

OFFICE OF THE COUNCIL

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33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2250
citycouncil@livonia.gov

OFFICE OF THE COUNCIL

**ELECTRONIC AGENDA PACKET FOR
THE PUBLIC HEARING OF
MONDAY, JULY 18, 2022
7:00 P.M.***

**The electronic agenda is compiled, produced and distributed
by the City Council Staff. (734) 466-2250**

The official documents are on file in the City Clerk's office.

PUBLIC HEARING AGENDA OF THE LIVONIA CITY COUNCIL
Monday, July 18, 2022
7:00 P.M.
Livonia City Hall Auditorium
33000 Civic Center Drive, Livonia, Michigan

AGENDA ITEM(S)

1. Appeal of the denial of the Planning Commission regarding Petition 2021-12-02-27 submitted by Maple Real Estate Group, L.L.C. requesting special waiver use approval to develop a Planned Residential Development consisting of an apartment complex made up of three (3) buildings and twenty-four (24) dwelling units, on the properties at 9106 and 9120 Middlebelt Road, located on the east side of Middlebelt Road between Joy Road and West Chicago Avenue in the Southwest ¼ of Section 36.
2. Appeal of the denial of the Planning Commission regarding Petition 2022-03-02-10 submitted by Excellerated Towing & Recovery requesting waiver use approval to operate a vehicle tow yard at 12780 Wayne Road, located on the east side of Wayne Road just south of Schoolcraft Road in the Northwest ¼ of Section 28.

AUDIENCE COMMUNICATION

SUSAN M. NASH, CITY CLERK

In accordance with Title II of the American with Disabilities Act as it pertains to access to Public Meetings, the City Clerk's Office of the City of Livonia, upon adequate notice, will make reasonable accommodations for persons with special needs. Please call (734) 466-2236 or email clerk@livonia.gov if you need assistance. **Council agendas are available on the City's website – www.livonia.gov - under Government, City Council, Agendas.**

CITY OF LIVONIA

NOTICE OF PUBLIC HEARING

A Public Hearing will take place before the Council of the City of Livonia on **MONDAY, JULY 18, 2022 at 7:00 P.M.**, in the Auditorium at City Hall, 33000 Civic Center Drive, Livonia, Michigan, with respect to the following item:

1. Appeal of the denial of the Planning Commission regarding Petition 2021-12-02-27 submitted by Maple Real Estate Group, L.L.C. requesting special waiver use approval to develop a Planned Residential Development consisting of an apartment complex made up of three (3) buildings and twenty-four (24) dwelling units, on the properties at 9106 and 9120 Middlebelt Road, located on the east side of Middlebelt Road between Joy Road and West Chicago Avenue in the Southwest $\frac{1}{4}$ of Section 36.
2. Appeal of the denial of the Planning Commission regarding Petition 2022-03-02-10 submitted by Excellerated Towing & Recovery requesting waiver use approval to operate a vehicle tow yard at 12780 Wayne Road, located on the east side of Wayne Road just south of Schoolcraft Road in the Northwest $\frac{1}{4}$ of Section 28.

SUSAN M. NASH, CITY CLERK

PUBLISH: Sunday, July 3, 2022



LETTER TO THE LIVONIA CITY COUNCIL

1.

Planning
May 26, 2022

MEETING DATE

July 18, 2022

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

Appeal of the denial of the Planning Commission regarding Petition 2021-12-02-27 submitted by Maple Real Estate Group, L.L.C. requesting special waiver use approval to develop a Planned Residential Development consisting of an apartment complex made up of three (3) buildings and twenty-four (24) dwelling units, on the properties at 9106 and 9120 Middlebelt Road, located on the east side of Middlebelt Road between Joy Road and West Chicago Avenue in the Southwest $\frac{1}{4}$ of Section 36.

BACKGROUND

May 26, 2022

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2021-12-02-27 - Maple Real Estate Group, L.L.C

Dear Council Members:

At the 1,187th Public Hearings and Regular Meeting held by the City Planning Commission on May 17, 2022, the following was:

RECOMMENDATION

RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on May 17, 2022, on Petition 2021-12-02-27, submitted by Maple Real Estate Group, L.L.C. requesting special waiver use approval to develop a Planned Residential Development pursuant to Section 5.02 of the Livonia Vision 21 Zoning Ordinance, consisting of an apartment complex made up of three (3) buildings and twenty-four (24) dwelling units, on the properties at 9106 and 9120 Middlebelt Road, located on the east side of Middlebelt Road between Joy Road and West Chicago Avenue in the Southwest $\frac{1}{4}$ of Section 36, the Planning Commission does hereby recommend to the City Council that Petition 2021-12-02-27 be approved subject to the following conditions:

1. That Site Plan, identified as drawing 1, dated May 9, 2022, as revised, prepared by Edwards Group International, Inc. is hereby approved and shall be adhered to.
2. That the Landscape Plan, identified as drawing OF, dated May 10, 2022 prepared by Edwards Group International, Inc. is hereby approved in concept, except that a final plan prepared by a

registered landscape architect shall be submitted to the Planning Department for approval prior to any construction, said plan shall include a continuous row of evergreen trees along the north and east property lines where the site abuts any single-family properties, and shall properly identify all proposed plants according to species, size and numbers.

3. That all disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding.

4. That underground sprinklers are to be provided for all landscaped and sodded areas and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition.

5. All parking spaces, except the required handicapped spaces, shall be doubled striped at ten feet (10') wide by twenty feet (20') in length as required.

6. That the Exterior Building Elevation Plans, identified as drawings 5 and 6, dated October 12, 2021, prepared by Edwards Group International, Inc. are hereby approved and shall be adhered to.

7. That the maximum height of any pole-mounted light fixtures shall be sixteen feet (16') and shall be located and shielded to prevent light trespass and glare on adjacent properties.

8. That the exterior walls of the trash enclosures shall be constructed out of the same brick used in the construction of the buildings, and the enclosure gates shall consist of solid panel steel or durable, long-lasting solid panel fiberglass.

9. That the Petitioner shall work in cooperation with the abutting residential property owners to avoid the issue of double-fencing along the subject site's property lines.

10. That the issues as outlined in the correspondence dated May 9, 2022, from the Fire Marshal, including the recommended width and vertical clearance of the roadway and the placement of fire hydrants, shall be resolved to the satisfaction of the Department of Public Safety, Livonia Fire and Rescue.

11. That this site shall meet either the City of Livonia or the Wayne County Storm Water Management Ordinance, whichever applies, and the developer shall secure any required permits, including storm water management permits, wetlands permits and soil erosion and sedimentation control permits.

12. The developer and all contractors and subcontractors shall employ best management practices to prevent, reduce and mitigate the problems associated with soil erosion and airborne dirt and dust from migrating off-site, including provisions for erosion control barriers, daily street sweeping, watering, and halting earthwork activities on days when the wind conditions are likely to cause a problem.

13. That only a conforming entrance marker is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.

14. That all required cash deposits, certified checks, irrevocable bank letters of credit and/or surety bonds shall be deposited with the City prior to the issuance of engineering permits; and

15. Pursuant to Section 13.13 of the Livonia Vision 21 Zoning Ordinance, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 of Livonia Vision 21 Zoning Ordinance.

A roll call vote was taken on the foregoing with the following result:

AYES: Caramagno, Smiley, McCue

NAYS: Bongero, Long, Wilshaw.

Chairman Wilshaw declared the resolution failed due to lack of a majority.

FISCAL CONSIDERATION

ATTACHMENTS

1. 2021-12-02-27_Maple Real Estate_E-COUNCIL Pkt

APPROVED BY



Mark Taormina, Planning and Economic Development Director

Date: May 26, 2022



Maureen Miller Brosnan, Mayor

Date: June 22, 2022

Petition 2021-12-02-27 submitted by Maple Real Estate Group, L.L.C. requesting special waiver use approval to develop a Planned Residential Development pursuant to Section 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, consisting of an apartment complex made up of three (3) buildings and twenty-four (24) dwelling units, on the properties at 9106 and 9120 Middlebelt Road, located on the east side of Middlebelt Road between Joy Road and West Chicago Avenue in the Southwest ¼ of Section 36.

THE GRANDON
APARTMENT COMMUNITY - LIVONIA, MICHIGAN

MAPLE REAL ESTATE GROUP
16030 Michigan Avenue, Suite 200, Dearborn Michigan 48126
Ph: (313) 846-6300 Fax: (313) 846-6358

May 20, 2022

Livonia City Council
c/o Livonia City Clerk
33000 Civic Center Drive
Livonia, Michigan 48154-3097

*Sent Via First Class USPS Mail
And By Personal Delivery*

Re: *Appeal to City Council
Petition 2021-12-02-27 – Maple Real Estate Group, LLC*

Dear Respected Livonia City Council Members,

On behalf of The Maple Real Estate Group, thank you for taking time to consider our current project for 9106 Middlebelt Rd, near Grandon Street (the "Property"). In accordance with Section 13.13(10) of the Livonia Vision 21 Zoning Ordinance, please let this letter serve as Maple Real Estate Group, LLC's appeal to City Council. Maple Real Estate Group, LLC requests that City Council review the proposed plan and requested waiver and ultimately reverse the conclusion of the Planning Commission and adopt the proposed resolution.

On or May 17, 2022 at the 1,187th Public Hearing and Regular Meeting held by the City Planning Commission, an approving resolution was offered regarding the above-referenced Petition. The roll call resulted in Three (3) Ayes and Three (3) Nays between the present and voting Commissioners.¹ The Commissioners appeared to discuss the possibility of changes to the proposal that would break the tie, but no progress was made. Ultimately, Chairman Wilshaw declared that the resolution failed due a lack of majority in favor of the resolution. A copy of the City Planning Commission's May 18, 2022 Notice, including the proposed resolution, is enclosed for your convenience and review.

Please let this letter serve as our request for an appeal to the City Council in accordance with Section 13.13(10) of the Livonia Vision 21 Zoning Ordinance. Pursuant to that Section, please also find the appropriate appeal fee in the amount of \$400.00. Should you have any questions or concerns regarding this correspondence, please do not hesitate to contact our office.

Sincerely Yours,
FAKIH & ASSOCIATES, PLLC

Sam M. Fakih

¹ Commissioner Ventura abstained due to conflict of interest.

RECEIVED
MAY 23 2022
CITY OF LIVONIA
PLANNING COMMISSION

RECEIVED
OFFICE OF THE CITY CLERK
2022 MAY 20 PM 15:30

Encl:

- May 18, 2022 Correspondence and Proposed Resolution
- Check No. 1980 in the amount of \$400

CITY OF LIVONIA, MICHIGAN
APPLICATION FOR WAIVER USE APPROVAL

All applications must be presented in triplicate to the City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097. Applications **must** include property owner's name, address and notarized signature.

Filing fee = \$600.00 plus \$20.00 for each 1,000 sq. ft. of gross floor area of new construction.

Date Filed: 12-14-2021 Petition 2021-12-02-27

Site Address: 9106 Middlebelt Rd Sidwell 46-143-01-0068-00546-143-01-0106-000 Zoning of Property C2

Requesting Approval To Form-Based Development Option in Commercial District

Applicant: Sam Fakih Business/Company: Maple Real Estate Group, LLC

Applicant's Address: 16030 Michigan Ave, Suite 200 City: Dearborn State: MI Zip Code: 48126

Applicant's Phone # (313) 477-9777 Applicant's Email sfakih@fakihlaw.com

Contact Person: Sam Fakih Business/Company: Maple Real Estate Group, LLC

Contact's Address: 16030 Michigan Ave, Suite 200 City: Dearborn State: MI Zip Code: 48126

Contact's Phone # (313) 477-9777 Contact's Email sfakih@fakihlaw.com

Please provide the following information:

- 1) **Site Plan** showing:
 - property dimensions, including road right-of-way & building setback lines
 - foot print of building(s), including dimensions & square footage
 - all easements, protective walls, sidewalks & existing trees
 - any significant topographic features (existing or proposed)
 - parking layout, including type of surface material, sizes of spaces & aisles
 - method used in calculating parking requirement
 - location of light standards servicing parking lot & cutout showing type & height
 - location of trash receptacle, including description of screening
 - location of signs
- 2) **Detailed Landscape Plan** including:
 - listing or labeling of all planted materials as to type and size
 - areas to be fully irrigated
 - percentage of landscaping provided (15% of total site required)
- 3) **Building Elevation Plan** depicting:
 - architectural quality
 - wall section & detail plan - exterior building materials must be labeled (i.e. brick, thin brick, E.F.I.S.)
 - all visible rooftop mechanical equipment and how they will be screened
- 4) **General Floor Plan** showing:
 - floor layout
 - entrances & exits
 - restaurants are required to illustrate seating arrangement & capacity
- 5) **One (1) set of reduced plans** (i.e. site, landscape, elevation, floor), **a maximum 14" x 17" in size, or digital file in a .pdf format either on CD or emailed to smiller@ci.livonia.mi.us**
- 6) **Legal Description** of the property to be considered (**Clearly Printed**)
- 7) **Three (3) completed application forms & three (3) sets of full-size drawings**

RECEIVED
OFFICE OF THE CITY CLERK
2021 DEC 14 AM 9:14

RECEIVED
DEC 14 2021
CITY OF LIVONIA
PLANNING COMMISSION

You are invited and encouraged to review your proposal with the Planning Department staff. Only one set of preliminary drawings will be necessary for this analysis.

FEE COMPUTATION	
<u>21,390</u> sq. ft. of new construction x \$20.00 per 1,000 sq. ft.	\$600.00
(NOTE: Round off to nearest 1,000)	+ <u>420</u>
Total Amount Due	\$ <u>4,020.00</u>

Owner of Property: Ventura Real Estate, LLC

Owner's Address: 2655S Evergreen City: Southfield State: MI Zip Code: 48076

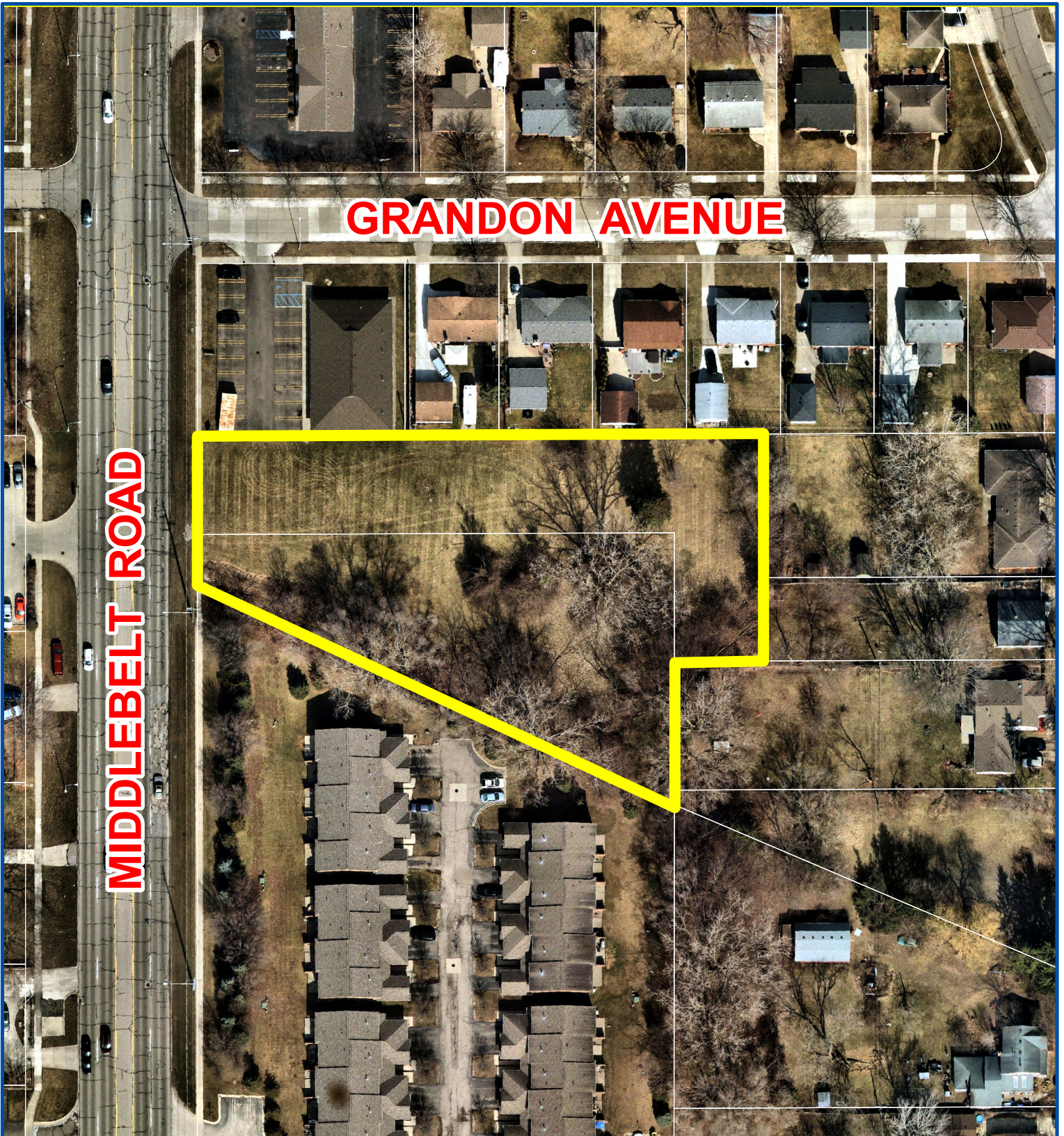
Owner's Phone # (734) 751-5600 Owner's Email peter@pacommercial.com

Signature of Owner: Peter Ventura Print Name: Peter Ventura

Subscribed and sworn to before me, a Notary Public in and for the County of Wayne State of Michigan

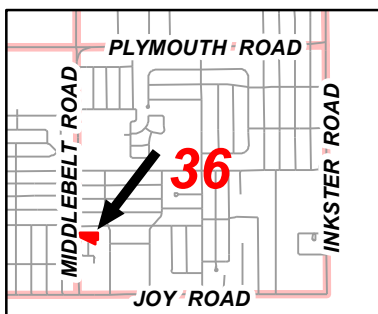
on this 9th day of December 20 21

Signature of Notary Sam Mc Nally My commission expires 5/8/2023



GRANDON AVENUE

MIDDLEBELT ROAD



Aerial Map

Petitions 2021-12-02-27
Maple Real Estate Group
9106 & 9120 Middlebelt Road
apartment development



Not to Scale



City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

PUBLIC HEARING

ITEM 1

Petition 2021-12-02-27 submitted by Maple Real Estate Group, L.L.C. requesting special waiver use approval to develop a Planned Residential Development pursuant to Section 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, consisting of an apartment complex made up of three (3) buildings and twenty-four (24) dwelling units, on the properties at 9106 and 9120 Middlebelt Road, located on the east side of Middlebelt Road between Joy Road and West Chicago Avenue in the Southwest $\frac{1}{4}$ of Section 36.

May 10, 2022: Study Meeting:

This petition requests special waiver use approval for a Planned Residential Development (PRD) pursuant to Section 5.02 of Livonia Vision 21 Zoning Ordinance. The subject site consists of two (2) adjacent parcels comprising a total developable land area of 63,307 square feet, or 1.45 acres. The site has 100 feet of Middlebelt Road frontage. The property is currently divided into two (2) zoning classifications: C-1 (Local Business) and RUF (Rural Urban Farm). The RUF portion is in the process of being changed to C-1, with City Council giving First Reading on April 4, 2022. Second Reading and Roll Call, the final steps in the rezoning process, are on hold pending a review of the special waiver use and site plan. The proposal is to develop a multifamily apartment complex.

Section 5.02 of the Livonia Vision 21 Zoning Ordinance provides special standards for Planned Residential Developments which are treated as a waiver use in commercial districts, subject to review and approval by the Planning Commission and City Council. Planned Developments are afforded considerable design flexibility, including modifications in lot sizes and yard requirements. In addition, uses not permitted in the zoning district are allowed when it is determined that such modifications will result in a more efficient use of land and will not be injurious to surrounding land and to the public. Planned Developments under Section 5.02 are intended to help overcome natural and other unique obstacles or constraints that pose challenges to land development under conventional design standards. Final determination is based on the following standards as set forth in Section 5.02(4):

- a) The proposed use or uses shall be of such location, size, and character as to be in harmony with the appropriate and orderly development of the zoning district in which situated and shall not be detrimental to the orderly development of adjacent zoning districts.
- b) The location and size of the proposed use or uses, the nature and intensity of the principal use and all accessory uses, the site layout and its relation to streets giving access to it, shall be such that traffic to and from the use or uses, and the assembly of persons in connection therewith, will not be hazardous or inconvenient to the neighborhood nor conflict with the normal

PUBLIC HEARING

ITEM 1 Petition 2021-12-02-27 – 9106 & 9120 Middlebelt Road Page 2

traffic of the neighborhood. In applying this standard, the Commission shall consider, among other things: convenient routes for pedestrian traffic, particularly of children; the relationship of the proposed project to main traffic thoroughfares and to street and road intersections; and the general character and intensity of the existing and potential development of the neighborhood. In addition, where appropriate, the Commission shall determine that noise, vibration, odor, light, glare, heat, electromagnetic or radioactive radiation, or other external effects, from any source whatsoever which relates to the proposed use, will not have a detrimental effect upon neighboring property or the neighboring area in general.

