you indicated there are no other Planning Commission votes on record. Planning Commission support for these facilities, conceptually, was unanimous. The member who stated the "cart was before the horse" said so because presently there are no State licensing requirements specifically for sober living facilities. I believe he supports these types of facilities in general. Staff would not have continued to move this forward as written had the Planning Commission not supported the language.

I also noticed that it appears that the facility in Shelby that is referenced is a six person facility where all females reside. Is this correct? I believe it was a women's facility.

If it is, does this mean that Shelby does not have an ordinance at all and that the sober living facilities are operating under the state law that governs homes with six people or less? A representative of the Planning Department called Shelby Township Planning Department and they did not know there was a sober living facility at that location. During the conversation, they indicated that they did not regulate facilities that were for 6 residents or fewer. If this is the case, it would seem that the "need" can be met with the ability to establish a sober living facility with six or less residents.

I think that one of my main concerns is that there is no limit to how big the facility could be if the right amount of square footage is acquired, aside from the specific details that would be considered during the special use approval process.

My final two questions on this topic are geared more to the legal aspect of things, which is why I included Lori on this email:

- 1.) What is the legal definition of what constitutes a "need" as referred to in MCL 125.3207? Does one inquiry constitute a need, as it appears to in this case? It is specifically noted in our materials that zoning studies and regulations for sober living facilities were limited in terms of reference materials, therefore whatever we end up doing with set precedence for others. I am not necessarily against this but want to make sure we are covering all of our bases, especially if we are setting precedence.
- 2.) I noticed in other city ordinances, they had language in the ordinance that requires that the "facility must be consistent with residential character if in a residential neighborhood" and that the "facility shall include 24 hour supervision". Was there a reason that we decided not to include those in our proposed ordinance? I know that most of this will be looked at during the special approval process but anything that we can do to outline our expectations will put the public at ease. I sometimes visit these types of facilities to meet with clients, which did as recently as last Friday in Royal Oak. The facility was not consistent with the residential character of the rest of the neighborhood, which I assume would have an impact on the other properties on the street. Anything that we can do to ensure that this is considered/enforced would be better for everyone in the long run.

I apologize for sending this today. I also have some questions about the hookah lounges- I am

hoping we will have more of a chance to discuss at the meeting. Can you let us know what happened at one of the lounges recently, as it mentioned in the agenda packet? Are we mandated to allow these by ordinance at all? Or is this an issue where we have no choice because they are recognized by the state and the best that we can do is regulate??

Please feel free to contact me to discuss if it is easier than putting something in writing.

Sincerely,
Maureen

A SOBER LIVING FACILITY IS NOT:

- Halfway House
- Correctional Facility
- Homeless Shelter
- Boarding House
- Day Care Facility
- Group Home
- Medical Clinic
- Medical Marijuana Dispensary
- Methadone Clinic

Level 0.5: Early Intervention

Level I: Outpatient Services

Level II: Intensive Outpatient (IOP)/Partial Hospitalization (PH) Services

Level III: Residential/Inpatient Services

Level IV: Medically Managed Intensive Inpatient Services

GLRC Sober Living treatment facilities provide Level III Residential Services.

Level 0.5: Early Intervention

- Psychoeducation, designed to increase awareness and decrease likelihood of use developing into disorder.

Level I: Outpatient Services

- Non-residential services, typically delivered in an outpatient psychiatric or counseling center or private practice
- Treatment Sessions:
 - Frequency - 1 to 2 times weekly
 - Length of Sessions – 60 to 90 minutes
- Length of Stay – 16 to 20 weeks

Level II: Intensive Outpatient (IOP)/Partial Hospitalization (PH) Services

Intensive Outpatient

- Non-residential services, typically delivered in an outpatient psychiatric or counseling center or private practice
- Treatment Sessions:
 - Frequency - 3 to 4 times weekly
 - Length of Sessions – 90 minutes to 3 hours
- Length of Stay – 4 to 6 weeks

Partial Hospitalization

- Non-residential services, typically delivered in an outpatient hospital setting
- Treatment Sessions:
 - Frequency - 5 times weekly
 - Length of Sessions – 6 hours
- Length of Stay – 4 to 6 weeks

Level III: Residential/Inpatient Services

SOBER LIVING FACILITIES

Level III.1: Clinically Managed Low-Intensity Residential Treatment

Level III.3: Clinically Managed Medium-Intensity Residential Treatment

Level III.5: Clinically Managed High-Intensity Residential Treatment

For Low Intensity:

- Residential setting (Transitional/Sober Living "Home" Facility, Three-Quarter House) PLUS outpatient level of care
- Length of Stay – 6 to 24 months