- c) The location and height of buildings, the location and nature and height of walls and fences, and the nature and extent of landscaping of the site shall be such that they will not hinder or discourage the proper development and use of adjacent land and buildings nor impair the value thereof.
- d) The standards of density and required open space in the proposed project are at least equal to those required by this Ordinance in the zoning district in which the proposed project is to be located.

The proposed site layout is the same that was presented with the rezoning application. It shows a multifamily apartment complex made up of three (3) buildings, containing eight (8) units per building, for a total of twenty-four (24) dwelling units. Building #1 is located towards the front part of the site. Building #2 would occupy the rear, including the small RUF district proposed to be rezoned. And Building #3 is located between Buildings #1 and #2 along the south side of the property. A two-way private road from Middlebelt Road would provide access to all three (3) buildings. Parking is distributed throughout the site, available in the front and sides of all three (3) buildings. The plan shows a total of forty-eight (48) parking spaces which meets the ordinance requirement of two (2) spaces per unit.

All three (3) apartment buildings are identical in size, shape and design. The buildings would be two stories in height and contain eight (8) units, four (4) on each floor. Each unit would have two (2) bedrooms, a living/dining area, kitchen, one and half baths, and a walk-in closet. According to the site data, the gross floor area per building totals 7,130 square feet and each building would have a footprint area of 3,774 square feet. The combined total floor area of all three (3) buildings equals 21,390 square feet, which represents a Usable Floor Area in Percentage of Lot Area of 34%. For comparison purposes, the maximum floor area ratio allowed in the NM2 District is 35%. Building height would total 29'-1" from grade to roof peak. A network of internal sidewalks is shown around the buildings and parking areas, including along the north side of the property.

PUBLIC HEARING

ITEM 1 Petition 2021-12-02-27 – 9106 & 9120 Middlebelt Road Page 3

The buildings would be constructed out of brick with stone accents. The roofs would be peaked consisting of asphalt shingles. Fiber cement siding would be used on the gable ends of the apartment buildings.

Abutting the property to the north, east and south are single-family homes zoned N1 (Neighborhood Single Family) and RUF. Bordering the north side of the property are four (4) homes zoned N1 that are part of the Pearl Wilson Subdivision. The lots along this side of Grandon Avenue all measure approximately 62' x 113' and consist of ranch-style homes with detached garages. Buildings #1 and #2, at the closest points from the rear lot lines of the homes along Grandon, would be set back twenty feet (20'). The plan proposes to separate the N1 District from the multi-family development with a six foot (6') high masonry screen wall. The proposed wall would run along the entire north property line. To the east and partially to the south, are RUF-zoned homes on acreage parcels fronting along the west side of Oxbow Avenue. Generally, these homes are located approximately 140 - 145 feet from the west boundary of the subject parcel. The plan does not specify the type of fencing that would be used to separate the development from the adjacent RUF District. Also to the south is Newport Park, a residential condominium zoned NM1 (Multifamily Residential). This 27-unit attached condominium was approved in 2001 under the R-C, Condominium Residential district regulations of the former Zoning Ordinance No. 543, as amended.

The landscape plan submitted with the application shows approximately twenty-six (26) existing trees being retained on the site, mostly along the east and south property lines. The species and sizes of these existing trees is not specified. Additional ornamental trees would be planted, including Blackshaw viburnum and Common witch hazel. In staff's opinion, the landscape plan lacks variety, both in terms of the types and sizes of plant material. The landscape plan should be supplemented with full-size deciduous and evergreen trees, particularly along the north and west sides of the property adjacent to the single-family districts, as well as around the apartment buildings.

The Livonia Vision 21 (LV21) Future Land Use map designates the subject property as *Medium Density Residential*, which corresponds to a density of between 5 to 14 dwelling units per acre. With twenty-four (24) units on 1.45 total acres, the proposed multifamily housing development would have an overall density of 16.5 dwelling units per acre, which is slightly more (4 units) than what the Master Plan recommends. Additionally, the proposed development plan shows all (100%) of the units as attached, whereas the Master Plan recommends that attached dwelling units should not represent more than 35% of all dwelling units. In comparison, Newport Park to the south, which is zoned NM1 and designated as Medium Density Residential on the Future Land Use Map, contains twenty-seven (27) units on 2.94 acres, representing a density of 9.18 dwelling units per acre, with 92.6% of the units being attached.

May 17, 2022: Public Hearing:

At the Study Meeting, the Petitioner presented a revised concept site plan showing a slightly different orientation for Building #2, as well as a modified parking layout. The Planning Commission indicated its preference for the new plan and instructed the Petitioner to provide additional buffering adjacent to the single-family residential districts in the form of a six foot (6') high privacy fence and a continuous row of evergreen trees. The consensus of the Planning Commission is that the loss of a few parking spaces in favor of additional landscape buffering would be better. This is supported by the fact that if the resulting amount of available parking approximates 1.75 spaces per apartment dwelling unit (versus the 2.0 spaces per unit as shown on the original plan), this is still substantially more than the 95% confidence interval of 1.16 – 1.26 spaces peak period parking demand per multifamily housing dwelling unit as determined in the latest edition of the Parking Generation Manual prepared by the Institute of Traffic Engineers.

Approving Resolution: That the request to develop a Planned Residential Development, consisting of an apartment complex, on the properties at 9106 and 9120 Middlebelt Road is hereby approved, subject to City Council approval and the following conditions:

1. That Site Plan, identified as drawing 1, dated May 9, 2022, as revised, prepared by Edwards Group International, Inc. is hereby approved and shall be adhered to.
2. That the Landscape Plan, identified as drawing OF, dated May 10, 2022 prepared by Edwards Group International, Inc. is hereby approved in concept, except that a final plan prepared by a registered landscape architect shall be submitted to the Planning Department for approval prior to any construction, said plan shall include a continuous row of evergreen trees along the north and east property lines where the site abuts any single-family properties, and shall properly identify all proposed plants according to species, size and numbers.
3. That all disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding.
4. That underground sprinklers are to be provided for all landscaped and sodded areas and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition.

PUBLIC HEARING

ITEM 1 Petition 2021-12-02-27 – 9106 & 9120 Middlebelt Road Page 5

5. All parking spaces, except the required handicapped spaces, shall be doubled striped at ten feet (10') wide by twenty feet (20') in length as required.
6. That the Exterior Building Elevation Plans, identified as drawings 5 and 6, dated October 12, 2021, prepared by Edwards Group International, Inc. are hereby approved and shall be adhered to.
7. That the maximum height of any pole-mounted light fixtures shall be sixteen feet (16') and shall be located and shielded to prevent light trespass and glare on adjacent properties.
8. That the exterior walls of the trash enclosures shall be constructed out of the same brick used in the construction of the buildings, and the enclosure gates shall consist of solid panel steel or durable, long-lasting solid panel fiberglass.
9. That the issues as outlined in the correspondence dated May 9, 2022, from the Fire Marshal, including the recommended width and vertical clearance of the roadway and the placement of fire hydrants, shall be resolved to the satisfaction of the Department of Public Safety, Livonia Fire and Rescue.
10. That this site shall meet either the City of Livonia or the Wayne County Storm Water Management Ordinance, whichever applies, and the developer shall secure any required permits, including storm water management permits, wetlands permits and soil erosion and sedimentation control permits.
11. The developer and all contractors and subcontractors shall employ best management practices to prevent, reduce and mitigate the problems associated with soil erosion and airborne dirt and dust from migrating off-site, including provisions for erosion control barriers, daily street sweeping, watering, and halting earthwork activities on days when the wind conditions are likely to cause a problem.
12. That only a conforming entrance marker is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.
13. That all required cash deposits, certified checks, irrevocable bank letters of credit and/or surety bonds shall be deposited with the City prior to the issuance of engineering permits; and
14. Pursuant to Section 13.13 of the Livonia Vision 21 Zoning Ordinance, this approval is valid for a period of one year only from the date of

PUBLIC HEARING

ITEM 1 Petition 2021-12-02-27 – 9106 & 9120 Middlebelt Road Page 6

approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

Denying Resolution: That this request to develop a Planned Residential Development, consisting of an apartment complex on the properties at 9106 and 9120 Middlebelt Road is denied for the following reasons

1. That the petitioner has failed to affirmatively show that the proposed use complies with all the special and general waiver use standards of the Zoning Ordinance.
2. That the petitioner has failed to demonstrate a need to use the Planned Residential Development option to develop the subject property.
3. That the layout and number of buildings and apartments proposed for the development would have a negative effect upon the neighboring properties.
4. That the proposed use is incompatible to and not in harmony with the surrounding uses in the area.
5. That the proposal creates significant adverse impacts on adjoining parcels, public services, and community planning efforts.
6. That approving this request would allow a use that is inconsistent with the surrounding land uses, and
7. That the petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

100.00'

373.00'

151.00'

58.00'

94.56'

347.29'

BLDG #1

BLDG #2

BLDG #3

Trash

Trash

Trash

24ft wide

24ft wide

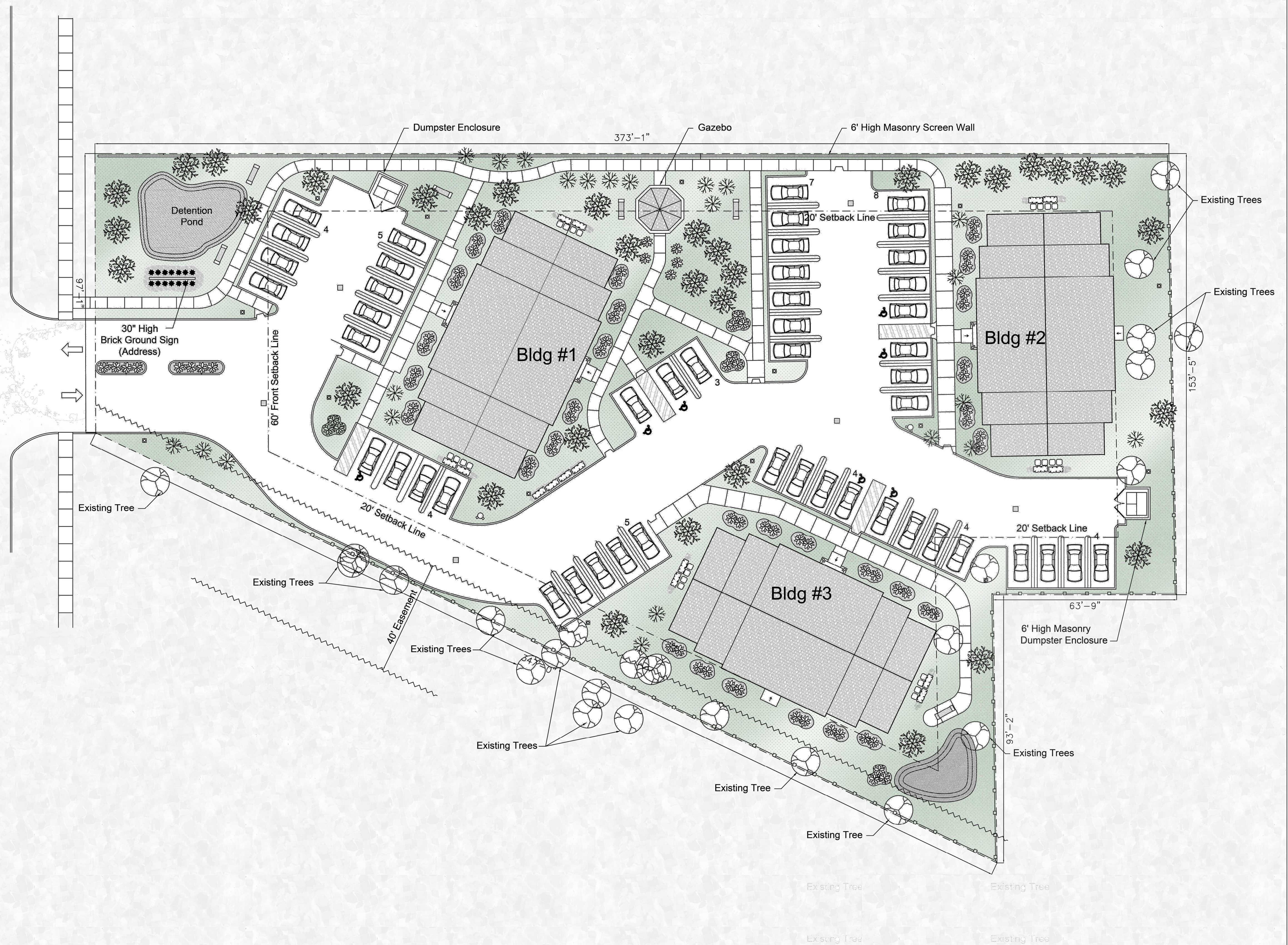
24ft wide

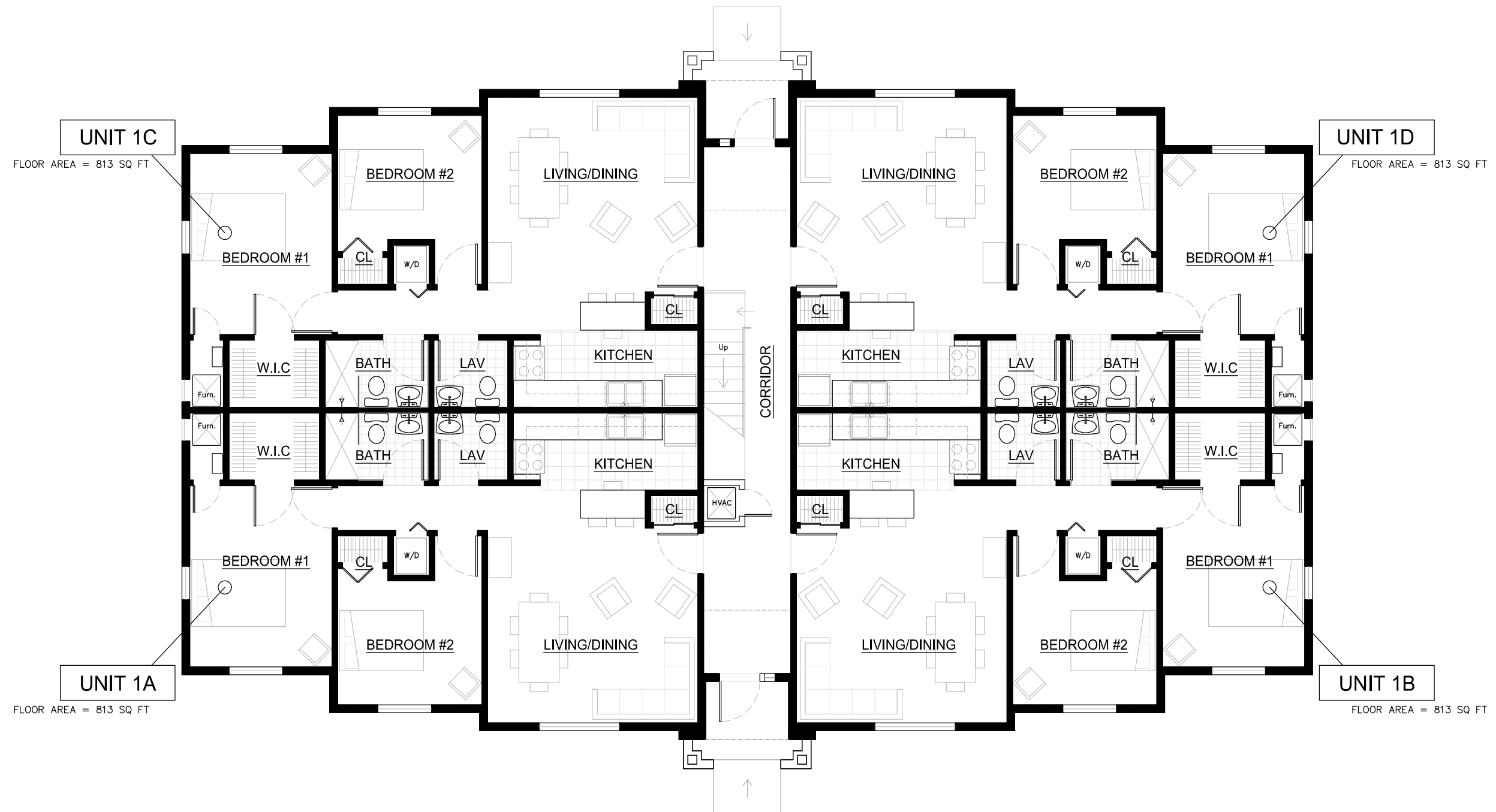
47 Parking Spaces
9'-3" x 18ft (adjacent to grass)

Symbol	Description
	<i>Existing Trees as Shown in Tree Survey</i>
	<i>Blackhaw viburnum (Viburnum prunifolium) – 12 to 15 feet. One of several native viburnums that add landscape beauty throughout the growing season.</i>
	<i>Common witchhazel (Hamamelis virginiana) – 15 feet. Multi-stemmed, vase-shaped large shrub that can be pruned to a small understory tree.</i>
	<i>Shrubby cinquefoil (Potentilla fruticosa) – 3 feet. Small landscape shrub that prospers under many conditions. Leaves unfold in shades of green-gray changing to bright or dark green in summer and yellow-brown in fall.</i>
	<i>Michigan holly (Ilex verticillata) – 6 to 10 feet. Multi-stemmed deciduous holly with bright red persistent fruits</i>
	<i>Buttonbush (Cephalanthus occidentalis) – 5 to 6 feet. Glossy foliage that emerges in shades of red and green, changing to dark green in summer and then yellow-green in autumn.</i>

Symbol	Description
	<i>Soil / Gravel</i>
	<i>Grass</i>
	<i>Stamped Concrete</i>

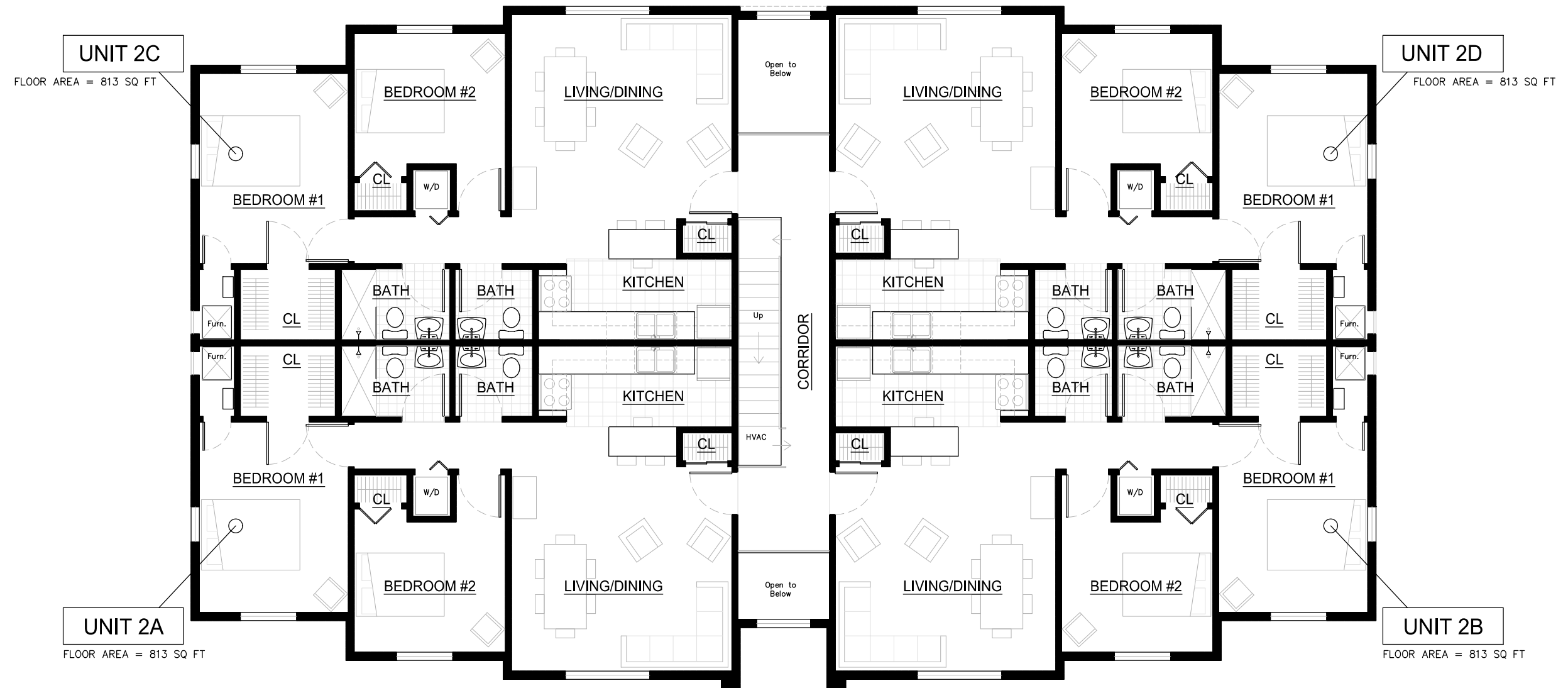
Symbol	Description
	<i>Fixed Wooden Bench</i>
	<i>Lamp post</i>
	<i>30" High Brick Ground Sign (Address)</i>
	<i>Catch Basin</i>
	<i>Hydrant</i>





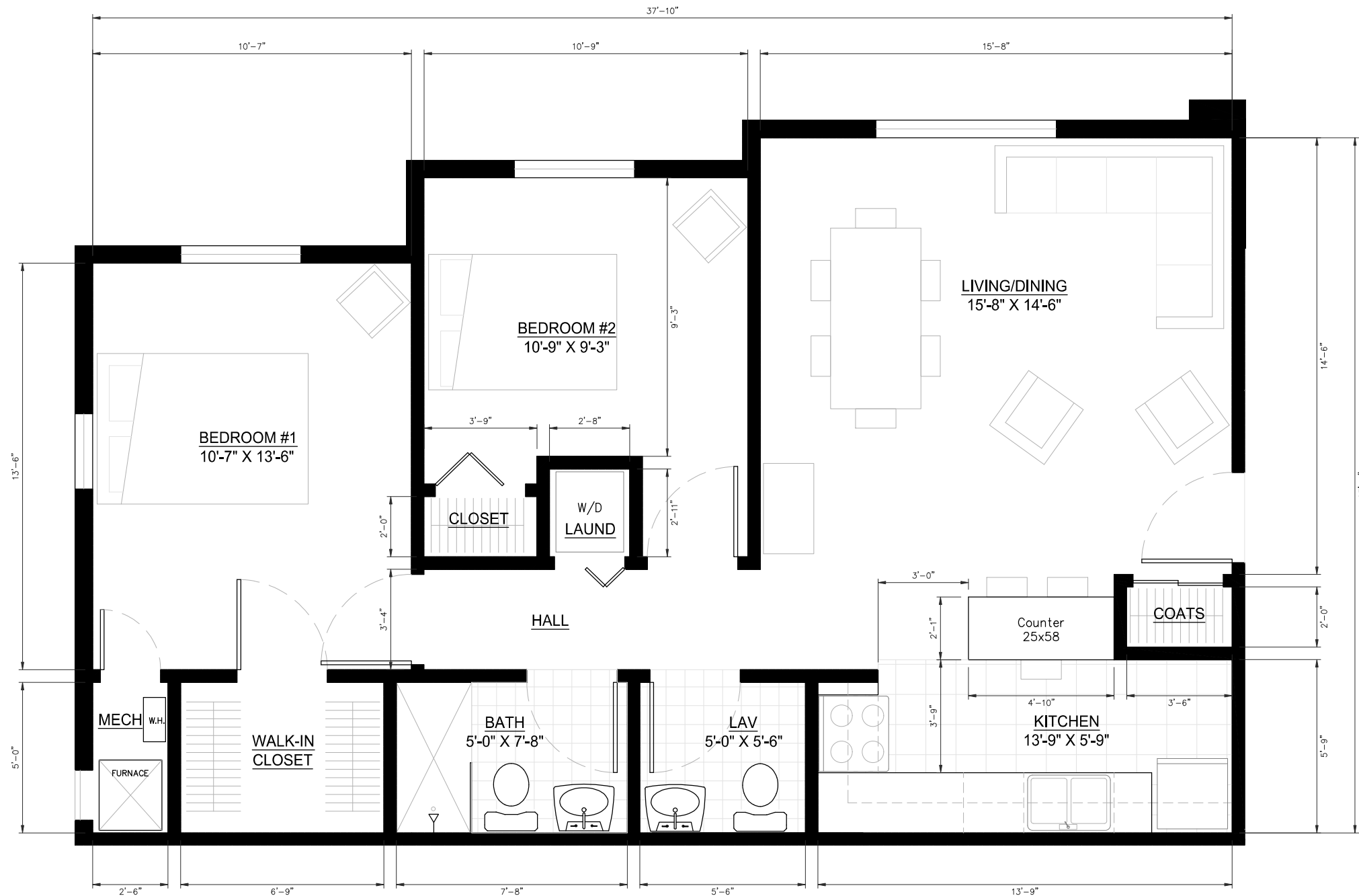
FIRST FLOOR PLAN

1/4" = 1'-0"
BUILDING FLOOR AREA = 3,565 SQ FT PER FLOOR
BLDG #1 PLAN SHOWN, BLDGS #2 AND #3 SIMILAR



SECOND FLOOR PLAN

1/4" = 1'-0"
BUILDING FLOOR AREA = 3,565 SQ FT PER FLOOR
BLDG #2 AND #3 PLAN SHOWN, BLDG #1 SIMILAR



TYPICAL UNIT FLOOR PLAN

1/2" = 1'-0"
FLOOR AREA = 813 SQ FT, Version "C"

ASPHALT SHINGLES

COATED METAL
TRIM

FIBERGLASS
WINDOW UNITS

BRICK

NATURAL STONE
VENEER



FRONT ELEVATION (Typical)

1/4" = 1'-0"

ASPHALT SHINGLES

COATED METAL
TRIM

FIBERGLASS
WINDOW UNITS

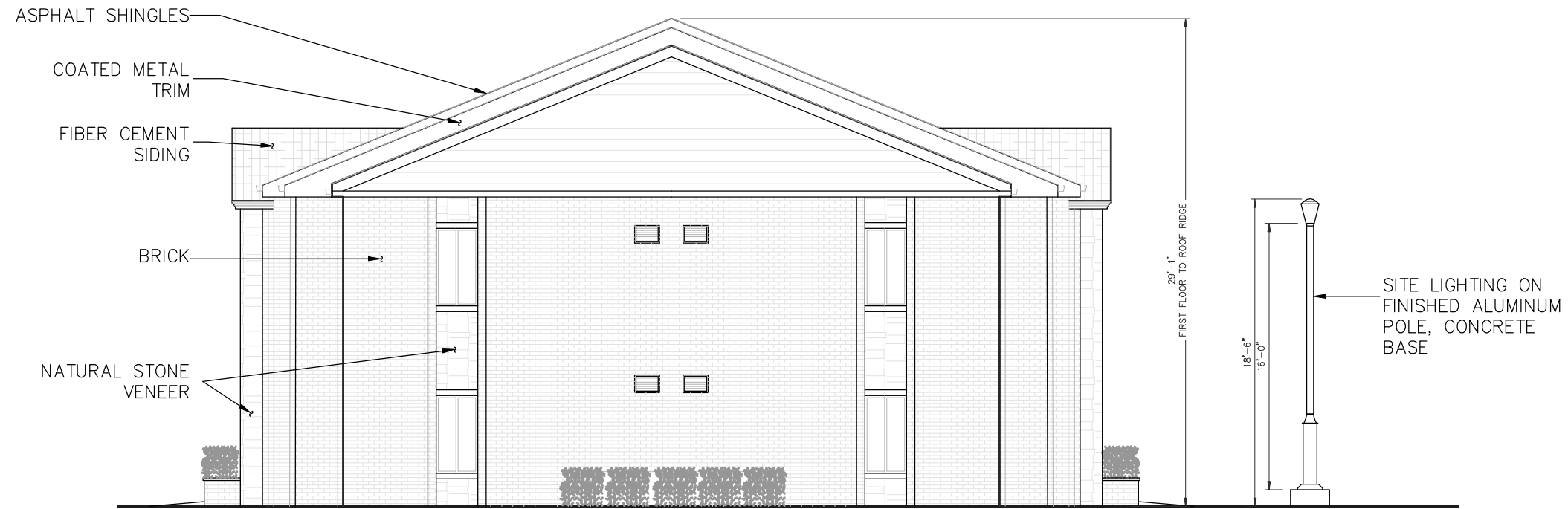
BRICK

NATURAL STONE
VENEER



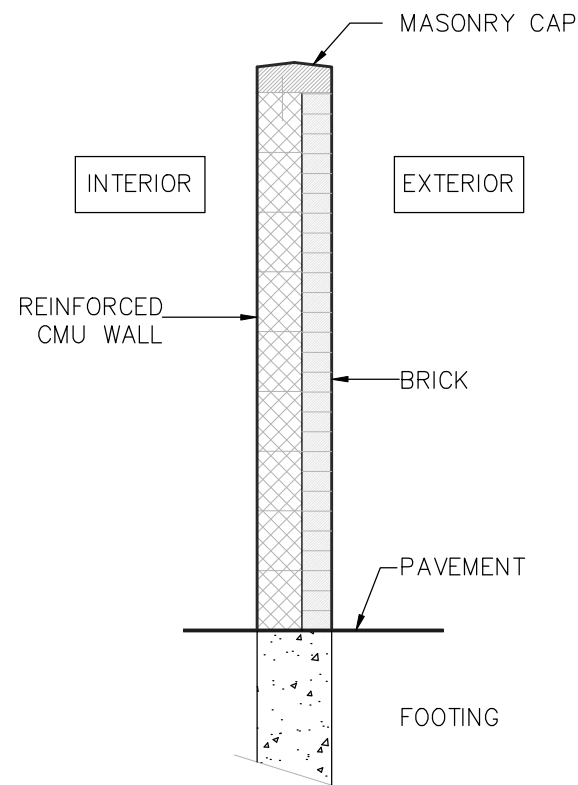
REAR ELEVATION (Bldgs 2 and 3)

1/4" = 1'-0"



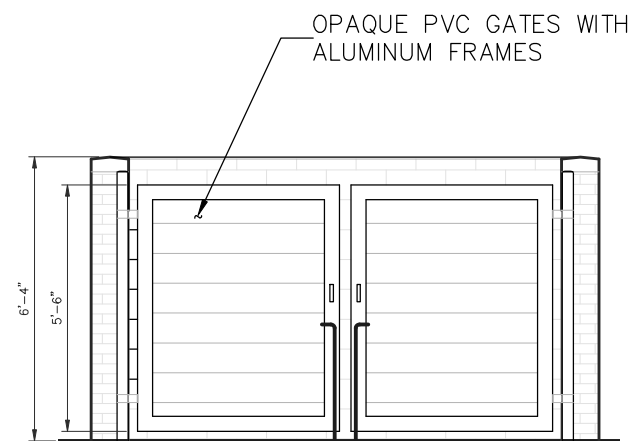
SIDE ELEVATION (Typical)

1/4" = 1'-0"



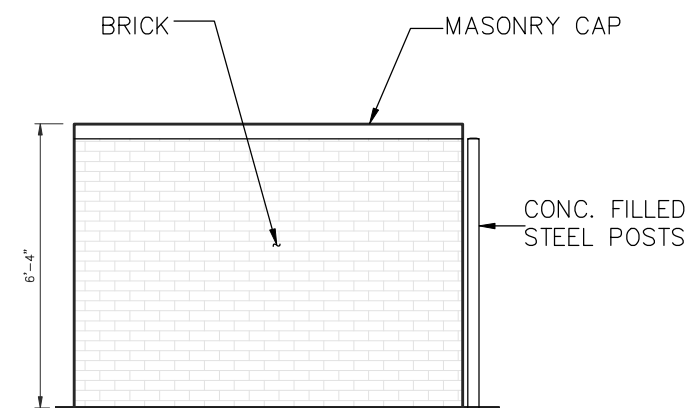
DUMPSTER ENCLOSURE
WALL SECTION

1" = 1'-0"



DUMPSTER ENCLOSURE
FRONT ELEVATION

1/2" = 1'-0"



DUMPSTER ENCLOSURE
SIDE ELEVATION

1/2" = 1'-0"









ELEGANT. DURABLE. DISTINCTIVE.



ToughGate™ by CityScapes® offers expertly crafted gates and doors built to your specifications, budget and job site demands. We use only professional grade materials for years of maintenance free operation.

For stunning good looks, amazing longevity, and extraordinary first impressions, choose ToughGate™.

- MAINTENANCE FREE MATERIALS
- SHIPPED PRE-ASSEMBLED FOR FAST INSTALLATION
- WIDE VARIETY OF DESIGN OPTIONS



ToughGate™

ToughGate's™ innovative design makes field assembly fast and easy. All of our gates are shipped pre-assembled directly to your project site, accompanied by all required installation hardware. Our complete installation guides provide a clearly-defined process from start to finish.

Gates are available in heights of up to 14 ft* and widths of up to 20 ft** to accommodate almost any opening dimension.

* Maximum height determined by infill material and style selected.

** Contact a CityScapes® representative for details on our newest MegaGate options. Certain Height x Width limitations apply.



DOOR HANDLES

All ToughGate™ and Covrit® handles and hardware are powder coated and color-matched to the coordinating gate frame for superior aesthetics.



Bridge



Modern



Classic

MODERN LATCH

Our color matched, lockable latches are designed for years of maintenance free use.



Modern

CUSTOM DESIGNS

Don't see a style or color that fits our plan? No problem. We can color match many of our gate options or allow you to create a fully custom design. Print your image directly onto the gate or laser cut an intricate design into your gate. Have another idea? Let us know. We love a challenge.



E250LED / E260LED EURO SERIES

LED

EPA
E250LED 0.58 (ft²)
E260LED 0.71 (ft²)
WEIGHT
E250LED 30 LBS
E260LED 30 LBS

7 YEAR WARRANTY

LUMEN RANGE
2,005-4,530

LIFE SPAN
L70 UP TO 100,000 HOURS

UL LISTED

CLICK FOR FAQ'S

JOB NAME

FIXTURE TYPE

MEMO

BUILD A PART NUMBER

ORDERING EXAMPLE: 2A-E250LED-3ARC45T5-MDH03-SV1-PEC-FHD/EU2PM/32IOP4/PCC/BKT

Mounting Config.	Fixture	LED	CCT	Type	Driver	Lens	Option Photocontrol	Option Fuse	Arm See Arm Spec Sheets	Pole See Pole Spec Sheets	Finish
1APT	E260LED	1RND	27	T4	MDH03	SV2					ABZT

Mounting Configuration

(Click here to view mounting configuration sheet)

- 1W • 2A • 3A90 • 1AM
- PT • 2A90 • 3APT • 2AM
- 1A • 2APT • 4A • 45OPB
- 1APT • 3A • 4APT

W = Wall Mount PT = Post Top APT = Post Top Arm Mid-Mount
A = Arm Mount AM = Arm Mid-Mount PB = Pier Base

Fixture

- E250LED • E260LED

LED

- 3ARC • 1RND

CCT - Color Temperature (K)

- 27(00) • 35(00) • 45(00)

Type

- T2 • T3 • T3R • T4 • T5

Driver

- MDL03 (120V-277V, 350mA)
- MDH03 (347V-480V, 350mA)

Lens

- CA¹ (Clear Acrylic)
- FA¹ (Frosted Acrylic)
- FL² (Flat Acrylic Lens)
- SV1² (Flat Soft Vue Medium Diffused Acrylic)
- SV2² (Flat Soft Vue Heavy Diffused Acrylic)

¹For use with E260LED only.

²For use with E250LED only.

Options (Click here to view accessories sheet)

- PEC Electronic Button Photocontrol (120V-277V)
- PEC4 Electronic Button Photocontrol (480V)
- FHD³ Dual Fuse and Holder

³ Ships loose for installation in base.

Arm (Click here to view arm website page)

See Arms & Wall Brackets specification sheets.

- 78U • 80 • EU2

Pole (Click here to view pole website page)

See Pole specification sheets.

Finish (Click here to view paint finish sheet)

Standard Finishes⁴

- BKT Black Textured
- WHT White Textured
- PGT Park Green Textured
- ABZT Architectural Medium Bronze Textured
- DBT Dark Bronze Textured

⁴Smooth finishes are available upon request.

Custom Finishes⁵

- CM Custom Match
- OI Old Iron
- RT Rust
- WBR Weathered Brown
- CD Cedar
- WBK Weathered Black
- TT Two Tone

⁵ Custom colors require upcharge.

Sternberg Select Finishes

- VG Verde Green
- SI Swedish Iron
- OWGT Old World Gray Textured

Specifications

Fixture

This small scale contemporary fixture includes a die-cast aluminum roof, fitter and (4) sweeping support legs. The unit is provided with an acrylic tapered cylindrical molded lens matching the profile of the support legs (E260LED), or a flat acrylic lens allowing for an open body (E250LED). The Luminaire shall be UL listed in US and Canada.

Fitter - Standard

Cast aluminum fitter slips a 4" OD x 2.5" tall tenon or pole.

LED's

The luminaire shall use high output, high brightness LED's. They shall be mounted in arrays, on printed circuit boards designed to maximize heat transfer to the heat sink surface. The arrays shall be roof mounted to minimize up-light. The LED's and printed circuit boards shall be 100% recyclable; they shall

also be protected from moisture and corrosion by a conformal coating of 1 to 3 mils. They shall not contain lead, mercury or any other hazardous substances and shall be RoHS compliant. The LED life rating data shall be determined in accordance with IESNA LM-80. The High Performance white LED's will have a life expectancy of approximately 100,000 hours with not less than 70% of original brightness (lumen maintenance), rated at 25°C. The High Brightness, High Output LED's shall be 4500K (3500K or 2700K option) color temperature with a minimum CRI of 70. Consult factory for custom color CCT. The luminaire shall have a minimum _____ (see table) delivered initial lumen rating when operated at steady state with an average ambient temperature of 25°C (77°F).

Optics

The luminaire shall be provided with individual, refractor type optics applied to each LED. The luminaire shall provide Type ____ (2, 3, 3R, 4 or 5) light distribution per the IESNA classifications. Testing shall be done in accordance with IESNA LM-79.

Electronic Driver

The LED driver shall be U.L. Recognized. It shall be securely mounted inside the fixture, for optimized performance and longevity. It shall be supplied with a quick-disconnect electrical connector on the power supply, providing easy power connections and fixture installation. It shall have overload as well as short circuit protection, and have a DC voltage output, constant current design, 50/60HZ. It shall be supplied with line-ground, line-neutral and neutral-ground electrical surge protection in accordance with IEEE/ANSI C62.41.2 guidelines. It shall be dimmable using a 0-10v signal.

For sources over 50w: The driver shall have a minimum efficiency of 90%. The driver shall be rated at full load with THD<20% and a power factor of greater than 0.90. The driver shall contain over-heat protection.

For sources under 50w: The driver shall have a minimum efficiency of 88%.

See next page



SternbergLighting

ESTABLISHED 1923 / EMPLOYEE OWNED

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www.sternberglighting.com

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E250LED / E260LED EURO SERIES

LED

Photocontrols

Button Style: The photocontrol shall be mounted in the pole shaft on an access plate. The electronic button type photocontrol is instant on with a 5-10 second turn off, and shall turn on at 1.5 footcandles with a turn-off at 2-3 footcandles. Photocontrol is 120-277 volt and warranted for 6 years.

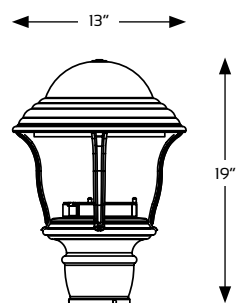
Warranty

Seven-year limited warranty. See product and finish warranty guide for details.

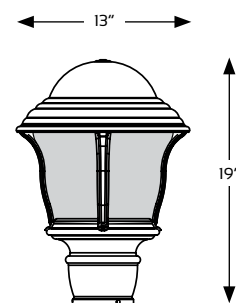
Finish

Refer to website for details.