For Medium and High Intensity:

- Residential setting (Transitional/Sober Living "Home" Facility, Halfway House) strong onsite treatment component
- Length of Stay – 3 to 12 months

Level III.7: Medically Monitored Inpatient Treatment

- Rehabilitation Unit or Center
- Length of Stay – 2 to 4 weeks, and up to 3 months

Level IV: Medically Managed Intensive Inpatient Services

- Hospital-based medical detoxification and psychiatric units
- Length of Stay – 3 to 10 days

The person in severe alcohol or drug dependence is often medically, cognitively, and psychiatrically unstable; experiences powerful and irresistible urges to use; and suffers from painful and potentially harmful withdrawal symptoms. Medically assisted detoxification (**Level IV**) is an important *initiation* or *first phase* in the treatment process for many persons with severe dual diagnosis. Many persons receive detoxification in an inpatient *hospital unit or treatment center*. Medications, nursing services, 24-hour supervision and monitoring, and brief psycho-education and counseling are provided. Treatment and care are based on the Medical Model. The person is taken out of a state of withdrawal, deprivation and unbalance, where immediate compulsive use is ceased (at least briefly), severely distressing anxiety, mood, or others psychiatric

From: [Brian M. Kischnick](#)
To: [Brent Savidant](#)
Subject: FW: Sober living facilities notes
Date: Tuesday, May 14, 2013 11:37:51 AM

See below

Brian M. Kischnick
Troy City Manager
(989) 233-7335



From: Dave Henderson [mailto:davehenderson@wideopenwest.com]
Sent: Tuesday, May 14, 2013 10:48 AM
To: Brian M Kischnick
Subject: Sober living facilities notes

Brian,

Here are my thoughts on SLF's for the planning commission. I'd like to see the following:

- 1) Frontage on a major street to be required (exclude minor arterial)
- 2) Parking: 1.5 spaces per bed and per employee or caregiver (instead of only 1, this was taken from another ordinance in the packet we received)
- 3) Minimum lot area requirements. Bump to 5,000 sq. ft. per adult, excluding care givers
- 4) There should be 24/7 supervision on site
- 5) Taken from another ordinance in the packet attached, SLF's shall not be located within 2 miles of each other
- 6) Lights out at midnight

Also, there was a memo to Chief Mayer from the Shelby Police Department in this packet dated April 25, 2013. It describes police runs in the area of the SLF in Shelby. I think this is an important bit of information as the planning commission re-reviews this item.

Thanks

Dave Henderson
Real Estate One - Troy
248-321-0151

From: [Tom Telotte](#)
To: [Dane Slater](#); [Dave Henderson](#); [Doug Tietz](#); [Ed Pennington](#); [Jim Campbell](#); [Maureen McGinnis](#); [Wade Fleming](#); [Brent Savidant](#)
Cc: [Cheryl Bowers](#); [Mike Faarup](#); [David Garvelink](#); [Ken Kunkel](#); [Kevin O'Hare](#); [Larry Dee](#); [Tim Meehan](#); [Ed P](#); [Paul Smith](#); [Phil Lewis](#); [Rob Wiedemann](#)
Subject: Re: Recovery Residence Information
Date: Tuesday, April 23, 2013 2:15:07 PM

Mayor Slater and Troy City Council Members,

In my first letter I provided some links to legal information that I hope may prove helpful. I would now like to go over a few issues that I see in the current language being proposed. I will address them one at a time.

First I'd like to acknowledge an error that I made in my first letter. I erroneously stated that a Councilperson had expressed concerns over the map that was displayed by Brent Savidant showing the proposed possible locations for recovery residences. Upon review of the videotape of the nights proceedings, I realized that that I was mistaken and that the comment actually came from a citizen who spoke regarding the issue and not from a Council member. My apologies to Council for the misquote.

So here are my issues with the proposed language:

1. "A temporary residential living arrangement for seven (7) or more adult persons leaving an institutional setting recovering from drug or alcohol addiction and in need of a supportive living arrangement in order to readjust to living outside the institution."

As discussed in my first letter the number of residents should be irrelevant if it conforms to standards applied to all other houses in a given area.

Also, while most people entering this environment come directly from a treatment center, I do occasionally get requests from others. For example, Someone might call me and say "I've been sober for several months but I'm going through some difficult times right now and I feel I need the extra support of a structured setting to maintain my sobriety." I wouldn't want that individual to be excluded. The bigger issue here is that some peer run homes are formed by people, some whom have perhaps never even been in a treatment center, but band together for mutual support. Homes operated on the Oxford House model may sometimes be like that.