Fixtures



E250LED
Open Body



E260LED
Body Lens

Performance - E250LED

MODEL #	T2 LUMENS	BUG	EFFICACY (LPW)	T3 LUMENS	BUG	EFFICACY (LPW)	T3R LUMENS	BUG	EFFICACY (LPW)	T4 LUMENS	BUG	EFFICACY (LPW)	T5 LUMENS	BUG	EFFICACY (LPW)	WATTS
3ARC45T_MDL03	3885	B2U0G2	74.7	3740	B2U0G2	71.9	3875	B1U0G1	74.5	3915	B1U0G1	75.3	3850	B2U0G1	74.0	52
3ARC35T_MDL03	3650	B2U0G2	70.2	3515	B2U0G2	67.6	3640	B1U0G1	70.0	3675	B1U0G1	70.7	3615	B2U0G1	69.5	52
3ARC27T_MDL03	3205	B1U0G1	61.6	3085	B1U0G1	59.3	3195	B1U0G1	61.4	3225	B1U0G1	62.0	3175	B2U0G1	61.1	52
1RND45T_MDL03	2580	B1U0G1	80.6	2430	B1U0G1	75.9	2520	B1U0G1	78.8	2485	B1U0G1	77.7	2495	B2U0G1	78.0	32
1RND35T_MDL03	2425	B1U0G1	75.8	2280	B1U0G1	71.3	2365	B1U0G1	73.9	2335	B1U0G1	73.0	2345	B2U0G1	73.3	32
1RND27T_MDL03	2125	B1U0G1	66.4	2005	B1U0G1	62.7	2075	B1U0G1	64.8	2050	B1U0G1	64.1	2055	B1U0G1	64.2	32

Performance - E260LED

MODEL #	T2 LUMENS	BUG	EFFICACY (LPW)	T3 LUMENS	BUG	EFFICACY (LPW)	T3R LUMENS	BUG	EFFICACY (LPW)	T4 LUMENS	BUG	EFFICACY (LPW)	T5 LUMENS	BUG	EFFICACY (LPW)	WATTS
3ARC45T_MDL03	4240	B2U2G2	81.5	4290	B2U2G2	82.5	4325	B2U2G2	83.2	4355	B1U2G2	83.8	4530	B3U2G3	87.1	52
3ARC35T_MDL03	3980	B2U2G2	76.5	4030	B2U2G2	77.5	4060	B2U2G2	78.1	4090	B1U2G2	78.7	4255	B3U2G3	81.8	52
3ARC27T_MDL03	3495	B2U2G2	67.2	3535	B2U2G2	68.0	3565	B2U2G2	68.6	3590	B1U2G1	69.0	3735	B2U2G2	71.8	52
1RND45T_MDL03	2840	B1U2G1	88.8	2740	B1U2G2	85.6	2795	B1U2G1	87.3	2710	B1U2G1	84.7	2860	B2U2G2	89.4	32
1RND35T_MDL03	2665	B1U2G1	83.3	2575	B1U2G2	80.5	2625	B1U2G1	82.0	2545	B1U2G1	79.5	2685	B2U2G2	83.9	32
1RND27T_MDL03	2340	B1U2G1	73.1	2260	B1U2G2	70.6	2305	B1U2G1	72.0	2235	B1U2G1	69.8	2360	B2U2G2	73.8	32



SternbergLighting

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3300 GATEWAY SERIES

ARCHITECTURAL POLE

DIMENSIONS
18" Ø
48" TALL

5 YEAR WARRANTY

UL LISTED

ETL LISTED

CLICK FOR FAQ'S

JOB NAME

FIXTURE TYPE

MEMO

BUILD A PART NUMBER

ORDERING EXAMPLE: 3318P5-.188-BCC-GFILPIUC-SH/BKT

Base Model	Height	Shaft	Wall Thickness	Post Center Cap	Option Burial	Option Photocell	Option Ground Fault Breaker	Option Flag Pole Holder	Option Banner Arms	Option Planter Arms	Option Sign Arms	Option Speaker Hub	Option Sign Bracket	Option Steel Wreath Hook	Finish
	16														

Model

• 33

Height

• 8 • 12 • 16 • 20
• 10 • 14 • 18

Shaft

• T5: 5"-3" Tapered Smooth
• T54: 5"-4" Tapered Smooth
• T6: 6"-3" Tapered Smooth
• T64: 6"-4" Tapered Smooth
• P5: 5" Straight Smooth
• P6¹: 6" Straight Smooth
• FP5: 5" Straight Fluted
• FP6²: 6" Straight Fluted

¹ Not available in .125 wall.

² Not available in .250 wall.

Wall Thickness

• .188: 3/16" Wall Thickness
• .250: 1/4" Wall Thickness

Post Center Cap (if required)

(Click here to view post cap sheet)

• BCC • FCC • SCC • TFCC
• SSCC • RCC • PCC

Options (Click here to view accessories sheet)

• DB4 Direct Burial mounting style pole, with 4' direct burial section (or advise other length)
• HXB Helix Base mounting style pole
• PCD Electronic Button Photocontrol, mounted on an access door (120v-277v)
• PCD4 Electronic Button Photocontrol, mounted on an access door (480v)
• GFI IUC 15 Amp duplex GFCI receptacles with a standard in-use cover
• GFI LPIUC 15 Amp duplex GFCI receptacles with a low-profile in-use cover

• GFB Remote Ground Fault Breaker installed in pole base (for use with NON-GFCI receptacles)
• FH Cast Aluminum flag holder mount, for use with 1" diameter flag pole
• SBA Single Banner Arm, "PM" style mount
• DBA Double Banner Arms, "PM" style mount
• SBAR Single Banner Arm and Ring, for triangle banners, "PM" style mount
• HSBA Single Banner Arm, HUB mount style mount
• HDBA Double Banner Arms, HUB mount style mount
• BDBA6 Double Banner Arms, Break-Away style, to break with 60MPH wind gust
• BDBA9 Double Banner Arms, Break-Away style, to break with 90MPH wind gust
• C5SBA Single Banner Arm, Clamp-Style mount, for 5" diameter poles
• C5DBA Double Banner Arms at 180°, Clamp-Style mount, for 5" diameter poles
• DHPA Double Hooked Planter Arm
• SHPA Single Hooked Planter Arm
• DSPA Double Stepped Planter Arm
• SSPA Single Stepped Planter Arm
• PA478 Cast aluminum decorative planter arm
• SA78 Small cast aluminum decorative sign arm, with 24" long channel for blade sign by others
• SA478 Large cast aluminum decorative sign arm, with 24" long channel for blade sign by others
• SABA Banner arm style sign arm, with 24" long channel for blade sign by others
• SH Female threaded speaker hub, advise thread size
• SB Sign Bracket, vertically mounted on pole shaft
• WHK Steel wreath hook

Finish (Click here to view paint finish sheet)

Standard Finishes³ (Click here to view paint finish sheet)

• BKT Black Textured
• WHT White Textured
• PGT Park Green Textured
• ABZT Architectural Medium Bronze Textured
• DBT Dark Bronze Textured

³ Smooth finishes are available upon request.

Sternberg Select Finishes

• VG Old Iron
• SI Old Iron
• OWGT Old World Gray Textured

Standard Urban Finishes (Click here to view paint finish sheet)

• UGMT Gun Metal Textured
• UGM Gun Metal Matte
• UBT Urban Bronze Textured
• UB Urban Bronze Matte
• USLT Urban Silver Textured
• USL Urban Silver Matte
• UWHT Urban White Textured
• UWH Urban White Matte

Custom Finishes⁴

• CM Custom Match
• OI Old Iron
• RT Rust
• WBR Weathered Brown
• CD Cedar
• WBK Weathered Black
• TT Two Tone

⁴ Custom colors require upcharge.



SternbergLighting

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DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

DAVID W. LEAR, P.E.
ASST. CITY ENGINEER



MAUREEN MILLER BROSNAN
MAYOR

DONALD R ROHRAFF
DIRECTOR OF PUBLIC WORKS

12973 FARMINGTON ROAD
LIVONIA, MICHIGAN 48150
(734) 466-2571
FAX: (734) 466-2195

May 5, 2022

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2021-12-02-27 – #9106 & #9120 Middlebelt Road

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no issues with the proposed waiver use at this time. The subject parcels are assigned the addresses of **#9106 & 9120 Middlebelt Road**. The legal descriptions contained within the submittal for the parcels appears to be correct, but the owner will need to combine the properties and create one inclusive legal description for the overall parcel.

The existing parcel currently has access to public water main, storm sewer and sanitary sewer, although the sanitary sewer is located on the west side of Middlebelt Road. At this time, there is nothing that would indicate negative impacts to any of the existing utilities since the petition is for waiver use purposes and shows no utility service details. Should the project move forward, the owner would need to submit drawings to this Department (as well as Wayne County) for a proper plan review and permitting.

Should you have any additional questions on this matter, please feel free to contact myself at (734) 466-2608 or the City Engineer, Mr. Todd Zilincik at (734) 466-2561. If you would prefer, you can e-mail either of us at dlear@livonia.gov or tzilincik@livonia.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "David W. Lear".

David W. Lear, P.E.
Assistant City Engineer

cc: 2021 Petition File

DEPARTMENT OF PUBLIC SAFETY
LIVONIA FIRE & RESCUE

DAVE HEAVENER
FIRE CHIEF



MAUREEN MILLER BROSNAN
MAYOR

14910 FARMINGTON ROAD
LIVONIA, MICHIGAN 48154-5419
734-466-2444
734-466-2082 fax

DATE: May 9,2022

TO: Scott O. Miller, Planner IV

FROM: Livonia Fire Prevention Division

SUBJECT: Petition 2021-12-02-27 9106 & 9120 Middlebelt, Maple Real Estate Grp

This office has reviewed the site plan submitted in connection with a request to construct a residential building on property located at the above referenced address.

We have no objections to this proposal with the following stipulations:

1. A fire access road (the roadway within the complex as shown on drawings) shall be provided with not less than 20 feet of unobstructed width and have a minimum of 13 feet 6 inches of vertical clearance in accordance to 18.2.3.4.1.1 and 18.2.3.4.1.2 of NFPA 1, 2015.
2. Fire Hydrants and Water Supply shall be required according to 18.3 NFPA 1, 2015.

A further detailed plan review will take place when this division receives an official plan set.

Sincerely,

Brian Kukla

Brian Kukla-Fire Marshal
Sr. Fire Inspector

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE

THOMAS GORALSKI
CHIEF OF POLICE

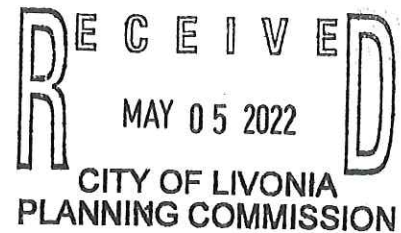


MAUREEN MILLER BROSNAN
MAYOR

15050 Farmington Road
Livonia, Michigan 48154-5499
(734) 466-2470
FAX: (734) 261-2265

May 4, 2022

Mr. Scott Miller
City of Livonia Planning Dept
33000 Civic Center Drive
Livonia, MI 48154



Re: Petition 2021-12-02-27 - 9106 & 9120 Middlebelt Rd

Mr. Miller,

I have reviewed the plans in connection with the petition. The amount of parking spaces at this location seems to be limited for the amount of units and has the potential for causing traffic problems.

Please feel free to contact me, should you have any questions.

Sincerely,

FOR THE CHIEF OF POLICE,

Agt. Scott Sczepanski #543

Scott Sczepanski, Sergeant
Traffic Bureau
(734) 466-2107

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
SANITATION
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT



MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2580
FAX: (734) 466-2095

Date: May 9, 2022

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2021-12-02-27 – 9106 & 9120 Middlebelt Road

Pursuant to your request, the above referenced Petition has been reviewed.

This Department has no objections to this Petition.

I trust this provides the requested information.

Jerome Hanna

Jerome Hanna
Director of Inspection

DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT



MAUREEN MILLER BROSNAN
MAYOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2260
FAX: (734) 421-1807

May 3, 2022

Mr. Scott O. Miller
Planning Commission
33000 Civic Center Drive
Livonia, MI 48154

Petition 2021-12-02-27 - 9106 & 9120 Middlebelt Road

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. As there are no outstanding amounts receivable (general or water and sewer), I have no objections to the proposal.

Please contact me if you have any further questions.

Very truly yours,


Connie Kumpula
Chief Accountant

CK: jw

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER



33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3060
(734) 466-2245
FAX: (734) 421-7230

May 3, 2022

Mr. Scott Miller – Planner IV
Planning Commission
City of Livonia

Re: Petition 2021-12-02-27

9106 & 9120 Middlebelt Road
Maple Real Estate / Ventura Real Estate

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time there are no taxes due, therefore I have no objections to the proposal.

Sincerely,

Lynda L. Scheel
Treasurer, City of Livonia

OFFICE OF THE MAYOR

Maureen Miller Brosnan
MAYOR

Linda Gosselin
ASSESSOR



33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2201
mayor@ci.livonia.mi.us

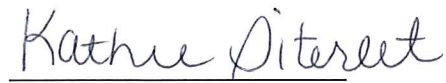
April 28, 2022

To: Planning Department

Re: **Petition 2021-12-02-27 - 9106 & 9120 Middlebelt Road**

Plans have been submitted by Maple Real Estate Group, LLC requesting waiver use approval to develop an apartment complex on properties at 9106 & 9120 Middlebelt Road, owned by Ventura Real Estate, LLC. These are separate parcels, 9106 Middlebelt parcel 143-01-0106-000 and 9120 Middlebelt parcel 143-01-0068-005 and therefore should be combined. Please direct them to the Assessor's Office or Livonia.gov for the lot combination process.

Kindest Regards,


Kathie Siterlet
Residential Appraiser

**OTHER ITEMS
RELATED TO THE
PETITION**



FAKIH & ASSOCIATES

ATTORNEYS & COUNSELORS AT LAW

16030 Michigan Avenue, Suite 200, Dearborn Michigan 48126

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May 17, 2022

Livonia Planning Commission
City Hall
5th Floor Gallery
33000 Civic Center Drive
Livonia, Michigan

Sent Via Electronic Mail

mtaormina@livonia.gov; smiller@livonia.gov;
sreece@livonia.gov; planning@livonia.gov

Re: 9106 Middlebelt – *Application for Site Plan Review*
Concerns Raised at May 10, 2022 Study Session and Steps Taken to Resolve

Dear Planning Commission,

I hope this letter finds you well. I am unable to attend today's meeting due to a personal matter. Attorney Michael Longo will be appearing on my behalf.

We are excited and enthusiastic about this project and have taken steps to address the concerns raised at the prior Study Session. Revised plans were submitted to the Planning Commission for review on May 16, 2022 and I believe the revisions remedy the concerns raised on the May 10 Study Session. On the recommendations and concerns raised:

- a. Building No. 2 has been relocated away from the adjacent residential homes;
- b. Columnar Evergreen Tree Screens consisting of Norway Spruce trees (which reach 10'-12' in heights) will be placed around the property line that's adjacent to neighboring residential properties (we will also maintain as many pre-existing mature trees as possible);
- c. 6' tall vinyl fencing will be placed around the entire property, including around aforementioned Tree Screen;
- d. Dumpsters will be enclosed and moved away from adjacent properties and closer to the planned apartment buildings;

The revised Plans address and resolve the concerns raised by centralizing the apartment complex, increasing privacy between the proposed site and adjacent properties, maintaining ingress and egress to Middlebelt Road while maintaining zero impact on neighborhood traffic, preserving the quality of prospective residents and families, and ensuring a robust community standard rather than a mere complex.

The footprint of this project will not be large scale, either. The property will consist of Three (3) buildings totaling 11,322 sq ft – leaving 51,812 sq ft for landscaping development, parking, walkways, and driveways. The buildings will be the same height as a standard 2-story house, with open floor plans, luxury finishes (ex. porcelain tile, granite countertops, stainless steel appliances, etc.). The building exteriors will be built with beautiful stone and brick. Accordingly, the final development will have a minimal intrusion on the current setting and increase the natural setting between buildings.

We are interested in building and complimenting the Livonia Community and attracting young professionals and families who are looking for high-quality living arrangements in a nice and quiet setting and with people who care for their neighborhood. The goal is to provide a setting that increases our potential resident's quality of life, which will only improve the desirability of the neighborhood and the City of Livonia on a larger scale. To achieve this goal, our potential residents will be required to pass a stringent application process prior to leasing, requiring: (a) credit scores of at least Six Hundred Seventy-Five (675); (b) a non-history of any rental delinquency; (c) proof of income for the Twelve (12) months preceding any application and such income must be at least three times more than the applicable rental rate; and (d) credit references that will be contacted and verified prior approval.

I am confident that you will agree that the revised Plans resolve the questions and concerns the Planning Commission and the members of the public raised on May 10, 2022. In the event they do not, or other concerns require attention, we are more than happy to continue our work to resolve the same.

Should you have any additional questions, concerns, or requests, we look forward to resolving the same with you.

Sincerely Yours,

FAKIH & ASSOCIATES, PLLC

/s/ Sam M. Fakh

Sam M. Fakh, Atty.

I have been here since 1961.

An apartment would be awful there a business there with low level would be better

NOTICE OF PUBLIC HEARING

CITY OF LIVONIA PLANNING COMMISSION



33000 Civic Center Drive
Livonia, Michigan 48154-3097
(734) 466-2290

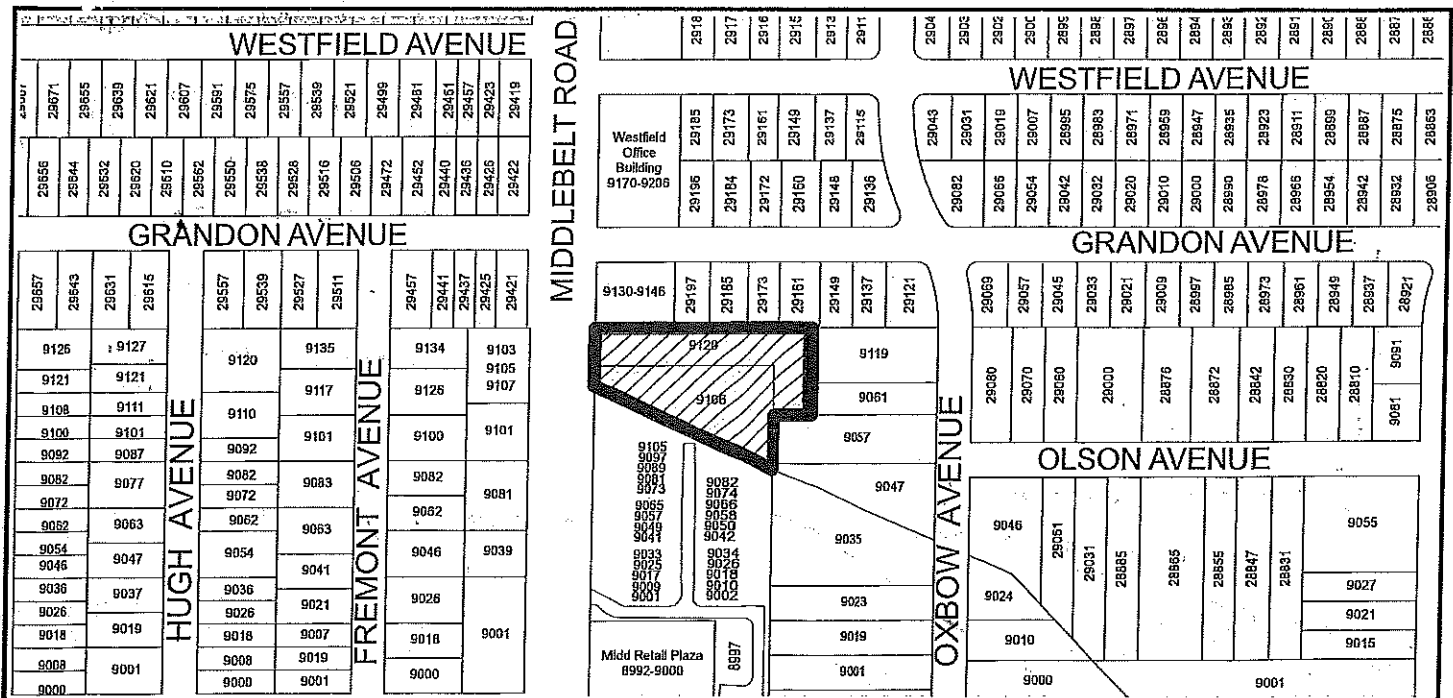
not an apartment. Westland is loaded with them but not where you might want one

460 No.

the condos are nicer

A PUBLIC HEARING WILL TAKE PLACE BEFORE THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA ON TUESDAY MAY 17, 2022 AT THE LIVONIA CITY HALL, 33000 CIVIC CENTER DRIVE, LIVONIA, MICHIGAN AT 7:00 P.M., OR AS SOON THEREAFTER AS THE AGENDA WILL PERMIT ON THE FOLLOWING ITEMS:

Petition 2021-12-02-27 submitted by Maple Real Estate Group, L.L.C. requesting special waiver use approval pursuant to Section 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, to develop a Planned Residential Development consisting of an apartment complex made up of three (3) buildings and twenty-four (24) dwelling units, on the properties at 9106 and 9120 Middlebelt Road, located on the east side of Middlebelt Road between Joy Road and West Chicago Avenue in the Southwest 1/4 of Section 36.



YOU ARE ENCOURAGED TO ATTEND THE PUBLIC HEARING AND PRESENT YOUR VIEWS ON THIS MATTER TO THE CITY PLANNING COMMISSION. IN LIEU OF ATTENDING THE MEETING, YOU MAY PRESENT YOUR VIEWS IN WRITING ADDRESSED TO: CITY OF LIVONIA PLANNING COMMISSION, 33000 CIVIC CENTER DRIVE, LIVONIA, MI 48154, OR BY EMAIL TO: PLANNING@LIVONIA.GOV

In accordance with Title II of the American with Disabilities Act as it pertains to access to Public Meetings, the Planning Department of the City of Livonia, upon adequate notice, will make reasonable accommodations for persons with special needs. Please call 734-466-2290 if you need assistance.