The [Oxford House](#) network is worth discussing for a moment in that it now consists of a total of 1,612 individual recover residences with a combined total of 12,735 recovery beds based on their model of peer-run recovery homes. They would fall under the level I category on the [NARR standards chart](#). If you go to the [directory of their homes](#) and select Michigan from the drop-down list, you can see the homes that exist in this state. The point to notice here is that the occupancy for every home on the list is greater than seven, yet none of them would conform to the language currently being proposed to the council.

2. "These are persons who are receiving therapy and counseling from licensed or certified professional staff and trained non-professional or paraprofessional support staff who are present when residents are present, to help them recuperate from the effects of drug or alcohol addiction."

Persons living in recovery residences may or may not be receiving therapy or professional counseling. For many, the support of the structured, supportive environment along with working a twelve step program with a non-professional sponsor proves quite adequate to maintain long term abstinence from substance use. (See level I and II homes on the [NARR chart](#))

It is also not necessary for those who opt for professional counseling to have professionals on site. Many treatment centers refer clients to me with a post treatment recovery plan already laid out for the client including Intensive Outpatient Therapy (IOP) at a specified clinic in the area. Many utilize an off site therapist of their own choosing.

With Dr. Paul Smith's model, all of these services can be done on site because he has the professional staff on hand to provide them. This is not the case for many recovery residences.

3. "Frontage on either a major or minor arterial street shall be required"

This was discussed in my first letter. It's exclusionary and possibly even discriminatory. Unless it is worded to apply exclusively to certain types of full blown treatment centers or medical facilities which also provide long term housing on the same property and hence, require commercial parking areas or other regulation.

4. "The subject parcel shall meet the minimum lot area requirements for the zoning district in which it is located provided there is a minimum site area of twenty-five hundred (2,500) square feet per adult, excluding employees and/or caregivers."

Again, exclusionary unless it applies to ALL homes in the area.

5. The next item is not in the language itself, but is in reference to the Special Purpose requirement being proposed for these types of residences.

The requirement for notifying the neighborhood by letters and a sign on the property is the most bothersome of all. As mentioned in my first letter, persons with substance use disorders are considered to be handicapped by the federal government. Alcoholism is defined by the American Medical Association as a disease. By requiring this you are trampling the resident's right to medical privacy. It also raises several disturbing questions like:

- What is the purpose of the notification?
- Are people in recovery considered a danger to the neighborhood?
- Would then a single individual in recovery constitute a danger as well?

- What about two people living together in recovery?
- What is the number at which persons in recovery become a significant enough threat that it becomes necessary to warn the neighborhood of their presence? (According to this wording it's apparently seven, but six is safe).
- Perhaps we should have a national registry for persons in recovery?
- There are AA meetings that take place all over Troy that typically have dozens of persons in recovery present in one location at the same time. Do we need public hearings to approve such gatherings? Maybe we should have a SWAT team on high alert just in case they start to get "too recovered". (ok a little humor never hurts, it's a long boring letter after all)
- What about other handicapped groups?
- Should a blind, deaf or persons with other disabilities or diseases require yard signs, notifications, and public hearings to warn of their presence as well?

Ok, so you get the idea. Where do you draw the line here? This serves no more than to humiliate the residents of the recovery home and create controversy and unrest over unfounded fears. You are implying that there is some reason to be fearful of them. It is also a violation of their right to privacy and an extreme violation of the principal of anonymity of people in recovery, which is considered a sacred principle by twelve step groups around the world.

It seems to me that Troy does not need anymore needless controversy, especially the type that could be construed as discriminatory against a particular group.

Naturally Council would have some concerns about possible backlash from neighbors who have concerns about a recovery residence being located in their neighborhood. (N.I.M.B.Y. - Not in my back yard!) I understand the potential issues there. But you can always resort to the truth : That there are federal laws that supersede local governments and that the current policy of "We don't allow them in Troy" is, in fact, unlawful.

Like Dr. Smith, I would like to extend an invitation to the Council, Mayor, and Planning Commission members to visit my home in Rochester Hills. Meet the people who live there and see that they are folks just like you and I who are trying to improve their lives. (They have already agreed to this, so anonymity is not an issue) Quite frankly, they are a really great group of guys who would do just about anything to help you. They are certainly not a threat for which people need to be warned.

I hope that this issue will move forward with policies that make sense for the time we live in and reflect an atmosphere of respect, dignity and inclusiveness for all.

Thank you again for your time,

Tom Telotte
248-312-8866

From: "Smith, Paul" <psmith@pioneerounseling.com>

To: Tom Telotte <soulfreee2@yahoo.com>; Dane Slater <djlkslater@aol.com>; Dave Henderson <davehenderson@wideopenwest.com>; Doug Tietz <doug.tietz@troymi.gov>; Ed Pennington <ed.pennington@troymi.gov>; Jim Campbell <jim.campbell@troymi.gov>; Maureen McGinnis <mmcginnis@dmcginnis.com>; Wade Fleming <wade.fleming@troymi.gov>; Brent Savidant <SavidantB@troymi.gov>

Cc: Kevin O'Hare <kevin@touchstonerecoveryhomes.com>; Rob Wiedemann <robywiedemann@gmail.com>; Tim Meehan <tmeehan@comcast.net>; Ed P <ed@primeauproductions.com>; Mike Faarup <mikefaarup@yahoo.com>; Cheryl Bowers <stinescheryl@yahoo.com>

Sent: Friday, April 19, 2013 9:59 PM

Subject: RE: Recovery Residence Information

Mayor Slater and Council Members:

My name is Paul Smith. I spoke during the public hearing on Sober Living. I own and operate two Sober Living houses, one that was mentioned during Brent Savidant's presentation to the council and visited by several members of the City Planning Commission. This message and attached document serves to add to Tom Telotte's excellent arguments and supporting information.

My colleagues and I have worked with the City Planning Commission for nearly 4 months on the zoning and text amendment process regarding Sober Living Homes/Recovery Residences programs. To date there are nearly 500 sober living homes in Michigan. Sober Living has many names, including halfway house (for persons with substance use disorder, NOT for those transitioning out of prison), three quarter house, recovery residence, transitional living home or facility. The State of Michigan DCH, DCMH requires licensure, and broadly defines these programs as residential treatment with descriptive language in line with the Sober Living text amendment presented to the Council and public.

On February 18th, 2013, Elizabeth Knisely, Director of Michigan Bureau of Community Mental Health and Services visited our Sober Living home and was very pleased with the program. In fact, she was so impressed with the program that she asked that I send a Request for Proposal detailing the program and clinical and financial data. (THE RFP IS ATTACHED TO THIS EMAIL.) Here is the reply from the email I sent her with the attached RFP.

Paul,

Thank so much for sending the information ,and I too enjoyed the tour of your Sober Living Program and meeting your staff. I have shared with my leadership colleagues and we will discuss. I am hoping to get back with you in the next week, and thank you for all you do in the community.
liz

Elizabeth Knisely Director
Bureau of Community Mental Health and Services
Behavioral Health and Developmental Disabilities Administration
320 South Walnut Street
Lansing, Mi 48913

517 335 8401
Cell: 517 410 8712
Fax: 517 335 4798

In the RFP, on page 5, you will notice LEVEL OF CARE criteria established by the American Society of Addiction Medicine (ASAM). This criteria is used by government agencies, insurance companies, and private service delivery systems in 30 states. On page 5 you will see a highlighted box labeled SOBER LIVING FACILITIES for Level of Care LEVEL III Residential Services. LEVEL III has multiple sublevels of care from low intensity to high intensity. The Sober Living homes/Recovery Residences that Tom Telotte and I operate are within these levels of care (Tom's are LEVEL III.1 and mine are LEVEL.3 and LEVEL.5). The language describing Sober Living in the text amendment and zoning presented by Brent Savidant is accurate and was meant to be broad (not overly restrictive) so that multiple levels of care could be provided in the Troy communities.

I am extending an invitation to Mayor Slater and Council Members to visit our Sober Living homes so that all can review the program and speak with staff and any consenting person served. I am confident that, after all had a chance to review in-person our programs, there would be unanimous consensus that such programs are good and needed, that the presented text/language should be pasted as written, and all should move treatment forward for citizens suffering from severe substance use disorders.

If anyone would like any additional information or to discuss Sober Living or make a visit, then please reply to this email or call me at 586-747-0206.