I live on Westfield & we all in
the short block
12 house maintain
our homes. This
would be a

destruction

I am not for it.

write
them

Thanks

Could not make
it to the meeting ✓

To me this
would be an
eye sore.

Here you have
nice neighborhood
then this idea no

RECEIVED
MAY 02 2022
CITY OF LIVONIA
PLANNING COMMISSION

UNAPPROVED MINUTES

1

MINUTES OF THE 1,187th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, May 17, 2022, the City Planning Commission of the City of Livonia held its 1,187th Public Hearing and Regular Meetings in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7 p.m.

Members present:	Carol Smiley	Glen Long	Betsy McCue
	Dave Bongero	Peter Ventura	Sam Caramagno
	Ian Wilshaw		

Members absent: None

Mr. Mark Taormina, Planning Director, Jacob Uhazie, Planning & Economic Development Coordinator, and Stephanie Reece, Program Supervisor, were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

ITEM #1 PETITION 2021-12-02-27 Maple Real Estate Group

Mr. Caramagno, Secretary, announced the first item on the agenda, Petition 2021-12-02-27 submitted by Maple Real Estate Group, L.L.C. requesting special waiver use approval to develop a Planned Residential Development pursuant to Section 5.02 of the Livonia Vision 21 Zoning Ordinance, consisting of an apartment complex made up of three (3) buildings and twenty-four (24) dwelling units, on the properties at 9106 and 9120 Middlebelt

Road, located on the east side of Middlebelt Road between Joy Road and West Chicago Avenue in the Southwest ¼ of Section 36.

Mr. Ventura: I would like to recuse myself from the proceedings.

Mr. Wilshaw: Yes. We will give Mr. Ventura an opportunity to step down due to a possible conflict of interest. So with that, we'll go to Mr. Taormina for background information on this. Thank you, Mr. Taormina.

Mr. Taormina: This is a request to develop a Planned Residential Development that would consist of an apartment complex made up of three buildings and 24 dwelling units. This property is on the east side of Middle Belt Road just south of Grandon Avenue. The property is 1.45 acres in size, including 100 feet of frontage on Middle Belt Road. The property, as you can see from this zoning map, is divided into two zoning classifications. The RUF portion, which is located at the rear of the property, is in the process of being changed to C-1, Local Business. The balance of the property is already zoned C-1, so the proposed change would bring the entire property under one zoning classification. Council gave first reading to the rezoning on April 4, 2022. The submitted site plan shows three apartment buildings, each containing eight units for a total of 24 units. Building #1 is located towards the front part of the site. Building #2 would occupy the rear part of the site and includes the small RUF district that is proposed to be rezoned. Building #3 is located between Buildings #1 and #2 along the south side of the property. The plans show a two-way private street from Middle Belt that would provide access to all three buildings. Parking, as you can see, is distributed throughout the site, available in the front and sides of all three buildings. The plan shows a total of 42 parking spaces, which represents a ratio of 1.75 spaces per unit. All three apartment buildings would be identical in size, shape, and design. The buildings would be two stories in height and contain four apartments on each floor. Each unit would have two bedrooms, a living and dining area, kitchen, one and a half baths, and a walk-in-closet. The gross floor area per building, including both levels, totals 7,130 square feet. Each building would have a ground floor area or footprint area of approximately 3,700 feet. The combined total floor area of all three buildings equals 21,390 square feet. This translates to a 34% usable floor area as a percentage of lot area. Building height would be 29' 1" from grade to the roof peak. There would be a network of sidewalks around the buildings and parking

areas. The exterior finish of the buildings would include a combination of brick and stone. The roofs would be asphalt shingled. Fiber cement siding would be used on the gable ends. Here are some additional renderings that give you an idea of what the buildings would look like. To the north, east and south of the site are single family homes. The lots along Grandon backing up to the site all measure approximately 62 feet in width by 113 feet in depth and consist of ranch style homes with detached garages. Buildings #1 at the closest point from the rear lot lines of the homes along Grandon would be setback approximately 20 feet. The plan proposes to separate the multi-family from the single family with a six-foot-high vinyl fence, as well as a row of evergreen plantings. To the east and to the south are homes that are on acreage parcels fronting along the west side of Oxbow Avenue. Generally, these homes are approximately 140 to 145 feet from the west boundary of the subject parcel. In this location, the plan also proposes a six-foot-high vinyl fence and evergreen trees. Also to the south, immediately adjacent to this site, are the Newport Park condominiums. A fully detailed landscape plan has been provided with the documents. This is the plan showing the plantings along the north and east sides of the property, as well as throughout the site, including the frontage on Middle Belt Road. The species and sizes of the trees have been detailed. The proposed apartment development would have an overall density of about 16-½ dwelling units per acre, which is slightly more than the five (5) to 14 dwelling units per acre that is recommended in the Livonia Vision Master Plan. With that, Mr. Chairman, I'd like to read out the correspondence on this item.

Mr. Wilshaw: Yes, please.

Mr. Taormina: The first item is from the Engineering Division, dated May 5, 2022, which reads as follows: *"In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no issues with the proposed waiver use at this time. The subject parcels are assigned the addresses of #9106 & 9120 Middlebelt Road. The legal descriptions contained within the submittal for the parcels appears to be correct, but the owner will need to combine the properties and create one inclusive legal description for the overall parcel. The existing parcel currently has access to public water main, storm sewer and sanitary sewer, although the sanitary sewer is located on the west side of Middlebelt Road. At this time, there is nothing that would indicate negative impacts to any of the existing utilities since the petition is for waiver use purposes and shows*

no utility service details. Should the project move forward, the owner would need to submit drawings to this Department (as well as Wayne County) for a proper plan review and permitting." The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated May 9, 2022, which reads as follows: *"This office has reviewed the site plan submitted in connection with a request to construct a residential building on property located at the above referenced address. We have no objections to this proposal with the following stipulations: 1. A fire access road (the roadway within the complex as shown on drawings) shall be provided with not less than 20 feet of unobstructed width and have a minimum of 13 feet 6 inches of vertical clearance in accordance to 18.2.3.4.1.1 and 18.2.3.4.1.2 of NFPA 1, 2015. 2 Fire Hydrants and Water Supply shall be required according to 18.3 NFPA 1, 2015. A further detailed plan review will take place when this division receives an official plan set."* The letter is signed by Brian Kukla, Fire Marshal. The next letter is from the Division of Police, dated May 4, 2022, which reads as follows: *"I have reviewed the plans in connection with the petition. The amount of parking spaces at this location seems to be limited for the amount of units and has the potential for causing traffic problems."* The letter is signed by Scott Sczepanski, Sergeant, Traffic Bureau. The next letter is from the Inspection Department, dated May 9, 2022, which reads as follows: *"Pursuant to your request, the above referenced Petition has been reviewed. This Department has no objections to this Petition."* The letter is signed by Jerome Hanna, Director of Inspection. The next letter is from the Finance Department, dated May 3, 2022, which reads as follows: *"I have reviewed the address connected with the above noted petition. As there are no outstanding amounts receivable (general or water and sewer), I have no objections to the proposal."* The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurer's Department, dated May 3, 2022, which reads as follows: *"In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time there are no taxes due, therefore I have no objections to the proposal."* The letter is signed by Lynda Scheel, Treasurer. The next letter is from the Assessor's office, dated April 28, 2022, that reads: *"Plans have been submitted by Maple Real Estate Group, LLC requesting waiver use approval to develop an apartment complex on properties at 9106 & 9120 Middlebelt Road, owned by Ventura Real Estate, LLC. These are separate parcels, 9106 Middlebelt parcel 143-01-0106-000 and 9120 Middlebelt parcel*

UNAPPROVED MINUTES

5

143-01-0068-005 and therefore should be combined. Please direct them to the Assessor's Office or Livonia.gov for the lot combination process." The letter is signed by Kathy Siterlet, Residential Appraiser. And then lastly, we have a letter from a resident, Rita Osada, who gives her address as 29150 Westfield Street, and it reads: *"I have been here since 1961. An apartment would be awful there. A business there with low level would be better. Not an apartment. Westland is loaded with them, but not where you might want one. Also, the condos are nice. It continues. I live on Westfield, and we all in the short block 12 house maintain our homes. This would be a distraction. I am not for it. To me, this would be an eyesore. Sure you have nice neighborhood, then this idea, no. Thanks. Could not make it to the meeting. Thank you."* That is the extent of the correspondence.

Mr. Wilshaw: All right. Thank you, Mr. Taormina. Any questions for our planning staff? I don't see any questions for our planning staff. Our petitioner or their representative, I believe is here this evening. You can come forward to our podium, which is over on this side today, and introduce yourself with your name and address, please.

Michael Longo, standing in for Sam Fakhri on short notice due to personal issues and on behalf of Maple Real Estate Group. To my right is Mr. Ron Edwards, who probably has more ideas to this process that's going on right now.

Ron Edwards, EGI Architects, 440 Burroughs Street, Detroit, Michigan 48202. We are the architects and planners for this project.

Mr. Wilshaw: Okay, very good. Thank you for coming this evening, gentlemen. Is there anything that you'd like to present to us about this project that hasn't already been covered?

Mr. Longo: I think everything was covered thoroughly with the introduction.

Mr. Wilshaw: Okay.

Mr. Longo: I was attempting to keep track. I've been given specific notes from Sam, and I'll do my best to keep up to speed on this. I believe the tree screen with regards to the boundary was noted, as well as the six-foot vinyl fencing at the same boundary. With regards to the entire boundary, it's going to be surrounded. Also, my understanding that the dumpsters that will be on the property are going to be housed and moved further away from

the residential property. I believe that there was a letter that was sent this afternoon via email to some members of the commission to let them know as to these points. In addition to those matters and based on the representations that have been made during the study process last week, there will be a stringent application process. People that are going to apply to become residents they will have to have a 675-credit score, no history of nonpayment or rents, proof income, credit references. I believe that those issues were parsed well in the letter that I was CC'd on so I'm not sure I have much to add, other than I believe that it resolves the issues that were brought to our attention at the last meeting.

Mr. Wilshaw: Okay, thank you Mr. Longo. We did receive a detailed letter from the petitioner. So, we appreciate that. Is there any questions for our petitioners representative from any of the commissioners?

Mr. Long: I can't tell on the map can somebody let me know where the dumpster is now or going to be located?

Mr. Taormina: I can help you with that. Referring to the site plan, one of the dumpster enclosures is adjacent to Building #1, located here. We asked the petitioner to identify more precisely where the location of this dumpster relates to the land uses to the north. As you can see, the commercial building to the north is now shown on the plan and the trash dumpster would be directly across from this building. The first residential lot on Grandon is located here. A second dumpster is located here on the property and would serve Building #3, primarily. The third dumpster shown on the plan is situated here and would serve Building #2. This one probably, while it is away from the residential, may not be the best placement given its direct proximity to the front of that apartment building.

Mr. Long: Thank you.

Mr. Wilshaw: Thank you, Mr. Long. Any other questions for our petitioner?

Mr. Caramagno: One of the questions I've got, and it's not actually related to the buildings, but now that we see there's going to be a six-foot vinyl fence going up around the property, how are you going to address existing fences that neighbors have currently with your six foot vinyl fence?

UNAPPROVED MINUTES

7

Mr. Longo: Doing the best that I can with the limited information that I have, and I apologize. I'm unaware of any actual neighborhood fencing that would need to be removed or replaced with regards to our vinyl fence. It's just my indication from Sam that we'd be putting the vinyl fence up and then be surrounding that with spruce trees on the neighboring boundaries for the residential areas up there. I'm not aware of any fencing that needs to be replaced or anything that would be...

Mr. Caramagno: If there is any existing fence, Mark, what do they do with that?

Mr. Taormina: That could become an issue since the City does not like to see two fences only inches apart. In the past, we ask that the developer work with the homeowner(s) to hopefully have the chain link fence removed and replaced with the six-foot-high vinyl fence. If they're not willing to do that, we can work out an arrangement to have both the fences, as long as there's a plan for maintaining the area between the two fences. That's really the main concern. The maintenance between the two fences.

Mr. Caramagno: Yeah, I think it's an item that certainly is not worth hanging this deal up over, but it's something that you need to be aware of when you're working with the neighbors to get this as good as possible. So, thank you.

Mr. Wilshaw: Thank you. All right. Thank you, Mr. Caramagno. Any other questions for petitioner? I don't see any other questions from the Commission. Let's see if there's someone in our audience who wishes to speak on this item, then we'll give you a chance to come back up and make any last comments. All right, Mr. Longo?

Mr. Longo: Absolutely. Thank you.

Mr. Wilshaw: Thank you. Is there anyone in the audience wishing to speak for or against this petition? If so, I suppose there's a few folks, please come forward. We'll ask that you start with your name and address and please limit your comments to two to three minutes and if you can be succinct so everybody can be heard. Good evening, ma'am.

Sarah Matusz, 29197 Grandon, Livonia, MI. That kind of puts me right by that dumpster, and I'm really not happy with it. I feel these apartments are going to take the value of our homes down. And I'm not for it at all. I would rather see one story. Maybe a condo like there is just next door, but you can tell I'm not for it. So, I

don't know what else to say about it. It's terrible. I've been there over 40 some years. I had no problem. Now all of a sudden, you're going to put this right in my backyard, and I'm going to be right next to a dumpster.

Mr. Wilshaw: Alright, well, we appreciate your comments. Mrs. Matusz. Thank you. Good evening.

Jeff Wilshaw, 29137 Westfield Street, Livonia, MI. Grandon is the next street over from mine. As I mentioned at the zoning meeting we had, I've felt the density of this property was way too much. I understand a owner of property needs to be able to utilize his property, but if this was something that was a little bit more size wise from a viewpoint of what the condominiums to the south are, I would be totally in favor of that, I understand that. And the new information I saw today with regard to the chain link fence, all the fences in the neighborhood are three foot high. A lot of them are in poor shape because the frost and the heave and whatnot. So, a double fence would be pretty poor. The other thing is too is with doing a lot of trees, along the fence line, behind the trees ends up becoming a trash collection agency. All you got to do is look at any of the Edward Rose properties around the area, and every single time you see all these beautiful trees, right up against the fence, and it's nothing but a trash dumpster, and they just don't police it. I'm sure these people, they might police it, they might not, but I'm just telling you from my viewpoint, and I've seen it thousands of times, it's just the trash collection part. So, you know, I don't know what to do different, but that's where I'm at. And if we could reduce the density a little bit, I would be all in favor of it. If we're continuing at the same real heavy density, I'm sorry, you know, this is not a big track a land that is meant to have an apartments and credit scores and all that stuff and monthly rent doesn't matter. I've got friends that live in brand new, Live or Live or whatever they're calling it by the Costco off of Haggerty and it's a trash pit. It's a horrific place to live, and I wouldn't recommend it for anybody, and that's a couple thousand bucks a month rent. And so that's where I'm at. Thank you very much for your time. Have a blessed day.

Mr. Wilshaw: Thank you. Good evening, sir.

Bill Schmidt, 29688 McIntyre, Livonia, MI. In the general neighborhood of where this development is proposed. At the planning meeting last week, I mentioned that there is not a single multifamily rental unit within the entire square mile of Section 36. Nor is there a one in the square mile of Section 35 or 34 or 33. There's nothing

in 29, 28, 27. According to the Livonia 21 plan, the idea is to have like establishments in proximity to one another. There's nothing like this around, not for miles. You have to go up to Five Mile Road to get to a multi-family rental unit. This is in violation of the Livonia 21 plan. It is not in keeping with a single-family neighborhood. Not in five years, and certainly not in 50 years, when the extended lifespan of this apartment would come to its end. This is not in benefit to the single-family homes, to the folks that have lived there for 40 years, 50 years. This is a violation of their trust in you to do the right thing and protect their property. You wouldn't want one in your neighborhood. So, I thank you for your time, and I implore you to vote no, on this proposal. Thank you.

Mr. Wilshaw: Thank you Mr. Schmidt. Good evening, sir.

Sean Murphy, 29481 Westfield Street, Livonia, MI. In fact, on that map, that plot map, my house is right on it, and I'm here to express my objections. This is going to change the entire nature of this neighborhood. In fact, just recently, Emerson split in half and sold half of that parcel just in the same neighborhood, and they didn't erect a giant apartment complex. They're building single family houses because that's what is in this area, single family houses. If you've been to that lot, that lot is tiny. You can blink and you can drive right past. It took me twice to go by it and I see it. This is a tiny lot and you're going to put three apartment buildings on it. I'll give it five (5) years, 10 max. This place is going to be trash and it's going to negatively impact this entire neighborhood and this whole area. You know, I was born and raised in Livonia, I moved into Livonia, I bought my own house in Livonia in a single-family neighborhood. This is earshot of...hit a golf club at this thing. And, you know, if you guys put me on notice that...I wouldn't have bought this house, frankly, you know, it's just not for it. I think somebody on this board actually announced that it exceeds the master plan in terms of in terms of density. So, how is this even here? You know, we have a Livonia, we have a nice neighborhood in there, and this is just, this is just not something that fits into the equation of the neighborhood that is Livonia. So, you know, I just like to express my complete disgust with the plan. And, you know, I hope everybody here votes this down.

Mr. Wilshaw: Thank you, Mr. Murphy. Good evening, sir.

My name is Don Shekell, 29161 Grandon, Livonia, MI. I've been a resident there on that street since they first built those homes in 1955. So, I

know the history back there and everything. A couple of issues with this one is and it's been mentioned several times. It's the density of the housing units. And it's not just the fact that it is on 1.7 acres, or whatever, and there's so many units allowed. So, the units have to be pushed back, because the front side of that property is very narrow, so you can't build anything up there. So, it has to be all pushed back. So, you got the three units pushed back right behind our houses. One of the things I thought we'd find out in this meeting is what are the waivers that this developer is asking for? Because normally what would be the amount of distance from our lot lines, where they'd be able to build a structure if it was zoned housing instead of our commercial?

Mr. Wilshaw: We will try to get that question answered for you after everyone's done.

Mr. Shekell: Then the other thing is to Mr. Taormina brought up the third dumpster. Didn't think it was good because it is right outside the one building. So where is he planning on putting the dumpster, right behind my house? Okay, then you talk about the fencing. The fence line along there...we all have the cyclone fences. Been there for years and years and years. Okay, and you want to put trees right along the fencing. So, how am I going to clear the growth on the other side of my fencing? Secondly, you have the electrical lines. So, what did we do? Plant a bunch of trees underneath the electrical lines and then in a couple years, they got to come and cut them all down because they're interfering with electrical lines. That's one thing that needs to...that was a simple thing to look at. Totally against the entire project. It's too dense for the area. The buildings are too close to the property lines. You just got like I said, what a lot of people mentioned already a lot of issues with this. It's a bad idea. Very bad idea.

Mr. Wilshaw: Thank you, Mr. Shekell. Appreciate you coming. And we have one more lady to speak. Good evening, ma'am.

My name is Karen Shekell, 29161 Grandon, Livonia, MI. I grew up in that house. Moved in in 1962 with my mom and dad and brother and we knew the Ventura's. Nice people, wonderful people. I understand why Pete wants to sell the property, no big deal., and I understand too that the property needs to be developed for some reason. Somebody thinks that's a good idea. The apartments are a horrible idea, horrible. My biggest concern is the proximity to our yard. And where our property line...and where this building is going to be. My second concern are those

dumpsters, I don't care where you put them. We already have rats in our neighborhood as most people that I know in Livonia neighborhoods, there is a rat issue, and the more dumpsters you put up, the more food is going to end up on the ground. You're gonna get a bunch of animals going over for it, and we're going to have more rats. I don't want more rats. I don't want the smell. I don't want an apartment complex. I'd be fine if you wanted to okay, a condo unit even if it's two stories, I'd prefer one. I'd prefer just green space. But I think that when we come into the City of Livonia and any main street you come in it says families first. And I'm not seeing that because everything so far has been going through with no problems. So, are you looking at the families you want to bring into the city? Are you looking at the families that are already here or everyone as a whole? Because to me it looks like you're only interested in the people that are coming in. Right now you're not looking at the people who are already living here. We've been here for a long time, a lot of us. Sara, my husband and I, a long time and we don't want this complex. So, I really implore you to vote no on it. Thank you for your time.

Mr. Wilshaw: Thank you, Mrs. Shekell, Is there anyone else wishing to speak for or against this item? believe everyone else has had a chance to speak. So, I'm gonna give the petitioner a chance to come up...their representatives and say anything if they wish, based on the comments that they've heard. Make any closing comments.

Mr. Longo: I think it's only fair to respond to a few of these, even though we may never see eye to eye. First, I want to thank everybody for your comments. I'm filling in. So...