Sincere Regards,

Paul Smith

From: Tom Telotte [soulfreee2@yahoo.com]
Sent: Thursday, April 18, 2013 12:39 PM
To: Dane Slater; Dave Henderson; Doug Tietz; Ed Pennington; Jim Campbell; Maureen McGinnis; Wade Fleming; Brent Savidant
Cc: Smith, Paul; Kevin O'Hare; Rob Wiedemann; Tim Meehan; Ed P; Mike Faarup; Cheryl Bowers
Subject: Recovery Residence Information

Greetings Mayor Slater and Troy City Council Members,

My name is Tom Telotte and I was at the city council meeting on Monday as an interested party in the discussion currently before the Council regarding recovery residences (sober living houses) in the City of Troy. I was the one who provided Councilman Henderson with the copies of the handout of the overview of the current recommended standards of the National Association of Recovery Residences ([NARR](#)) for the various levels of care typically provided by these types of residences. The full text of that document can be found here: [NARR Standards](#)

I wanted to thank you for the opportunity provided to address the Council and regret that, in the three minutes of time allotted, I wasn't able to share more information. Realizing that you are all busy and presumably have full lives outside of your duties and councilpersons, I have taken the time to prepare this email with some links to what you may find to be some valuable resources, and which I am hopeful will

provide some greater detail and insight into the subject, save you some research time, and aid you in clarifying some of the questions you may have regarding the operation and legal issues surrounding recovery residences.

Please understand that any information provided here is in the spirit of helpfulness and goodwill and not with any intent of malice, fear-mongering or intimidation.

This is probably one of the most important documents to consider in that it deals directly with the Supreme Court's decisions regarding the relationship of the Fair Housing Act, recovery residences (sober living houses), and local municipalities:

[Supreme Court Rules Cities Can't Bar Group Homes for Disabled](#)

Important points to remember:

- Alcoholics and addicts who are in recovery are considered handicapped by the federal government.
- No residential area can be placed off limits to any handicapped group.
- Occupancy limits or lot size restrictions cannot be placed on on any home unless the standard is applied to ALL homes in a given area. In other words, if a family of eight is allowed to occupy a four bedroom home, then a municipality can not prevent eight handicapped persons from doing the same in the same area.

(Disclaimer: I am not an attorney so feel free to correct me if my interpretation on any of this is inaccurate.)

This next article published by the American Bar Association sheds some further light on the subject and also discusses some possible remedies for local municipalities that encounter someone who is trying to abuse this protection. Yes it can happen but I'm not aware of any that are operation in such a way in this area and trust me, I would probably know if there were.

Remember that the recovery community is like a small town and word travels fast. Survival for a recovery residence depends on reputation and referrals from recovery centers such as Brighton Center for Recovery, Maplegrove, Eastwood Clinics, and Abaris Health Group (Dr Smith's counseling centers). They have their "ear to the ground" regarding the quality of houses to whom they refer clients. In other words, slumlords don't last long in the recovery community. We have a history of "policing our own" in that regard. (It is one of the main reasons that NARR is trying to get their standards established. As a safeguard to communities from slumlords moving in and abusing these protections).

[Fair Housing for Sober Living: How the Fair Housing Act Addresses Recovery Homes for Drug and Alcohol Addiction](#)

A couple of links to case histories regarding disputes between local governments and sober houses:

[http://www.fairhousing.com/index.cfm?
method=page.display&pagename=advocate_december02january03_page5](http://www.fairhousing.com/index.cfm?method=page.display&pagename=advocate_december02january03_page5)

<http://www.fairhousing.com/index.cfm?method=page.display&pageID=3387>

My recommendation would be to allow this to go forth without any additional language or description in the city code as none is really needed. It has already been addressed by the highest court in the land and any attempts to over-regulate may potentially bring more legal problems than it solves.

In closing I would just like to say that persons such as Dr. Paul Smith, who has expressed an interest in starting such a facility in your community, and myself, should be regarded as friends and not adversaries of this Council. We are among those who are concerned about delivering meaningful, safe recovery environments to those who need it while being good and considerate neighbors to the community at large. Better to have folks with that mentality to set the standard than those at the other end of the spectrum.

I remember at the last council meeting that one Councilperson objected to the proposed language when he saw the map prepared by Brett Savidant saying that it covered too much territory for possible placement of recovery residences (the areas were shown in green). One thing I can tell you as a long term resident of this area, as a person in recovery, as someone deeply involved in sober living and the recovery community in general is this: If that had been a map depicting the families, neighborhoods and businesses in Troy that had been impacted negatively in some way by active drug or alcohol addiction, the entire city would have been colored green. And similarly, if it had been a map showing where the Federal Government would allow recovery residences, every residential area in the city would have been green.

While it may not be comfortable for some to admit, the truth is that Troy provides the greater Detroit area with its fair share of addicts and alcoholics, just like all communities do. A well run recovery residence can help reunite families, keep drunk drivers off the road, and return these individuals to healthy productive lives. It's time for Troy to also shoulder its share of the responsibility by allowing solutions to co-exist alongside the problem. Just my opinion.

I hope this information has been helpful. Feel free to contact me at any time if you have further questions or if I can be of help in any way. Thank you for your time.

Sincerely,

Tom Telotte
248-312-8866