Mr. Wilshaw: Please address your comments to us.

Mr. Longo: My apologies, I have a couple of comments with regards to property values going down. I'm not sure where that would come from, or if that's even the case. With regards to condos rather than apartments, I think that's something that they explored, and the cost of materials, the cost of labor shortages out there, it just is not feasible. Whether or not condos would be a different density from apartments, I'm not sure if that's actually a thing. With regards to dumpster issues, we've already gone over the fact that the whole property is going to be lined by the fencing. So, it's not going to be visible. The dumpsters themselves are going to be encased in their own little compartments, so the smells aren't going to escape. I'm

assuming that there's gonna be a latch on front of those, so animals aren't going to get in, and like any sort of dumpster compartment would have on the lots. Let's see... the density issue I hear coming up an awful lot. It's my understanding that the housing alone is going to be 11,000 square feet total. However, the total land that's gonna be left over that which will be used as landscaping and greenery will be around 51,000 square feet, you know, for landscaping, and parking lots and everything like that. So, there's a really a five to one as to what's going to be housing and what's going to be everything else. Let me see, we've already touched on the double fencing issue. That's not going to be a thing. We're going to have single fencing, if the use is permitted. I'm trying to address the trash collection idea in my mind, and again, it's my understanding that the fencing will be on the outside of the trees. The trees will be on the inside of the lot. So, any kind of trash, that's a collection at the base of the tree, I presume would be, you know, that's created from the apartment complex I would assume it to be on the inside of that fencing not visible with regards to any of the adjacent residents. Let's see what else... I think that's pretty much all I have to say about that. I did know that a lot of the individuals were making note how this has been this way since you know, the 60s or the 50s, and it sounds like the preferred No. No development and just have remain as is and I'm not sure if that's an option or not. So, I have nothing further to add. Alright,

Mr. Wilshaw: Alright, Mr. Longo, do you want to stay up there for one second. We'll see if there's any additional questions from any of our commissioners before we close things out. Is there any questions for petitioner? If no...Mr. Longo, I do have one question for you. In regard to property management, how is this property going to be managed? Is there going to be a designated manager? Is there going to be a person on site? How's that going to be?

Mr. Longo: It's my understanding is there's gonna be a property management on site to take care of the property itself. Sam's office deals with a couple of different property managers that manage properties in Warren, East Pointe, Livonia, and I think there's a couple other areas. Lincoln Park, I think is another one. Mostly these management companies, they manage apartment complexes, they manage regular housing. So, they're used to the issues that arise. They're used to getting rid of people that are trashing places. So, I think they're really on top of their game, from everything that I've seen at his office for the

last nine years. So, a property management company for sure on site.

Mr. Wilshaw: Okay, so will there be an office for them to be in? Or is it going to be a person who's a resident full time?

Mr. Longo: I don't have that information on hand. But I know that there's going to be property management, and if it's the recommendation of the Commission to have an office on site, I don't see why they wouldn't be opposed to that.

Mr. Wilshaw: Okay. All right. Thank you. Is there any other questions from any of our commissioners? One more shot? If there is nothing...Ms. McCue?

Ms. McCue: I think the one thing that I need clarification on is the fencing. I've heard that there isn't any fences on the adjoining adjacent properties, but yet people are telling us that there is and forgive me, I guess I did not explore that close enough to really know. I'm a little concerned. at this point about approving it, and then ending up with double fencing, because that is a huge problem.

Mr. Longo: Right. And I don't have any information as to whether or not there is fencing that's on that property that would be in the way of any fencing that we would put up with regards to this development. I don't have information with regards to that, and I'm not sure if anybody actually brought proof that they are on that line.

Mr. Wilshaw: All right., Mr. Bongero.

Mr. Bongero: To Betsy's point, there is fencing on that northside. Pretty much every yard had fencing on there. So, it's going to be an issue coming up.

Mr. Wilshaw: Yeah, Cyclone fences.

Ms. McCue: So, I guess my question is, how do we address that? And I don't know if that goes back to Mr. Taormina, or goes back to the petitioner? I'm not sure. But that's a problem.

Mr. Wilshaw: It's a fair question. Yes. Mr. Taormina? Is there any thoughts?

Mr. Taormina: I think I responded to that question previously, is that we try to have just a single fence, but if a homeowner is insistent on maintaining their chain link fence, then the result would probably

be double fence line. So, it may be a combination of one or two fences along the north side of the property. If the site plan shows that there must be either a wall or a six-foot vinyl fence, then that has to be installed. Again, we try to have the petitioner work with the adjoining property owners to see if the fence can be removed. But it's not always...

Ms. McCue: It's just not always going to happen. Right. I guess that's my point. Okay, thank you.

Mr. Wilshaw: And that's also when you run into a situation that some of the residents describe where it's difficult to trim grass or weeds that are growing up between double fences. There's no way to get in between those. So, it becomes a real tidiness issue. So okay, then you're all set Ms. McCue? Great, thank you. And there was one other question, Mr. Taormina, that was asked by a resident, and I wanted to make sure we answer in terms of any waivers or anything in terms of side yard setbacks, a lot line or anything for this property, or is this a conforming development that's before us?

Mr. Taormina: Per the ordinance, as a Planned Residential Development, the plan is afforded a great degree of flexibility and discretion. It's really something that the Planning Commission and City Council determines through the review process. What the appropriateness is in terms of the height, area, and bulk standards. If this were proposed as a conventional multifamily development, depending on the zoning classification, the setback distance would vary from between 25 to 50 to 75 feet. If these were three-story buildings, the minimum setback would be 75 feet. For the NM2 multifamily classification, which allows for apartment buildings, the minimum required setbacks for the side and rear yards vary between 25 and 50 feet. To show you what the setbacks are for this project, Building #1 at its closest point is 20 feet from the north property line. Building #2 at its closest point is about 30 feet from the property line. As you can see, as the buildings continue further to the east, the setback for both buildings increase slightly, varying from between 20 to 50 feet.

Mr. Wilshaw: Okay. Thank you. I appreciate that. If there's no other questions. Oh, Ms. Smiley.

Ms. Smiley: On that note, they were specifically asking what other waivers they had to have. Their dumpsters away from the property line, at least 20 feet, right?

Mr. Taormina: There is no minimum setback requirement for a dumpster. So, there's no waiver, if you will, being sought relative to the placement of the dumpster. Again, this is a PRD, a Planned Residential Development, and it's really something that is determined by the Planning Commission and City Council.

Ms. Smiley: So, there's no other waivers besides the setbacks that they're...

Mr. Taormina: We talked about the parking. The original plan showed a few more parking spaces. The standard zoning recommendation is two (2) spaces per unit which would be 48 total spaces. The zoning ordinance, however, allows us to look at other sources, including the Institute of Traffic Engineers Manual. When we do that, the recommendation is something slightly less than two spaces per unit. In this case, they're showing 1.75. We believe that is adequate and is in line with other recently approved multi-family developments. Thus, we're not concerned with the amount of parking shown on the plan.

Ms. Smiley: Okay.

Mr. Taormina: We also mentioned the density. The Master Plan recommends a range of between 5 to 14 dwelling units per acre. In this case, they're proposing 16-½ dwelling units per acre. So, it is slightly higher. There's about a four-unit difference between what this project shows and what the Master Plan, not the Zoning Ordinance, would recommend in terms of overall density.

Ms. Smiley: Okay, and didn't we discuss about doing away with some of the parking so that there would be more green space?

Mr. Taormina: That was really intended to increase the buffer along the single family property lines, in order to get enough space for a row of evergreen trees in order to supplement the screening with not only the fence, but to also include some full-size evergreen trees. In this case, they're showing spruce trees.

Ms. Smiley: Thank you, Mr. Chair.

Mr. Wilshaw: Thank you, Ms. Smiley. Any other questions or comments from any of the commissioners? I think we're all set then. Thank you, Mr. Longo, for coming.

Mr. Longo: Thank you so much.

Mr. Wilshaw: With no other further questions or comments, I'm going to close the public hearing at this time. And a motion would be an order.

On a motion by Caramagno, seconded by Smiley, it was:

RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on May 17, 2022, on Petition 2021-12-02-27, submitted by Maple Real Estate Group, L.L.C. requesting special waiver use approval to develop a Planned Residential Development pursuant to Section 5.02 of the Livonia Vision 21 Zoning Ordinance, consisting of an apartment complex made up of three (3) buildings and twenty-four (24) dwelling units, on the properties at 9106 and 9120 Middlebelt Road, located on the east side of Middlebelt Road between Joy Road and West Chicago Avenue in the Southwest $\frac{1}{4}$ of Section 36, the Planning Commission does hereby recommend to the City Council that Petition 2021-12-02-27 be approved subject to the following conditions:

1. That Site Plan, identified as drawing 1, dated May 9, 2022, as revised, prepared by Edwards Group International, Inc. is hereby approved and shall be adhered to.
2. That the Landscape Plan, identified as drawing OF, dated May 10, 2022 prepared by Edwards Group International, Inc. is hereby approved in concept, except that a final plan prepared by a registered landscape architect shall be submitted to the Planning Department for approval prior to any construction, said plan shall include a continuous row of evergreen trees along the north and east property lines where the site abuts any single-family properties, and shall properly identify all proposed plants according to species, size and numbers.
3. That all disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding.
4. That underground sprinklers are to be provided for all landscaped and sodded areas and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition.

5. All parking spaces, except the required handicapped spaces, shall be doubled striped at ten feet (10') wide by twenty feet (20') in length as required.
6. That the Exterior Building Elevation Plans, identified as drawings 5 and 6, dated October 12, 2021, prepared by Edwards Group International, Inc. are hereby approved and shall be adhered to.
7. That the maximum height of any pole-mounted light fixtures shall be sixteen feet (16') and shall be located and shielded to prevent light trespass and glare on adjacent properties.
8. That the exterior walls of the trash enclosures shall be constructed out of the same brick used in the construction of the buildings, and the enclosure gates shall consist of solid panel steel or durable, long-lasting solid panel fiberglass.
9. That the Petitioner shall work in cooperation with the abutting residential property owners to avoid the issue of double-fencing along the subject site's property lines.
10. That the issues as outlined in the correspondence dated May 9, 2022, from the Fire Marshal, including the recommended width and vertical clearance of the roadway and the placement of fire hydrants, shall be resolved to the satisfaction of the Department of Public Safety, Livonia Fire and Rescue.
11. That this site shall meet either the City of Livonia or the Wayne County Storm Water Management Ordinance, whichever applies, and the developer shall secure any required permits, including storm water management permits, wetlands permits and soil erosion and sedimentation control permits.
12. The developer and all contractors and subcontractors shall employ best management practices to prevent, reduce and mitigate the problems associated with soil erosion and airborne dirt and dust from migrating off-site, including provisions for erosion control barriers, daily street sweeping, watering, and halting earthwork activities on days when the wind conditions are likely to cause a problem.

13. That only a conforming entrance marker is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.
14. That all required cash deposits, certified checks, irrevocable bank letters of credit and/or surety bonds shall be deposited with the City prior to the issuance of engineering permits; and
15. Pursuant to Section 13.13 of the Livonia Vision 21 Zoning Ordinance, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 of Livonia Vision 21 Zoning Ordinance.

Mr. Wilshaw: Is there any discussion?

Ms. Smiley: Could we put something in there that they will work to eliminate that double fence thing? To work with the neighbors or try to come up with a plan so that we don't have the double fence area?

Mr. Wilshaw: Mr. Taormina? Do you think there's a way that we can incorporate something like that?

Mr. Taormina: Yes, we would have to figure out some language to encourage that as best as possible. I'd have to find out more from the Inspection Department, what they normally do when they're confronted with this issue.

Ms. Smiley: Thank you.

Mr. Wilshaw: Okay. And Mr. Caramagno? You're okay?

Mr. Caramagno: Yeah. It's something to encourage the one fence solution. That's all.

Mr. Wilshaw: Okay. Any other questions or comments on this motion? If there's nothing then Mr. Secretary, please call a roll on a motion to approve

A roll call vote was taken on the foregoing with the following result:

AYES: Caramagno, Smiley, McCue

NAYS: Bongero, Long, Wilshaw.

Chairman Wilshaw declared the resolution failed due to lack of majority.

Mr. Wilshaw: I will now open the floor up to any additional motions.

Mr. Long: Mr. Chairman, obviously, with a three-to-three vote, a denying resolution is likely to meet the same fate. So, when we have a hung jury, what are our options here?

Mr. Wilshaw: Well, we could try a vote on a denying resolution and see if anybody's going to change their mind. It's not to say that they will.

Mr. Long: Correct.

Mr. Wilshaw: Beyond that, we're at a stalemate.

Mr. Long: So, with a stalemate, then does it go on to City Council with no recommendation?

Mr. Taormina: I know that when City Council is confronted with this same situation, they render a determination that the project is denied for failure to have a positive vote. So, your option is to either leave it as is or consider an alternative motion that would see if there's a majority that would be in favor of tabling the item to allow the petitioner to come back with any changes that might meet the Planning Commission's approval.

Mr. Wilshaw: That's a good, good suggestion. Tabling is always an option. Mr. Long?

Mr. Long: So, I would understand that with City Council, because they're the ultimate arbiter of that. We're just recommending. Since we're just recommending, it would seem to me, to be prudent, to just send it along with no recommendation.

Mr. Taormina: I guess my point is, if I may, Mr. Chair, in that case we would advise the petitioner that they would have to file an appeal to move this forward to the City Council. Whether it was formally denied or failed due to a lack of majority, it would have to go through the appeal process to be heard by Council.

Mr. Wilshaw: Exactly. And at the end of the day, just so the folks in our audience are aware, we are just a recommending body to City Council. They are the ultimate decider of all our petitions that come before us this evening. We are just simply vetting the process and trying to give a recommendation as to whether it should be approved or denied. Ultimately, City Council will have to make that decision. So, if there is no other motions offered by any of the commissioners, which there are, we've heard a couple different options laid out before us, I'll give one more chance to see if there is any other motions.

Mr. Bongero: We're not going to invite them back and table this, right? That's kind of out.

Mr. Wilshaw: Tabling is always an option. If you think that there's some changes that could be made that would change the vote process by anybody, if we don't think that's the case, and we just want to let this proceed on to the City Council, then we would not offer any other additional motions at this time, and it would effectively be denied by lack of support, and then they could appeal to City Council.

Mr. Bongero: Thank you.

Mr. Wilshaw: Is that clear to everybody? And there's no other motions from anybody? If not, then that's where we're going to leave things standing. We do not have support for this recommendation to approve this. Therefore, it is by proxy effectively denied. You will have 10 days in which to appeal the decision in writing to City Council. All right, Mr. Longo? Thank you to everyone who came this evening. And if you want to continue to follow this through City Council, please make sure to look for those meetings in the future if that is appealed and goes on to their agenda. All right. Thank you everyone. With that we will now move on to item number two on the public hearing section of our agenda.



LETTER TO THE LIVONIA CITY COUNCIL

2.

Planning
May 26, 2022

MEETING DATE

July 18, 2022

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

Appeal of the denial of the Planning Commission regarding Petition 2022-03-02-10 submitted by Excellerated Towing & Recovery requesting waiver use approval to operate a vehicle tow yard at 12780 Wayne Road, located on the east side of Wayne Road just south of Schoolcraft Road in the Northwest ¼ of Section 28.

BACKGROUND

May 26, 2022

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2022-03-02-10 - Excellerated Towing & Recovery

Dear Council Members:

At the 1,187th Public Hearings and Regular Meeting held by the City Planning Commission on May 17, 2022, the following resolution was adopted:

RECOMMENDATION

#05-26-2022 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on May 17, 2022, on Petition 2022-03-02-10 submitted by Excellerated Towing & Recovery requesting waiver use approval pursuant to Sections 3.16 and 6.58 of The Livonia Vision 21 Zoning Ordinance, as amended, to operate a vehicle tow yard at 12780 Wayne Road, located on the east side of Wayne Road just south of Schoolcraft Road in the Northwest ¼ of Section 28, the Planning Commission does hereby recommend to the City Council that Petition 2022-03-02-10 be denied for the following reasons:

1. That the petitioner has failed to affirmatively show that the proposed use complies with all the general waiver use standards and requirements as set forth in Sections 6.58 and 13.13 of the Livonia Vision 21 Zoning Ordinance, as amended.
2. That the operation of a vehicle tow yard with outdoor storage at this location and the pattern of traffic generated from the proposed use would have a detrimental effect upon the neighboring properties.

3. That the nature and intensity of the proposed use is inconsistent with the predominant small manufacturing businesses that are located within this industrial park, and
4. That the petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 of Livonia Vision 21 Zoning Ordinance, as amended.

FISCAL CONSIDERATION

ATTACHMENTS

1. 2022-03-02-10_E-COUNCIL Pkt

APPROVED BY



Mark Taormina, Planning and Economic Development Director

Date: May 26, 2022



Maureen Miller Brosnan, Mayor

Date: June 22, 2022

Petition 2022-03-02-10 submitted by Excellerated Towing & Recovery requesting waiver use approval pursuant to Sections 3.16 and 6.58 of the Livonia Vision 21 Zoning Ordinance, as amended, to operate a vehicle tow yard at 12780 Wayne Road, located on the east side of Wayne Road just south of Schoolcraft Road in the Northwest ¼ of Section 28.

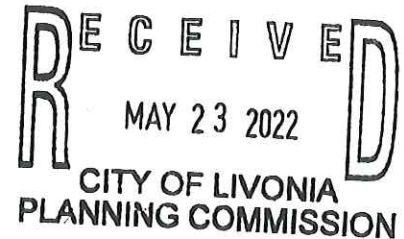
TERRY SEVER

1883 Teakwood Dr. - White Lake, Michigan 48383

248-982-9797

May 23, 2022

Re: Petition 2022-03-20-10 – Excellerated Towing & Recovery



Dear Livonia City Council:

As applicant and representative for Excellerated Towing & Recovery I am appealing the decision of the Planning Commission, Resolution #05-26-2022, denial of a waiver for the operation of a Towing Company in M1 zoning district as allowed by the City's zoning ordinance.

We believe the Planning Commission in its determination made assumption that where inaccurate. The proposal does meet the spirit and intent of the use and waiver process.

Sincerely,

A handwritten signature in blue ink that reads "Terry Sever".

Terry Sever, Applicant

Representative.

EMAIL TERRYSEVER@GMAIL.COM

RECEIVED
OFFICE OF THE CITY CLERK
2022 MAY 23 AM 8:14

CITY OF LIVONIA, MICHIGAN
APPLICATION FOR WAIVER USE APPROVAL

All applications must be presented in triplicate to the City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097. Applications must include property owner's name, address and notarized signature.

Filing fee = \$600.00 plus \$20.00 for each 1,000 sq. ft. of gross floor area of new construction.

Date Filed: 3-11-22 Petition 2022-03-02-10

Site Address: 12780 WAYNE RD, Sidwell 46110020013000 Zoning of Property M-1

Requesting Approval To USE AS A TOWING COMPANY

Applicant: TERRY SEVER Business/Company: EXCELERATED TOWING

Applicant's Address: 31152 6 MILE City: LIVONIA State: MI Zip Code: 48152

Applicant's Phone # (248) 982-9797 Applicant's Email terrysever@gmail.com

Contact Person: TERRY SEVER Business/Company: CENTURY 21 ROW

Contact's Address: _____ City: _____ State: _____ Zip Code: _____

Contact's Phone # (____) _____ Contact's Email _____

Please provide the following information:

- 1) **Site Plan** showing:
 - property dimensions, including road right-of-way & building setback lines
 - foot print of building(s), including dimensions & square footage
 - all easements, protective walls, sidewalks & existing trees
 - any significant topographic features (existing or proposed)
 - parking layout, including type of surface material, sizes of spaces & aisles
 - method used in calculating parking requirement
 - location of light standards servicing parking lot & cutout showing type & height
 - location of trash receptacle, including description of screening
 - location of signs
- 2) **Detailed Landscape Plan** including:
 - listing or labeling of all planted materials as to type and size
 - areas to be fully irrigated
 - percentage of landscaping provided (15% of total site required)
- 3) **Building Elevation Plan** depicting:
 - architectural quality
 - wall section & detail plan - exterior building materials must be labeled (i.e. brick, thin brick, E.F.I.S.)
 - all visible rooftop mechanical equipment and how they will be screened
- 4) **General Floor Plan** showing:
 - floor layout
 - entrances & exits
 - restaurants are required to illustrate seating arrangement & capacity
- 5) **One (1) set of reduced plans** (i.e. site, landscape, elevation, floor), a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to smiller@ci.livonia.mi.us
- 6) **Legal Description** of the property to be considered (Clearly Printed)
- 7) Three (3) completed application forms & **three (3)** sets of full-size drawings

You are invited and encouraged to review your proposal with the Planning Department staff. Only one set of preliminary drawings will be necessary for this analysis.

FEE COMPUTATION		\$600.00
_____ sq. ft. of new construction x \$20.00 per 1,000 sq. ft.		
(NOTE: Round off to nearest 1,000)	+	
Total Amount Due	\$	

Owner of Property: WHEEL TRIVING INVESTMENT CO. LLC

Owner's Address: 33640 SCHOOLCRAFT City: LIVONIA State: MI Zip Code: 48150

Owner's Phone # (734) 241-8380 Owner's Email _____

Signature of Owner: [Signature] Print Name: BEN CRABILL

Subscribed and sworn to before me, a Notary Public in and for the County of Oakland State of Michigan

on this 14th day of MARCH 20 22

Signature of Notary: [Signature] My commission expires 3/29/28

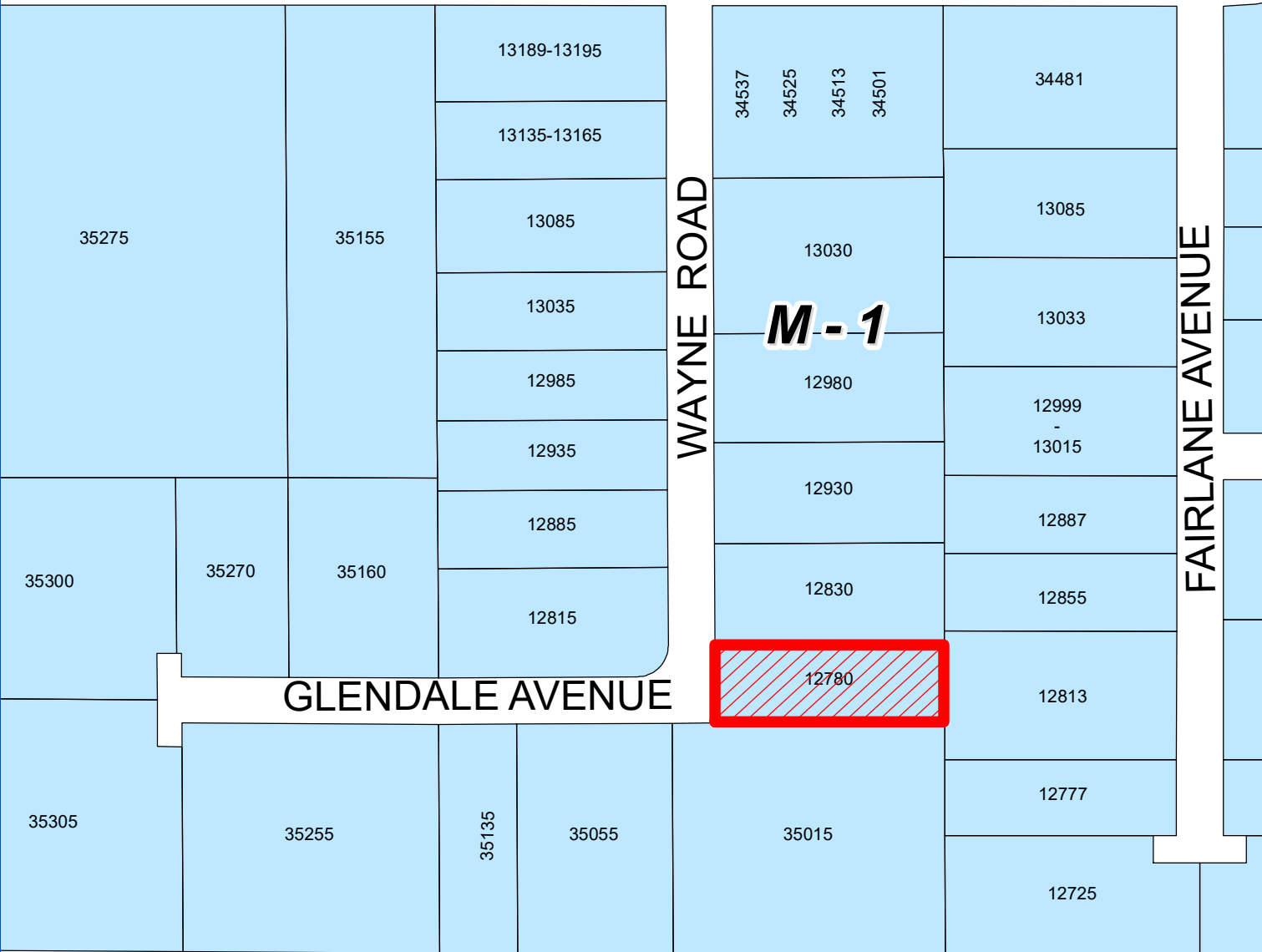
Acting in the County of Wayne

T. BACHLEDA
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Mar 29, 2028
ACTING IN COUNTY OF _____

RECEIVED
MAR 28 2022
CITY OF LIVONIA
PLANNING COMMISSION

RECEIVED
MAR 25 2022
DEPARTMENT OF LAW
CITY OF LIVONIA

INDUSTRIAL ROAD

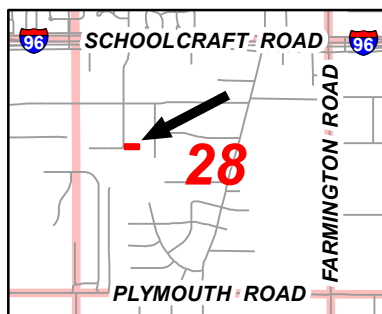


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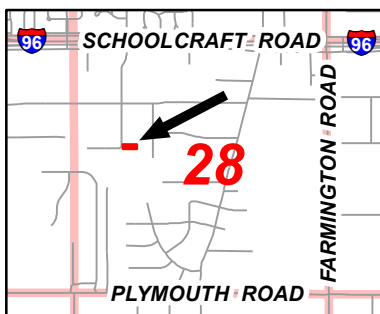
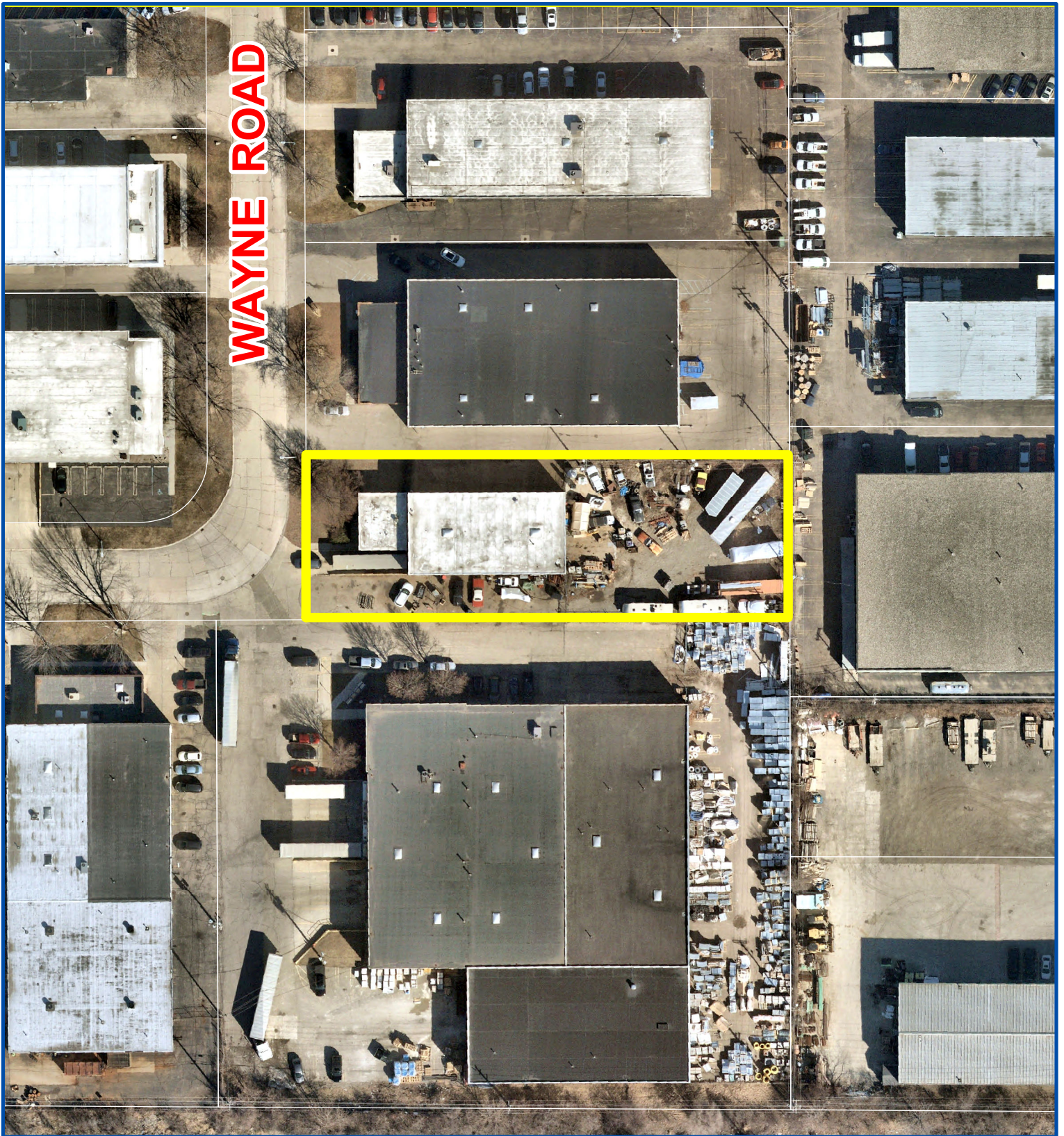
Address & Zoning Map

Petition 2022-03-02-10
Excellerated Towing & Recovery
12780 Wayne Road
To Operate Vehicle Tow Yard



Not to Scale

City of Livonia
Planning Department



Aerial Map

Petition 2022-03-02-10
Excellerated Towing & Recovery
12780 Wayne Road
To Operate Vehicle Tow Yard



Not to Scale



City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

PUBLIC HEARING

ITEM 3

Petition 2022-03-02-10 submitted by Excellerated Towing & Recovery requesting waiver use approval pursuant to Sections 3.16 and 6.58 of the Livonia Vision 21 Zoning Ordinance, as amended, to operate a vehicle tow yard at 12780 Wayne Road, located on the east side of Wayne Road just south of Schoolcraft Road in the Northwest ¼ of Section 28.

April 19, 2022: Study Meeting:

This petition seeks waiver use approval to operate a vehicle tow yard on property located on the east side of Wayne Road just south of Schoolcraft Road. The subject property, described as Lot 13 of Burton and Share Westside Industrial Subdivision, measures 100 feet in width by 295.27 feet in depth, for a total area of 29,527 square feet (0.68 acre). Lot 13 is zoned M-1 Light Manufacturing and is surrounded by other industrial-zoned parcels. This same petitioner requested waiver use approval to operate a tow yard on Rosati Avenue (Petition 2021-10-02-22). Following approval by the Planning Commission on November 30, 2021, Council placed this item in committee for further study. Through this process, Excellerated Towing & Recover secured an interest in the subject Wayne Road property and is now requesting to withdraw the pending petition involving the Rosati Avenue property.

Per Section 6.58 of the Zoning Ordinance, vehicle tow yards are allowed as a waiver use subject to the following special requirements:

- i. Except for the front yard setback, the lot area shall be enclosed with a fence of a type approved by the Inspection Department which shall be located and maintained on the boundaries of such lot area, with only such openings therein as may be necessary for ingress and egress; provided, however, that in the case of a corner lot such fence shall be located on the side yard setback line abutting a public or private thoroughfare.
- ii. Landscaping of the front yard and, in the case of a corner lot, also the side yard abutting a public or private thoroughfare, shall be required.
- iii. The outside stacking or stockpiling of materials shall not exceed eight feet (8') in height above ground level.
- iv. Notwithstanding any other provisions of this Ordinance, wherever the outside storage of equipment and/or material occurs on the site of an approved waiver use and is immediately adjacent to or abutting any residentially zoned property, there shall be provided a greenbelt which shall be at least twenty feet (20') in width, which shall consist of at least two (2) rows of appropriate live plant materials, so placed as to provide continuous screening over and above that which is provided by the protective wall, as is required by other provisions of this Ordinance and shall thereafter be permanently maintained; and further provided, that

PUBLIC HEARING

ITEM 3 Petition 2022-03-02-10 – Excellerated Towing & Recovery

Page 2

such greenbelt shall attain a minimum height of at least eight feet (8') after one full growing season.

The existing building, located near the front of the site, measures 6,000 square-feet, including 4,800 square feet of shop area and 1,200 square feet of office space. Parking is available along the south side of the building. The proposed tow storage yard is shown in the rear yard, which measures approximately 13,000 square feet in size and is currently unpaved. Section 9.10 of the zoning ordinance specifies that all parking areas, regardless of size, must be hard surfaced. As specified in the waiver use requirements, the entire tow yard is completely enclosed with six foot (6') high cyclone fencing. The yard's access gate is located next to the south side of the building. In front of building, next to the office, is an existing truck well.

Required parking is calculated according to a ratio of one (1) space per 500 square feet of useable floor area. Based on the size of the building, the proposed facility requires ten (10) parking spaces for both employees and customers. The site plan shows nine (9) angled parking spaces along the south side of the building. The gravel tow storage yard contains approximately twenty-five (25) parking spaces and would be used primarily for recovered vehicles and company tow trucks.

The existing building is constructed out of a combination brick and split-face block. The site plan does not show an enclosed trash dumpster area on the site. According to the petitioner, all refuse, including tires and auto parts, would be stored inside the building until such time they are taken away by an appropriate contractor.

For landscaping, based on the planting requirements of Section 10.03, the site's frontage requires one (1) full size tree, one (1) ornamental tree, and ten (10) shrubs. The site plan shows in front of the building one (1) existing full-size tree, two (2) existing ornamental trees and eighteen (18) shrubs. The existing plant material is not identified as to type.

Proposed exterior lighting includes pole-mounted LED fixtures measuring twenty feet (20') in height. The submittal does not include a site photometric plan; thus, it is not possible to determine the exact illumination levels. No residential areas would be affected by the development.

According to the provisions set forth in Section 11.08 of the sign regulations, this site would be allowed one (1) wall sign at one (1) square foot of area for each two (2) lineal foot of front building width or 100 square feet, whichever is lesser. Because the existing building is deficient in front yard setback, this site is not allowed a ground sign.

May 10, 2022: Study Meeting:

This item was rescheduled to the meeting of May 10th.

PUBLIC HEARING

May 17, 2022: Public Hearing:

Denying Resolution: That the request to operate a vehicle tow yard at 12780 Wayne Road is hereby denied for the following reasons:

1. That the petitioner has failed to affirmatively show that the proposed use complies with all the general waiver use standards and requirements as set forth in Sections 6.58 and 13.13 of the Livonia Vision 21 Zoning Ordinance, as amended.
2. That the operation of a vehicle tow yard with outdoor storage at this location and the pattern of traffic generated from the proposed use would have a detrimental effect upon the neighboring properties.
3. That the nature and intensity of the proposed use is inconsistent with the predominant small manufacturing businesses that are located within this industrial park, and
4. That the petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

Approving Resolution: That the request to operate a vehicle tow yard at 12780 Wayne Road is hereby approved, subject to City Council approval and the following conditions:

1. That the Site Plan identified as A 01 dated March 24, 2022, prepared by Medora Building Company, is hereby approved and shall be adhered to.
2. All parking spaces, except the required barrier free parking, shall be striped at ten feet (10') wide by twenty feet (20') in length as required, and the number and location of the barrier free parking space(s) shall be provided at the direction of the Inspection Department.
3. That the maximum number of vehicles parked on the site at any given time, including employees, customers, tow trucks and recovered vehicles, shall not exceed thirty-four (34) vehicles.
4. That the vehicle tow yard shall be resurfaced with crushed rock, gravel or a material approved by the Engineering Division prior to the issuance of the Certificate of Occupancy by the Inspection Department and shall be properly graded and drained to dispose of all surface water and maintained in a dust-proof condition; provided, further, that—pursuant to Section 9.10 of the Zoning Ordinance—the tow yard shall be hard surfaced with a pavement type and thickness as approved by the Engineering Division within two (2)

PUBLIC HEARING

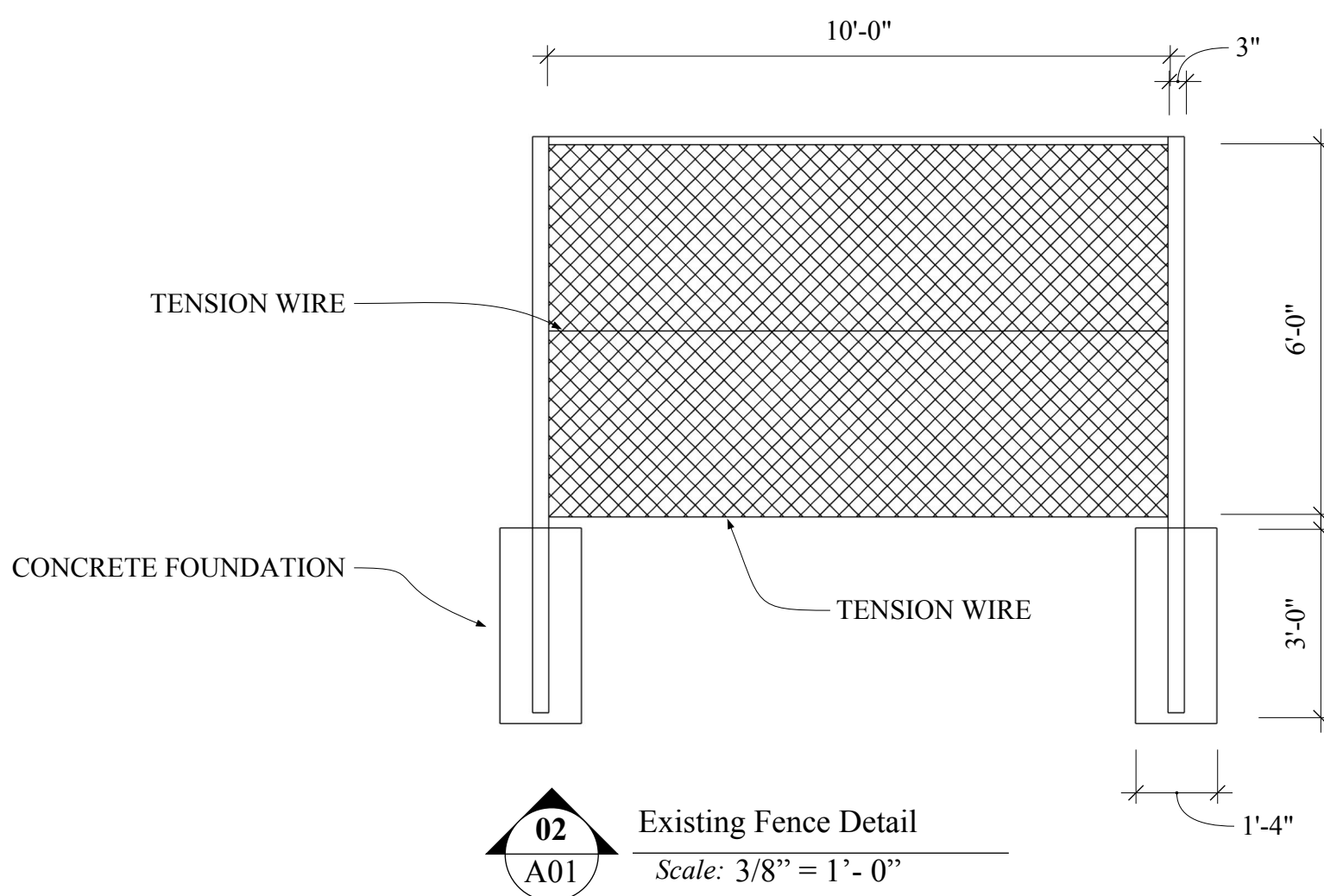
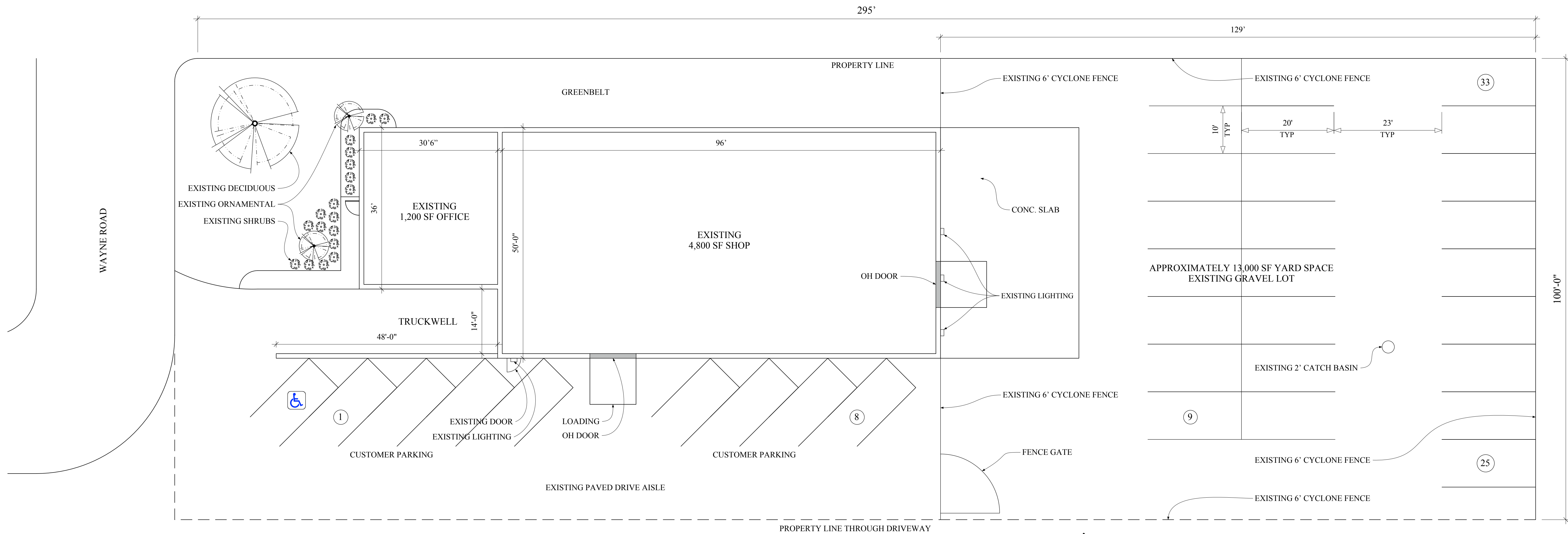
ITEM 3 Petition 2022-03-02-10 – Excellerated Towing & Recovery

Page 4

years from the date that the Certificate of Occupancy is issued unless waived by City Council.

5. That the site's landscaping shall be restored to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition.
6. That any pole-mounted light fixtures shall not exceed twenty feet (20') in height and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways.
7. That there shall be no outside dumpster located on the site, and all trash must be contained within the building except on the day trash is scheduled for removal. That any facilities for the outdoor storage of refuse shall be screened by means of an enclosure constructed of masonry walls with metal enclosure gates.
8. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.
9. That the specific plan referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and
10. Pursuant to Section 13.13 of the Livonia Vision 21 Zoning Ordinance, as amended, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

EXCELLERATED TOWING & RECOVERY
12780 WAYNE ROAD
LIVONIA, MI 48150



A
A01

PROPOSED SITE PLAN
Scale: 3/32" = 1'-0"

0

GENERAL NOTES

ZONING: M-1 LIGHT MANUFACTURING
EXISTING BUILDING AREA: 6,000 SQ FT

1. ALL SITE DATA GATHERED BY EXISTING MUNICIPAL DOCUMENTS AND GIS DATA FROM THE CITY OF LIVONIA. ALL DIMENSIONS ARE SUBJECT TO REVIEW.

PROGRESS DRAWING

This drawing is not intended to be used for contract pricing or fabrication purposes. All content is subject to change.

REVISIONS

MM/DD/YY	REMARKS
03/24/22	DRAWN BY: BC
1	...
2	...
3	...
4	...
5	...



EXCELLERATED TOWING & RECOVERY

PROPOSED SITE PLAN

A

O1

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

DAVID W. LEAR, P.E.
ASST. CITY ENGINEER



MAUREEN MILLER BROSNAN
MAYOR

DONALD R ROHRAFF
DIRECTOR OF PUBLIC WORKS

12973 FARMINGTON ROAD
LIVONIA, MICHIGAN 48150
(734) 466-2571
FAX: (734) 466-2195

March 28, 2022

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2022-03-02-10 – 12780 Wayne Road

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed waiver use at this time. The existing parcel is assigned the address of **#12780 Wayne Road**.

The existing building is currently serviced by public water main, storm sewer and sanitary sewer. According to the proposed plans, there should not be impacts to the existing utilities.

Should the developer need to make revisions to the existing leads, or do any work within the Wayne Road right-of-way, they will need to submit Engineering drawings to this Department to determine if permits will be required.

Should you have any additional questions on this matter, please feel free to contact myself at (734) 466-2608 or the City Engineer, Mr. Todd Zilincik at (734) 466-2561. If you would prefer, you can e-mail either of us at dlear@livonia.gov or tzilincik@livonia.gov.

Sincerely,

David W. Lear, P.E.
Assistant City Engineer

cc: 2022 Petition File

DEPARTMENT OF PUBLIC SAFETY
LIVONIA FIRE & RESCUE

DAVE HEAVENER
FIRE CHIEF



MAUREEN MILLER BROSNAN
MAYOR

14910 FARMINGTON ROAD
LIVONIA, MICHIGAN 48154-5419
734-466-2444
734-466-2082 fax

DATE: April 18, 2022
TO: Scott O. Miller, Planner IV
FROM: Livonia Fire Prevention Division
SUBJECT: Petition 2022-03-02-10 12780 Wayne Rd.

This office has reviewed the site plan submitted in connection with a request to construct a commercial building on property located at the above referenced address.

We have no objections to this proposal with the following stipulations:

On submitted plans, please include nearest fire hydrant location(s).

A further detailed plan review will take place when this division receives an official plan set.

Sincerely,

Brian Kukla

Brian Kukla
Sr. Fire Inspector

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE

THOMAS GORALSKI
CHIEF OF POLICE



MAUREEN MILLER BROSNAN
MAYOR

15050 FARMINGTON ROAD
LIVONIA, MICHIGAN 48154-5499
(734) 466-2470
FAX: (734) 261-2265

March 29, 2022

Mr. Scott Miller
City of Livonia Planning Dept
33000 Civic Center Drive
Livonia, MI 48154

RECEIVED
APR 01 2022
CITY OF LIVONIA
PLANNING COMMISSION

Re: Petitions 2022-03-02-10 - 12780 Wayne Road

Mr. Miller,
I have reviewed the plans in connection with the petition. I have no objections to the proposals.

Please feel free to contact me, should you have any questions.

Sincerely,

FOR THE CHIEF OF POLICE,

Sgt. Scott Szczepanski #543

Scott Szczepanski, Sergeant
Traffic Bureau
(734) 466-2107

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
SANITATION
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT



MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2580
FAX: (734) 466-2095

Date: April 19, 2022

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2022-03-02-10 - 12780 Wayne Road

Pursuant to your request, the above referenced Petition has been reviewed.

1. The rear of this property is gravel. The petitioner would need to pave the rear lot within two years if this petition moves forward.
2. A zoning compliance permit and inspections of the building and property will be required if this petition moves forward.

This Department has no further objections to this Petition.

I trust this provides the requested information.

Jerome Hanna

Jerome Hanna
Director of Inspection

DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT



MAUREEN MILLER BROSNAN
MAYOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2260
FAX: (734) 421-1807

April 8, 2022

Mr. Scott O. Miller
Planning Commission
33000 Civic Center Drive
Livonia, MI 48154

Petition 2022-03-02-10 - 12780 Wayne Road

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. The following amounts are due to the City of Livonia:

Unpaid water and sewer charges:	\$ 222.82
Total Due City of Livonia	\$ 222.82

Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula
Chief Accountant

CK: jw

Transaction Statement

Service Address

12780 WAYNE
LIVONIA, MI 48150

Mailing Address

STRAIGHT SHOT PERFORMANCE
12824 BERWYN
REDFORD, MI 48239

Account Number

017001100-001

Amount Due

\$222.82

Account Number

017001100-001

From - Through

10/08/2021 - 04/08/2022

Services

Water & Sewer - Metered

Service Address

12780 WAYNE
LIVONIA, MI 48150

Beginning Balance

\$0.00

Date	Type	Amount	Description
10/18/2021	Bill	\$91.20	Due Date 11/10/2021
11/15/2021	Penalty	\$9.12	
01/14/2022	Bill	\$102.24	Due Date 02/10/2022
02/14/2022	Penalty	\$20.26	

Total Due

\$222.82

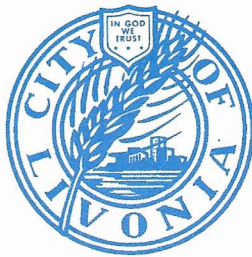
Transaction Statement

Account Number

017001100-001

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER



33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3060
(734) 466-2245
FAX: (734) 421-7230

April 5, 2022

Mr. Scott Miller – Planner IV
Planning Commission
City of Livonia

Re: Petition 2022-03-02-10

12780 Wayne Road
Excellerated Towing & Recovery

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time there are no taxes due, therefore I have no objections to the proposal.

Sincerely,


Lynda L. Scheel
Treasurer, City of Livonia

UNAPPROVED MINUTES

1

MINUTES OF THE 1,187th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, May 17, 2022, the City Planning Commission of the City of Livonia held its 1,187th Public Hearing and Regular Meetings in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7 p.m.

Members present: Carol Smiley Glen Long Betsy McCue
Dave Bongero Peter Ventura Sam Caramagno
Ian Wilshaw

Members absent: None

Mr. Mark Taormina, Planning Director, Jacob Uhazie, Planning & Economic Development Coordinator, and Stephanie Reece, Program Supervisor, were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

ITEM #3 PETITION 2022-03-02-10 Excellerated Towing

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2022-03-02-10 submitted by Excellerated Towing & Recovery requesting waiver use approval pursuant to Sections 3.16 and 6.58 of The Livonia Vision 21 Zoning Ordinance, as amended, to operate a vehicle tow yard at 12780 Wayne Road, located on the east side of Wayne Road just south of Schoolcraft Road in the Northwest ¼ of Section 28.

Mr. Taormina: Thank you. This request is to operate a vehicle tow yard. The site is on Wayne Road south of Schoolcraft Road. The property is roughly 0.68 acres, measuring 100 feet in width by 290 feet in depth. The zoning is M-1, Light Manufacturing, and the site is completely surrounded by other industrial properties. The existing building is on the front part of the site. This building is roughly 6,000 square feet in size. It includes 4,800 square feet of shop area and approximately 1,200 square feet of office space. Parking is available on the south side of the building, as well as behind the building on the east side. The proposed tow storage yard would be in the rear yard. This fenced-in area is about 13,000 square feet and contains a gravel surface. Gated access to the proposed vehicle tow yard would be located next to the southeast corner of the building. On the front of the building next to the office, there's an existing truck well. It is uncertain if it would serve any purpose for the proposed use. Eight (8) paved parking spaces are shown on the south side of the building which would be available for customers. The gravel tow storage yard has the capacity to accommodate roughly 25 parking spaces for both recovered vehicles and company tow trucks. The site plan does not show any trash containers. Landscaping requires one full size tree plus one ornamental tree and 10 shrubs. The plan shows one existing full-size tree, two ornamentals and 18 shrubs. Thus, the plan provides the required amount of landscaping. In terms of exterior lighting, the plan is showing wall packs placed on the rear wall of the building. We're not sure how the south parking spaces are or would be illuminated, but the rear appears that it would be with the use of the wall packs. The site would be allowed one wall sign measuring 25 square feet, but we do not have details on that. With that I will read the correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: The first item is from the Engineering Division, dated March 28, 2022, which reads as follows: *"In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed waiver use at this time. The existing parcel is assigned the address of #12780 Wayne Road. The existing building is currently serviced by public water main, storm sewer and sanitary sewer. According to the proposed plans, there should not be impacts to the existing utilities. Should the developer need to make revisions to the existing leads, or do any work within the Wayne Road right-of-way, they will need to submit Engineering drawings to this*

UNAPPROVED MINUTES

3

Department to determine if permits will be required.” The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated April 18, 2022, which reads as follows: “This office has reviewed the site plan submitted in connection with a request to construct a commercial building on property located at the above referenced address. We have no objections to this proposal with the following stipulations: On submitted plans, please include nearest fire hydrant location(s). A further detailed plan review will take place when this division receives an official plan set.” The letter is signed by Brian Kukla, Fire Marshal. The next letter is from the Division of Police, dated March 29, 2022, which reads as follows: “I have reviewed the plans in connection with the petition. I have no objections to the proposal.” The letter is signed by Scott Szczepanski, Sergeant, Traffic Bureau. The next letter is from the Inspection Department, dated April 19, 2022, which reads as follows: “ Pursuant to your request, the above referenced Petition has been reviewed. 1. The rear of this property is gravel. The petitioner would need to pave the rear lot within two years if this petition moves forward. 2. A zoning compliance permit and inspections of the building and property will be required if this petition moves forward. This Department has no further objections to this Petition.” The letter is signed by Jerome Hanna, Director of Inspection. The next letter is from the Finance Department, dated April 8, 2022, which reads as follows: “ I have reviewed the address connected with the above noted petition. The following amounts are due to the City of Livonia: Unpaid water and sewer charges: \$ 222.82 Total Due City of Livonia \$ 222.82” The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurer’s Department, dated April 5, 2022, which reads as follows: In accordance with your request, the Treasurer’s Office has reviewed the name and addresses connected with the above noted petition. At this time there are no taxes due, therefore I have no objections to the proposal.” The letter is signed by Lynda Scheel, Treasurer That is the extent of the correspondence. Thank you.

Mr. Wilshaw: Thank you. Mr. Taormina. Is there any questions for our planning staff? Ms. Smiley.

Ms. Smiley Currently, what's in there right now, Mark?

Mr. Taormina: I don't know the actual business or use.

UNAPPROVED MINUTES

4

Ms. Smiley: Well, I'm looking at this overhead, and I was just curious, what's going on there?

Mr. Taormina: A business that has a very strange way of storing their equipment in the back just based on the aerial photograph.

Ms. Smiley: Okay. Thank you.

Mr. Wilshaw: Thank you, Ms. Smiley. Any other questions for our planning staff? Is our Petitioner in the audience? You are welcome to come forward to our podium. Good evening, sir. I'll ask that you start with your name and address.

Michael fields, 14310 21 ½ Mile Road, Marshall, MI.

Mr. Wilshaw: Okay. Thank you, Mr. Fields. And is there anything else that you'd like to add to this petition?

Mr. Fields: No, not at the current moment.

Mr. Wilshaw: Okay, is there any questions from any of our commissioners for our petitioner? Mr. Caramagno.

Mr. Caramagno: When you were here...seems like an eternity ago, with the study session, you told me you had a towing yard off of Telegraph Road.

Mr. Fields: Correct.

Mr. Caramagno: Was it Tamaroff?

Mr. Fields: We rent space from Tamaroff. 25 spots.

Mr. Caramagno: Okay. Do you keep equipment there?

Mr. Fields: Nothing other than our trucks.

Mr. Caramagno: What do you keep in the 25 spots that you hold for Tamaroff?

Mr. Fields: Well, we were keeping cars that needed to go to insurance companies or collision shops or what have you, but we've downsized down to 10 spots.

Mr. Caramagno: So, you said you dialed back at 10 spots?

Mr. Fields: Yes.

Mr. Caramagno: Because I drove by there and I didn't see any Excellerated equipment towing. I didn't see any smashed up cars. I didn't see anything there.

Mr. Fields: We've stopped doing a lot of roadside, so we don't really have the need for that much space anymore.

Mr. Caramagno: But you still hold that spot, but you don't utilize...

Mr. Fields: In case we need it.

Mr. Caramagno: Okay, so where do you operate out of now?

Mr. Fields: Right now we're all mobile. We're mobile until this deal here and either passes or fails. There's no need for us to secure any other property because we're in the middle of this process right here. Because the property we're trying to build in Livonia obviously did not go through. So that kind of basically threw us for a big loop.

Mr. Caramagno: So mobile, meaning you keep the trucks...

Mr. Fields: On the road, basically 24 hours now and I let two of the drivers take the trucks home.

Mr. Caramagno: Okay, so when you tow something, you tow it, where to?

Mr Fields: Either to our shop or to owners' residence. If it needs to be stored overnight, we have the ability to store about 10 vehicles.

Mr. Caramagno: Is that what the intent of this building on Wayne Road is? You'd bring the equipment and keep your trucks there?

Mr. Fields: Yes.

Mr. Caramagno: Okay. Thank you.

Mr. Wilshaw: Thank you. Mr. Caramagno. Any other questions for our petitioner? No other questions from our commissioners? Mr.Long.

Mr. Long: What would be the average stay of a vehicle at this location?

Mr. Fields: I would say two to three days at the most. Probably more like 12 to 14 hours.

UNAPPROVED MINUTES

6

- Mr. Long: Thank you.
- Mr. Wilshaw: Thank you, Mr. Long. Any other questions? Ms. Smiley/
- Ms. Smiley: If like the car was involved in an accident or something and...don't police have to keep it for evidence for a while.
- Mr. Fields: No, we don't have a police contract. That's something totally different. If a vehicle is picked up on the scene, and there's any investigation, it wouldn't go to us it will go to Livonia towing or whoever has the contract for the Livonia Police Department, which we're not interested in.
- Ms. Smiley: So, you're not interested in bidding or doing anything with the Police Department?
- Mr. Fields: No, ma'am. Not at all.
- Ms. Smiley: Okay. Thank you.
- Mr. Wilshaw: Thank you. Ms. McCue.
- Ms. McCue: Sorry, just to reiterate this, but so your model that you have right now is basically going to continue. It's just that you will have a location to park your trucks.
- Mr. Fields: Correct.
- Ms. McCue: You're not storing cars there? There's nothing else? You're not adding additional services or anything like that?
- Mr. Fields: No. We're downsizing.
- Ms. McCue: Okay. Thank you.
- Mr. Fields: Yep. You're welcome.
- Mr. Wilshaw: All right. Any other questions for our petitioner? I don't see any other questions. Anyone in our audience wishing to speak for or against this item? We do have one person coming forward. Give them a chance to come forward and speak. Good evening, sir.
- Chris Reeve. 12815 Wayne Road, Livonia, MI. I operate a commercial flooring installation company at 12815 Wayne Road. We're right around the corner of Wayne and Glendale. So, I'm not really opposed to

UNAPPROVED MINUTES

7

this, but I do have a couple of concerns. Couple questions. Couple concerns. One, would this be a temporary use exemption for the duration of their tenancy there or would the rest of us in that zone also have the additional benefit of that from a commercial property value? standpoint?

Mr. Wilshaw: Well, this is a waiver-use that's being sought to us, and the waiver-use runs with the property. Is that correct Mr. Taormina?

Mr. Taormina: That is correct unless we stipulate that it's for this user only.

Mr. Reeve: Okay, and the other two concerns...I know that that building does have a gated lot, so would all the tow vehicles and recovered vehicles be kept behind that gated lot?

Mr. Wilshaw: that's something that we could, again, stipulate in our approval if we wanted to do that.

Mr. Reeve: And the main couple reasons for concern...our business, we have a gated privacy fence and a gated backlot and we've already had two vehicles and a trailer stolen from back there, so...I'm also a little bit concerned about the extra traffic, off hours traffic, you know, whether it be extra, you know, maybe police patrol in that area because it is kind of a blind corner. You know, and it does dead end. So, it is kind of a little bit of a security concern for us as well... But definitely, like I said, I'm not opposed to it if we can all just kind of work together with those concerns.

Mr. Wilshaw: Sure. Makes sense. Appreciate that. Alright, thank you for coming this evening. Anyone else wishing to speak on this item? for or against? I don't see anyone else coming forward. Mr. Fields, is there anything else that you wanted to add before we make our decision?

Mr. Fields: No, not at the moment.

Mr. Wilshaw: Okay. Any other questions from any of our commissioners for petitioner? If there's nothing else, I'll close the public hearing and a motion be an order. Thank you for coming.

On a motion by Caramagno, seconded by Smiley, and unanimously adopted, it was

#05-26-2022 **RESOLVED**, That pursuant to a Public Hearing having been held by the City Planning Commission on May 17, 2022, on

Petition 2022-03-02-10 submitted by Excellerated Towing & Recovery requesting waiver use approval pursuant to Sections 3.16 and 6.58 of The Livonia Vision 21 Zoning Ordinance, as amended, to operate a vehicle tow yard at 12780 Wayne Road, located on the east side of Wayne Road just south of Schoolcraft Road in the Northwest ¼ of Section 28, the Planning Commission does hereby recommend to the City Council that Petition 2022-03-02-10 be denied for the following reasons:

1. That the petitioner has failed to affirmatively show that the proposed use complies with all the general waiver use standards and requirements as set forth in Sections 6.58 and 13.13 of the Livonia Vision 21 Zoning Ordinance, as amended.
2. That the operation of a vehicle tow yard with outdoor storage at this location and the pattern of traffic generated from the proposed use would have a detrimental effect upon the neighboring properties.
3. That the nature and intensity of the proposed use is inconsistent with the predominant small manufacturing businesses that are located within this industrial park, and
4. That the petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 of Livonia Vision 21 Zoning Ordinance, as amended.

Mr. Wilshaw: Is there any discussion?

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted.